ICFIID Provider Compliance Review Tool Personnel

| **Question #** | **Question** | **Guidance/Additional Information** |
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| 2.001 | Does the facility have an Administrator directly involved in the day to day operations and the oversight of service provision?5123:2-3-01 | * Verify through interview the frequency of administrator presence in the facility.
* Verify through interview and documentation the process by which the administrator is overseeing provision of services.
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| 2.002 | Did the Administrator have initial training in facility roles and responsibilities, including* Person Centered Planning
* Community Participation and Integration
* Self-determination
* Self-advocacy
* Individual Rights
* MUI, including review of health and welfare alerts
* Fiscal Administration
* Internal Compliance

5123:2-3-01 | * Within 60 days of hire for Administrators hired on or after 10/1/16.
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| 2.003 | Did the Administrator have annual training in facility roles and responsibilities, including* Person Centered Planning
* Community Participation and Integration
* Self-determination
* Self-advocacy
* Individual Rights
* MUI, including review of health and welfare alerts

5123:2-3-01 | * For administrators hired prior to 10/1/16, first annual training must occur by 9/30/17.
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| 2.004 | Did the ICF/IID complete the following initial database checks for applicants for direct service positions prior to employment?* Inspector General’s Exclusion List
* Sex Offender and Child Victim Offenders Database
* U.S. General Services Administration System for Award Management Database
* Database of Incarcerated and Supervised Offenders
* Abuser Registry
* Nurse Aide Registry
* Ohio Dept of Medicaid Exclusion and Suspension List

5123-2-02; 5123:2-3-01 | * **Prior to employment means on or before the date the employee is in paid status**
* Mark as non-compliant if initial checks were:
	+ not completed at all
	+ completed late
* For ICF/IIDs, this is not required for staff hired prior to January 1, 2013 until December 31, 2014.
* Ohio Dept of Medicaid Exclusion & Suspension list required for those hired after 7/1/19
* The Nurse Aide Registry and Database of Incarcerated/ Supervised Offenders may not be automatically disqualifying
	+ Persons on the other 5 databases cannot be employed to provide direct services
* Database checks must be run ONLY using Name/Date of Birth/SSN information
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| 2.005 | Did the ICF/IID complete the following database checks every five years for employees? * Inspector General’s Exclusion List
* Sex Offender and Child Victim Offenders Database
* U.S. General Services Administration System for Award Management Database
* Database of Incarcerated and Supervised Offenders
* Abuser Registry
* Nurse Aide Registry
* Ohio Dept of Medicaid Exclusion and Suspension List

5123-2-02; 5123:2-3-01 | * Mark as non-compliant if 5-year checks were:
* not completed at all
* completed late
* If employees are verified as enrolled in ARCS, the 5-year recheck is not required.
* Database checks must be run ONLY using Name/Date of Birth/SSN information
* 5-year checks must be run within 5 years from the date of the previous check, not 5 calendar years
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| 2.006 | Did the ICF/IID request that the Bureau of Criminal Identification conduct a criminal record check (BCII/FBI) prior to employing an applicant for a direct service position?5123-2-02; 5160-45-07; 5123:2-3-01; ORC109.572 | * **Prior to employment means on or before the date the employee is in paid status**
* **Those with an “In lieu of” conviction prior to 7/1/19 are grandfathered and able to work**
* **Those with an “active” in lieu of conviction for a disqualifying offense hired after 7/1/19 cannot provide direct services**
* Mark as non-compliant if initial checks were:
* not completed at all
* completed using the incorrect reason code/title
* completed late
* Reports from BCII/FBI are valid for one year
* Reference BCII Reason Code document for a list of acceptable reason codes.
* If the applicant has not been an Ohio resident for the 5 years previous to hire, the agency shall request that the BCII additionally obtain information from the FBI as part of the criminal records check.
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| 2.007 | Did the ICF/IID request the BCII/FBI check every 5 years for direct service employees who?* are not enrolled in Rapback
* require FBI check

 5123-2-02; 5160-45-07; 5123:2-3-01; ORC109.572 | * **Those with an “In lieu of” conviction prior to 7/1/19 are grandfathered and able to work**
* **Those with an “active” in lieu of conviction for a disqualifying offense hired after 7/1/19 cannot provide direct services**
* Mark as non-compliant if the 5-year checks were:
	+ not completed at all
	+ completed using the incorrect reason code/title
	+ completed late
* 5-year checks must be run 5 years after the date of initial check, not 5 calendar years.
* Reference BCII Reason Code document for a list of acceptable reason codes
* Rapback does NOT include the FBI check
* FBI check required if employee has not been an Ohio resident for the 5 previous years
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| 2.008 | Are staff in direct service positions enrolled in Rapback? 5123:2-2-01, 5123:2-3-01; 5123-2-02 | * If an employee is not able to get a BCII check via fingerprints they cannot be enrolled in Rapback, and the provider agency must continue to complete the 5-year BCII/FBI separately.
* Staff hired prior to October 1, 2016 must be enrolled in Rapback at the point of their next five-year BCII.
* Employees are to be enrolled within 14 calendar days of receiving the criminal records check or within 14 calendar days of hire; whichever is later.
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| 2.009 | Did the ICF/IID ensure that staff did not provide direct services for more than 60 days after employment without the results of the BCII/FBI records checks? 5123-2-02; 5160-45-07  | * Employees cannot provide direct services after 60 days
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| 2.010 | Did the ICF/IID ensure that direct services are only provided by employees who do not have a disqualifying offense and who are not included on any of the databases identified in rule?5123-2-02; 5160-45-07; 5123:2-3-01 | * **Those with an “In lieu of” conviction prior to 7/1/19 are grandfathered and able to work**
* **Those with an “active” in lieu of conviction for a disqualifying offense hired after 7/1/19 cannot provide direct services**
* Exclusionary periods do not start until employee is fully discharged from imprisonment, probation, and parole.
* Multiple disqualifying convictions have longer exclusionary periods. Refer to 5123-2-02 E(2) for info
* Only issue citation if a direct support staff with a disqualifying offense or on a registry is currently employed and working with individuals.
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| 2.011 | Did the ICF/IID staff, prior to employment, sign a statement:1. attesting that the staff person will notify the ICF/IID within 14 days if charged with, is convicted of, pleads guilty to, or is found eligible for intervention in lieu of conviction for a disqualifying offense and 2. attesting that the staff person has not been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for a disqualifying offense5123-2-02; 5160-45-07; 5123:2-3-01 | * Sample attestation form is available on DODD’s website under Forms
* Attestation statements not required to include in lieu of convictions for those hired prior to 7/1/19
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| 2.012 | Did the ICF/IID verify that the staff person has a high school diploma, GED or a rule waiver from the department?5123:2-2-01; 5123:2-3-01 | * Review with ICF/IID their system to verify a high school diploma or GED.
* Staff enrolled in college are considered to meet this requirement.
* Direct care staff hired prior to 10/1/16 are exempt from the requirement
* Direct care staff hired after 10/1/16 must have at time of hire
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| 2.013 | Does ICF/IID staff have: * Current CPR certification and
* Current first aid certification?

5123:2-2-01; 5123:2-3-01 | * Required for all staff who work in the ICF/IID, including nurses
	+ Licensed nurses are not required to have first aid certification.
* Must be obtained within 60 calendar days of hire and must work with another staff with CPR/First Aid until then
* Look at proof that if training is taken online, there is verification of hands-on return demonstration.
* ICF/IID with 24-hour nursing may request a rule waiver of CPR requirement.
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| 2.014 | If the provider/staff person is responsible for the following, do they have the appropriate certification for:* Oral or topical medications (Category 1)
* Health related activities (Category 1)
* G-tube/J-tube (Category 2)
* Insulin injections (Category 3)Family delegation is not permitted for agency providers.

5123:2-6-03; 5123:2-3-01; 5123-2-3-04 | * **Certification must be verified using MAIS.**
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| 2.015 | Does the direct care staff without med admin certification have training to perform the following tasks/use the following devices:* Vagus nerve stimulator
* Epinephrine auto-injector
* Administration of topical over-the counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces.

5123:2-6-05 | * The tasks can be performed by trained staff that do not have medication administration certification.
* Staff must complete training prior to using the device or administering the topical OTC medication
* Training must be provided by the licensed nurse or DD personnel with health-related activities and prescribed medication administration certification
* Training must be the department approved curriculum
* Training must include individual specific information
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| 2.016 | For ICF/IID staff members who are responsible for transporting individuals, did the ICF/IID ensure that a driver’s abstract was completed prior to transporting individuals?5123-2-02; 5123:2-3-1 | * Abstract is required for all staff who transport individuals, even if transportation service is not billed
* Unofficial abstract from BMV is acceptable
* Driver is ineligible to drive if they have six points or more on their abstract
* Abstract should come from the state where the employee lives
* Required to be completed no more than 14 days prior to initial transportation of individuals
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| 2.017 | Did the ICF/IID ensure that only staff with 5 or fewer points on their driver's abstract transport individuals?5123-2-02; 5123:2-3-01 | * This includes driving individuals even when transportation is not billed.
* Staff with 6 or more points cannot transport persons receiving waiver services.
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| 2.018 | Did the staff person receive initial training prior to providing services that included: (i) Overview of serving individuals with developmental disabilities including implementation of ISP (ii) The role and responsibilities of direct services staff with regard to services including person-centered planning, community integration, self-determination, and self-advocacy; (iii) Universal precautions (iv) Initial rights training (v) Initial MUI training including the health and welfare alerts issued by the department.5123:2-3-01  | * Effective 10/1/15 for new hires
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| 2.019 | Prior to providing services to an individual, did the direct care staff person receive training specific to each individual he/she supports that includes:(i) on what is important to and important for the individual (ii) the individual's support needs including, as applicable, behavioral support strategy, management of the individual’s funds, and medication administration/delegated nursing5123:2-2-01; 5123:2-3-01 | Look for this requirement to be met when:* There is a new staff person
* Prior to working with new individuals
* When there is a significant change in support needs
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| 2.020 | Did the supervisory staff for direct services positions complete the following training within 90 days of becoming a supervisor? Service documentation; billing for services, management of individuals' funds5123:2-2-01; 5123:2-3-01 | * New supervisory staff hired after 10/1/16
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| 2.021 | Did all ICF/IID staff have initial training on actions to take in the event of a fire or other emergencies? 5123:2-3-01 | * Must be completed within 30 days
* Staff who have not completed this training cannot work alone.
* Training must specifically cover actions to take in the event of a fire or tornado.
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| 2.022 | Did all ICF/IID staff have annual training on actions to take in the event of a fire or other emergencies?5123:2-3-01 | * Training must specifically cover actions to take in the event of a fire or tornado.
* Once during each calendar year
* Not required to be within 365 days
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| 2.023 | Did the ICF/IID staff have annual training on the following:* MUI/UI requirements and health and welfare alerts from the previous year
* Rights of Individuals with DD
* Person-centered planning, community integration, self-determination, and self-advocacy

5123:17-02; 5123:2-2-01; 5123:2-3-01 | * Once during each calendar year
* Not required to be within 365 days
* Required for CEO and/or Administrators annually
* Agency board members must have training on MUI reporting requirements
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| 2.024 | Did the ICF/IID staff have annual notification explaining conduct for which a DD employee may be included on the Abuser Registry?5123:17-02. 5123:2-3-01 | * Annual Abuser Registry Notice can be found on DODD’s website under Health & Welfare/Tool Kit/Abuser Registry
* A staff signature is not required.
* ICF/IID must have a process to implement.
* Required once annually during calendar year, not every 365 days.
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