



Basic MUI Rule Training | DSP 2019

About the Department

The Ohio Department of Developmental Disabilities (DODD) oversees a statewide system of supports and services for people with developmental disabilities and their families. DODD does this by developing services that ensure an individual's health and safety, encourage participation in the community, increase opportunities for meaningful employment, and provide residential services and support from early childhood through adulthood.

Mission and Vision

The Ohio Department of Developmental Disabilities is committed to improving the quality of life for Ohioans with developmental disabilities and their families. Offering support across the lifespan of people with developmental disabilities, the department oversees a statewide system of supportive services that focus on assuring health and safety, supporting access to community participation, and increasing opportunities for meaningful employment.



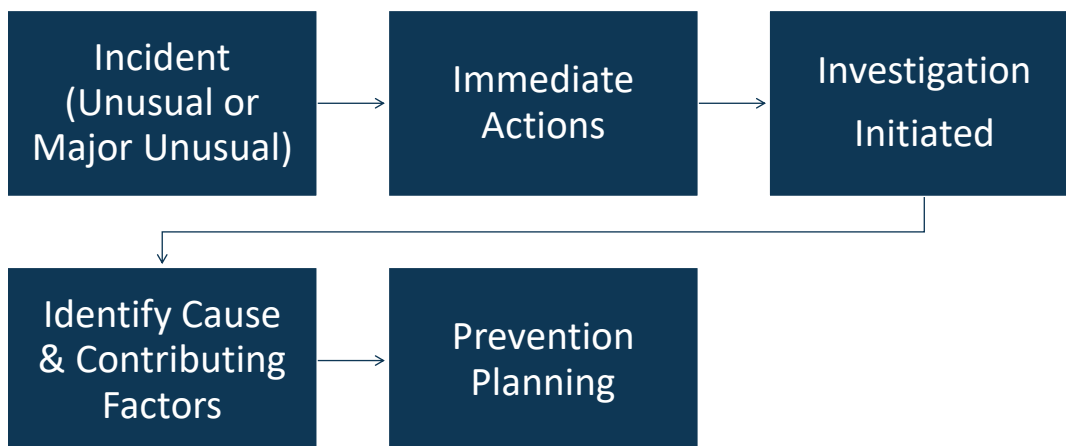


Purpose

This training is intended for any Direct Support Professional and covers the following topics:

- Unusual Incidents
- MUI Rule Definitions
- Reporting Requirements
- Patterns and Trends
- Abuser Registry
- Rights

Protecting the health and welfare of individuals supported in Ohio is of the utmost importance. In that regard, Ohio works diligently to build collaborative working relationships with service delivery partners focusing on reporting, investigation and prevention. The critical incident reporting system in Ohio (MUI System) is a robust, quality improvement process that counts on participation from individuals, families, providers, county boards and other constituents. Working together we can provide services that allow individuals to enhance quality of life outcomes while managing risk and protection from harm. Thank you for the work you do and the lives you change every day.



Unusual Incidents

“Unusual Incident” means an event or occurrence involving an individual that is not consistent with routine operations, policies and procedures, or the individual’s care or service plan, but is not a Major Unusual Incident. Unusual Incident includes but is not limited to;

- Dental injuries;
- Falls;
- Injury that is not a significant injury;
- Medication errors without a likely risk to health and welfare;
- Overnight relocation due to fire;
- Natural Disaster
- Mechanical Failure
- Incident involving two individuals served that is not a Peer-to-Peer act that is not a major unusual incident;
- Rights code violations
- Unapproved behavioral support without a likely risk to health and welfare.
- Emergency room or urgent care treatment
- Program implementation incidents

Incident Report Requirements

- Any person who provides any type of service to an individual with developmental disabilities.
- Your report should be clear, legible and easy to read.
- It should answer address 5 W's.
- The Incident Report must contain 13 required elements. Those included but not limited to are; individual's name, address, location of injury and the date of incident.



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7

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8

Unusual Incident Requirements



- Make preventative measures most important part
- Providers are required to investigate all unusual incidents.
- Always document what actions were taken to ensure the health and welfare of **any** at risk individual(s).

Immediate Actions

Always document what actions were taken following the incident:

Checked for Injuries	Called 911	Initiated First Aid	Contacted the Doctor	Secured the money
Made sure individual had food	Picked up needed meds	Notified Law Enforcement for criminal acts	Contacted County Board/IA	Separated the individuals
Removed the PPI when appropriate	Nursing Assessment	Taken to E.R.	Called Poison Control	Provided additional staffing

Major Unusual Incidents (MUIs)

MUI means the alleged, suspected, or actual occurrence of an incident when there is reason to believe the incident has occurred.

- 19 categories



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Reporting Responsibilities

Take immediate actions to protect all at risk individuals which shall include:

- Immediate or ongoing medical attention as appropriate
- Removal of an employee from direct contact with any individual when the employee is alleged to have been involved in physical abuse or sexual abuse until such time as the provider has reasonably determined that such removal is no longer necessary;
- Other necessary measures to protect the health and welfare of at-risk individuals.

The Department shall resolve any disagreements



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12

Reporting Responsibilities

Immediate 4 Hour Reports;

- Accidental or suspicious death
- Exploitation
- Misappropriation
- Neglect
- Peer to Peer act
- Physical abuse
- Prohibited Sexual abuse
- Verbal abuse
- Inquiry from the media about a MUI

13



Reporting Responsibilities

- Submit Written Incident Report by 3:00 p.m. the Next Working Day
- Notify Law Enforcement of Criminal Act
- Notify Children's Services for abuse and neglect under the age of 21



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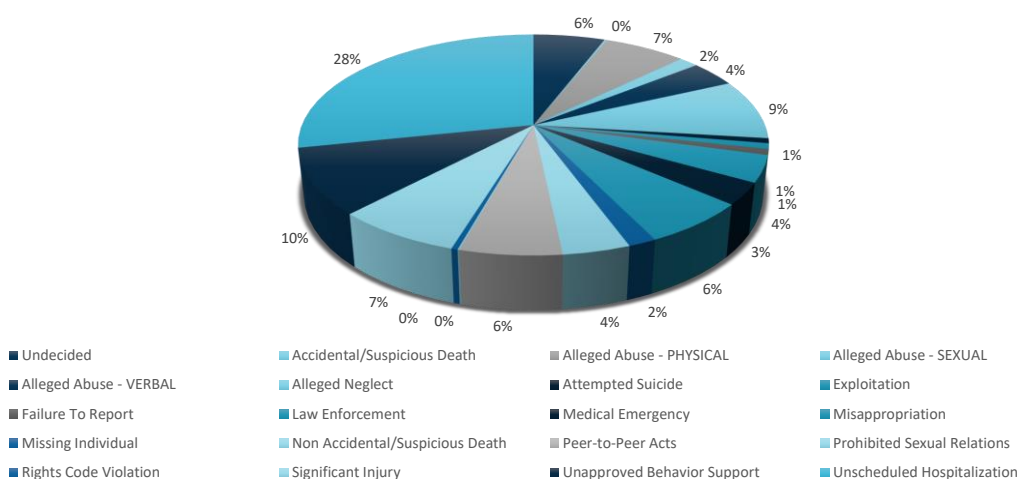
What should you expect?

- Your role in the incident process
- What if I am a Primary Person Involved?
- Do I have to cooperate?
- What does substantiation mean?



15

A review of the 2017 MUI Data



Physical Abuse

Physical force and reasonably be expected to result in harm.

Examples: Hitting, slapping, pushing, dragging or throwing an object when the allegation indicates that it could reasonably result in harm.

Cause/Contributing Factors:

- Control
- Unrealistic expectations and retaliation
- Care giver burn out and exhaustion
- Scheduled excessive hours
- Lack of coping skills
- Ineffective training to deal with aggression

2017 Physical Abuse MUI Data		
Total Allegations	1374	
Total Substantiated	426	
Percentage Substantiated	31%	
PPI Breakdown		
PPI Description	Sub #	%
Family	92	22%
Guardian	2	0%
*Other	145	34%
Payee	0	0%
Staff	128	30%
Unknown	59	14%



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17

Sexual Abuse

- Unlawful sexual contact
- Unlawful sexual conduct
- Public indecency, voyeurism, importuning, etc.

Contact involves touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person. Conduct includes oral sex or penetration including digital or with objects.

Causes and Contributing Factors:

- Power
- PPI was a victim of sexual abuse

2017 Sexual Abuse MUI Data		
Total Allegations	316	
Total Substantiated	69	
Percentage Substantiated	22%	
PPI Breakdown		
PPI Description	Sub #	%
Family	16	23%
Guardian	1	1%
*Other	38	55%
Payee	0	0%
Staff	3	4%
Unknown	11	16%



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18

Verbal Abuse

The use of words, gestures, or other communicative means to threaten, coerce, intimidate, harass or humiliate an individual.

Examples: Using social media to post humiliating pictures of someone you serve, threatening to harm a person if they tell on you for sleeping, telling the individual that you will have their roommate beat them up if they don't stop screaming.

Cause/Contributing Factors:

- Control; unrealistic expectations
- Staff are in challenging situation with little support
- Staff don't recognize their own trauma history

2017 Verbal Abuse MUI Data		
Total Allegations	779	
Total Substantiated	315	
% Substantiated	40%	
PPI Breakdown		
PPI Description	Sub.	%
Family	38	12%
Guardian	5	2%
*Other	80	25%
Payee	0	0%
Staff	176	56%
Unknown	16	5%



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19

Know the signs of abuse

- Ongoing unexplained health problems like stomach aches, headaches
- Withdrawal from previously enjoyable activities, places, or persons, suddenly avoiding places or people
- Changes in sleep patterns such as nightmares, trouble sleeping, sudden bedwetting, and other sleep problems
- Dressing in layers of clothing
- Changes in appetite, loss of appetite, weight gain or loss



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18



Know the signs of abuse

- Bruising
- Bleeding, soreness, redness, irritation, itching, and unusual discharges
- Torn or stained underwear or linens
- Sexually transmitted diseases
- New sexual knowledge or sexual behavior
- Sudden difficulty walking or sitting
- Suddenly frightened of certain people or situations



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19

What can you do?

- Help the person feel safe, set judgements aside
- Remember to NOT imply blame on the victim.
- Ask questions like "were you able to?" Instead of "why didn't you?" when talking to the individual.
- Emotionally support the victim.
- Remember to refer the individual for counseling and victim's assistance as appropriate.
- Make a point to talk with the person one on one, repeatedly over multiple visits
- Make unscheduled visits
- Have a plan of response
- Every one deals with trauma differently



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22

Neglect

- A duty
- Failing to provide an individual with medical care, personal care, or other support that consequently results in serious injury or places an individual or another person at risk of serious injury.
- Serious injury means an injury that results in treatment by a physician, physician assistant, or nurse practitioner.

Examples;

- An individual with a history of eloping is left alone in a vehicle.
- An individual's diet requires that all food is cut into dime-sized pieces and the DSP gives the individual a slice of pizza.

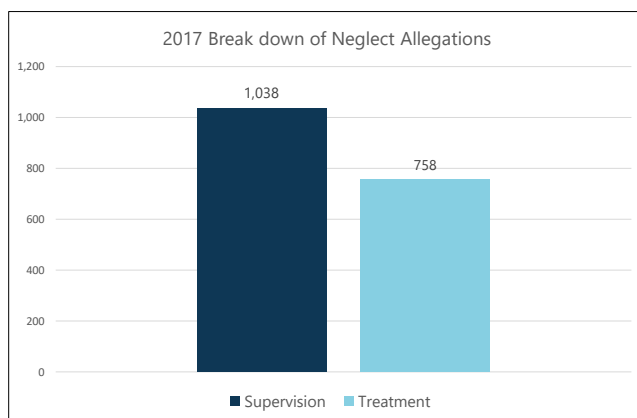
2017 Neglect MUI Data		
Total Allegations	1,797	
Total Substantiated	1,211	
Percentage Substantiated	67%	
PPI Breakdown		
PPI Description	Sub #	%
Family	89	7%
Guardian	21	2%
*Other	82	7%
Payee	0	0%
Staff	1016	84%
Unknown	3	0%



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23

Neglect



What is Systems Neglect?

A substantiated MUI attributed to multiple variables.



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24

Neglect types

Supervision

- An individual requires close supervision when eating and their food must be prepared in a mechanical soft consistency due to history of choking. The DSP working with the individual has not been trained by the employer on the individual's ISP needs and the individual began choking on non-modified food.
- A regular 3rd shift DSP calls off to the on-call manager. The manager does not secure coverage and the 2nd shift DSP left although no one came to replace him. This places individual's at risk of severe injury.

Treatment

- Criminal activity – not feeding or providing medication
- Lack of Medical attention
- Not calling 911
- Dietary Texture-pacing while eating
- Failure to follow ISP
- Failure to follow Doctor's orders
- Lack of training on treatments



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Programmatic Implementation UI

An Unusual Incident involving the failure to carry out a person centered plan when such failure causes minimal risk or no risk.

Examples include, but are not limited to, failing to provide supervision for short periods of time, automobile accidents without harm, and self- reported incidents with minimal risk.

Programmatic Implementation UI

Examples;

- An individual is dropped off at home with no staff present. The individual uses his key and enters the home. The individual is home alone for an hour. There is no known risk to the individual.
- An individual with eyes on supervision walks away from staff while they are paying for groceries. The individual makes it to the front door before staff catches up to them.
- An individual's staff is there to provide over night support in case he has a seizure. The staff self-reported she fell asleep for 10 minutes. John was checked on and fine. He suffered no adverse effects.
- An agency staff was involved in a minor car accident while transporting 2 individuals. Staff was cited for failing to assure clear distance. No one was harmed.

27

Misappropriation

- With intent
- Deprive, defraud, or otherwise obtain real or personal property
- As prohibited in Ohio Revised Code 2911 and 2913

Examples: Using someone's credit card, taking a person's Ipad, "borrowing" someone's money and paying it back on Friday, withdrawing cash from their personal funds without their knowledge/permission.

Cause and Contributing Factors:

- PPI has a gambling or drug problem
- Multiple people have access to property or funds
- Easy access to individual's financial information

2017 Misappropriation MUI Data		
Total Allegations	1,297	
Total Substantiated	858	
Percentage Substantiated	66%	
PPI Breakdown		
PPI Description	Sub #	%
Family	79	9%
Guardian	6	1%
*Other	134	16%
Payee	22	3%
Staff	175	20%
Unknown	442	52%

Exploitation

- Unlawful or improper or
- Using Individual's resources for personal benefit, profit, or gain

Examples: Selling raffle tickets to individuals for your daughter's sports team, having the individual buy home party items so you can get free stuff, having an individual clean your house, having the individual buy a fax machine for you to use at their home for your business.

2017 Exploitation MUI Data		
Total Allegations	167	
Total Substantiated	87	
Percentage Substantiated	52%	
PPI Breakdown		
PPI Type	Exploitation	
PPI Description	Sub #	%
Family	16	18%
Guardian	1	1%
*Other	22	25%
Payee	3	3%
Staff	19	22%
Unknown	26	30%



Prohibited Sexual Relations

- Developmental Disabilities employee
- Consensual sexual conduct or contact
- With an individual who is not their spouse
- Employed or under contract to provide care to the individual at the time of the incident
- Anyone in the Developmental Disabilities employee's supervisory chain of command

2017 PSR MUI Data		
Total Allegations	17	
Total Substantiated	11	
Percentage Substantiated	65%	
PPI Breakdown		
PPI Type	Prohibited Sexual	
	Sub #	%
Family	NA	NA
Guardian	NA	NA
*Other	NA	NA
Payee	NA	NA
Staff	11	100%
Unknown	NA	NA



Failure to Report

- DD employee unreasonably failed to report Abuse or Neglect
- Knew or should have known
- Failure would result in a substantial risk of harm

2017 FTR MUI Data		
Total Allegations	175	
Total Substantiated	123	
Percentage Substantiated	70%	
PPI Breakdown		
PPI Description	Sub #	%
Family	NA	NA
Guardian	NA	NA
*Other	NA	NA
Payee	NA	NA
Staff	123	100%
Unknown	NA	NA



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31

Rights Code Violation

"Rights code violation" means any violation of the rights enumerated in section 5123.62 of the Revised Code that creates a likely risk of harm to the health or welfare of an individual.

Examples:

- Staff takes the individual to a movie, he does not want to go, and he becomes upset and bangs his head against the wall.
- Staff padlocks the refrigerator and the individual sustains a laceration trying to break the lock.
- Staff refuses to take the individual on a scheduled activity for their own convenience or preference. The scheduled activity is a reinforce for positive behavior. Individual is upset due to this rights violation and becomes aggressive. LE is contacted the individual is arrested.

2017 Rights Code MUI Data		
Total Allegations	76	
Total Substantiated	47	
Percentage Substantiated	62%	
PPI Breakdown		
PPI Type	Rights Code Violation	
	Sub #	%
Family	0	0
Guardian	0	0
*Other	0	0
Payee	0	0
Staff	46	98%
Unknown	1	2%



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32

Deaths

Two categories of deaths:

- Accidental or suspicious death. "Accidental or suspicious death" means the death of an individual resulting from an accident or suspicious circumstances (Category A)
- Death other than accidental or suspicious death. "Death other than accidental or suspicious death" means the death of an individual by natural cause without suspicious circumstances (Category B)
- There were 33 Accidental Deaths and 802 Non Accidental Deaths in 2017 of the 93,000 people served.
- The leading causes of accidental deaths were Choking, Falls, Drownings and Vehicle accidents.



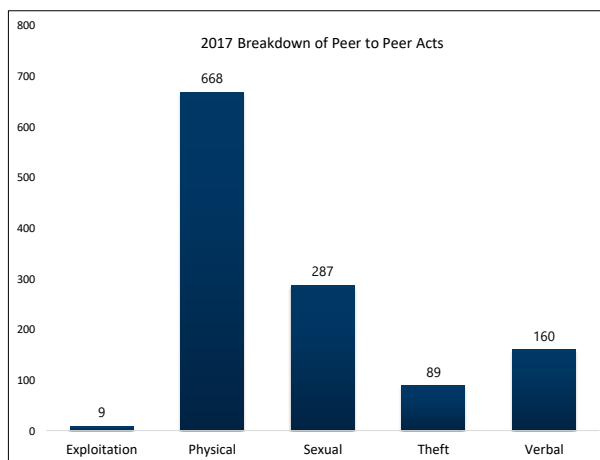
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33

Peer to Peer Acts

- "Peer-to-Peer act" means one of the following incidents involving two individuals served:

- Exploitation
- Theft
- Physical Act
- Sexual Act
- Verbal Act



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34



Peer to Peer Acts

- Theft which means intentionally depriving another individual of real or personal property valued at twenty dollars or more or property of significant personal value to the individual.
- Sexual Act which means sexual conduct and/or contact for the purposes of sexual gratification without the consent of the other individual.
- Verbal Act which means the use of words, gestures, or other communicative means to purposefully threaten, coerce, or intimidate the other individual when there is the opportunity and ability to carry out the threat.
- Exploitation means the unlawful or improper act of using an individual or an individual's resources for monetary or personal benefit, profit, or gain.



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35

Peer to Peer Acts

Physical Act which means a physical altercation that;

- Results in an injury that is treated in examination or treated by a physician, physical assistant, or nurse practitioner.
- Involves strangulation, bloody nose, a bloody lip, a black eye, a concussion, or biting which causes breaking of the skin; or
- Results in individual being arrested, incarcerated, or the subject of criminal charges.

Examples;

- An individual reaches in front of a peer who bites him on the arm and causes an open wound.
- An individual is teasing a peer. The peer tells the individual to stop it or he will be sorry. Teasing continues, the peer gets up and starts strangling the individual.



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36

Attempted Suicide

Physical attempt that:

- Results in ER treatment or
- Inpatient observation or
- Hospital admission

In 2017, there were 146 attempted suicides. Four people lost their life. Every attempt is a cry for help.

Suicide Prevention Resources

Crisis Text Line
Text "4HOPE"
to 741741 to be
connected
to a counselor 24/7

Suicide Prevention
1-800-273-TALK



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37



Missing Person

An incident that is not considered neglect and an individual's whereabouts, after immediate measures taken, are unknown and the individual is believed to be at or pose an imminent risk of harm to self or others. An incident when an individual's whereabouts are unknown for longer than the period of time specified in the individual's service plan that does not result in imminent risk of harm to self or others shall be investigated as an unusual incident.

There were 337 Missing Individuals reports in 2017.



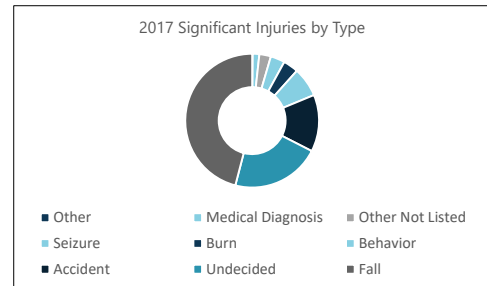
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38

Significant Injury

Significant injury means an injury of known or unknown cause that is not considered abuse or neglect and that results in concussion, broken bone, dislocation, second or third degree burns or that requires immobilization, casting, or five or more sutures. Significant injuries shall be designated in the incident tracking system as either known or unknown cause.

Examples: falls, broken finger of unknown origin, scalding burn to hands from faucet.



Type of Significant Injury	Count
Other	2
Medical Diagnosis	24
Other Not Listed	42
Seizure	52
Burn	55
Behavior	107
Accident	207
Undecided	324
Fall	691



Medical Emergency

There was 652 Medical Emergencies filed in 2017.

Medical emergency means an incident where emergency medical intervention is required to save an individual's life (e.g. choking). Techniques such as back blows or cardiopulmonary resuscitation, use of an automated external defibrillator, or use of an epinephrine auto injector.

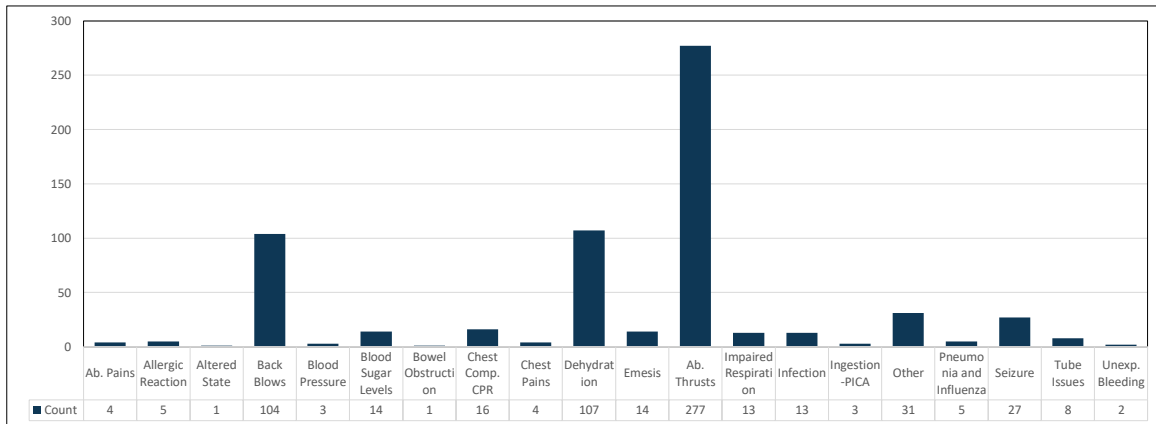
Narcan would be considered a life saving technique.

Remember choking prevention strategies:

- Right Diet
- Proper Positions- 90 degree angle during all intake
- Supervision
- Take precaution with foods that are common choking hazards
- Document all choking incidents
- Notify the doctor or nurse of any swallowing concerns



2017 Medical Emergency Data



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41

Unanticipated Hospitalizations

"Unanticipated hospitalization" means any hospital admission or hospital admission exceeding 24 hours that is not pre-scheduled or planned.

A hospital admission associated with a planned treatment or pre-existing condition that is specified in the Individual Service Plan indicating the specific symptoms and criteria which requires hospitalization.

Examples:

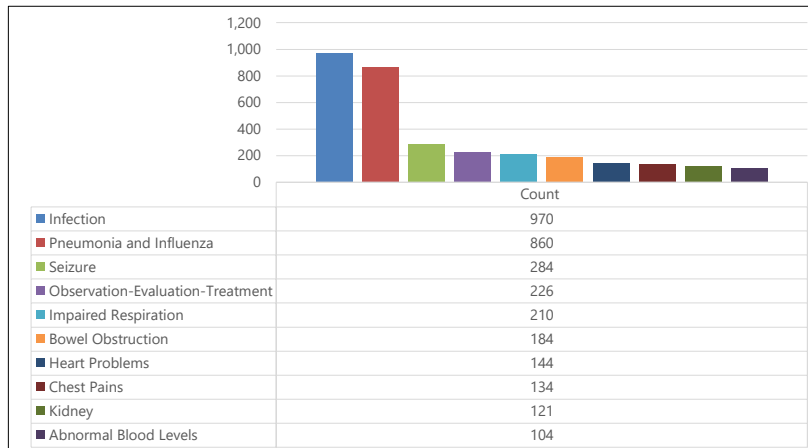
- The individual has labored breathing and rapid heartbeat and is admitted to the hospital with a diagnosis of pneumonia.
- The individual has a history of high blood pressure but was hospitalized unexpectedly due to pneumonia.
- The individual reports severe pain and is admitted for surgery to remove kidney stones.



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42

Top Ten Reasons for Medical Unanticipated Hospitalizations



In 2017, there were 5,769 Unscheduled Hospitalizations MUIs filed.

Breakdown:

- 4,930 Medical Hospitalizations MUIs
- 839 Psychiatric Hospitalizations



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43

Unapproved Behavioral Support

Unapproved behavioral support. "Unapproved behavioral support" means the use of a prohibited measure as defined in rule 5123:2-2-06 of the Administrative Code or the use of a restrictive measure implemented without approval of the human rights committee or without informed consent of the individual or the individual's guardian in accordance with rule 5123:2-2-06 of the Administrative Code, when use of the prohibited measure or restrictive measure results in risk to the individual's health or welfare.

When use of the prohibited measure or restrictive measure does not result in risk to the individual's health or welfare, the incident shall be investigated as an unusual incident.

This includes the use of Prone Restraint.



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44

Prone Restraint

Prone restraint is a method of intervention where a person's face and frontal part of his or her body is placed in a downward position touching any surface for any amount of time. The use of prone restraints in Ohio is prohibited.

Never an Option

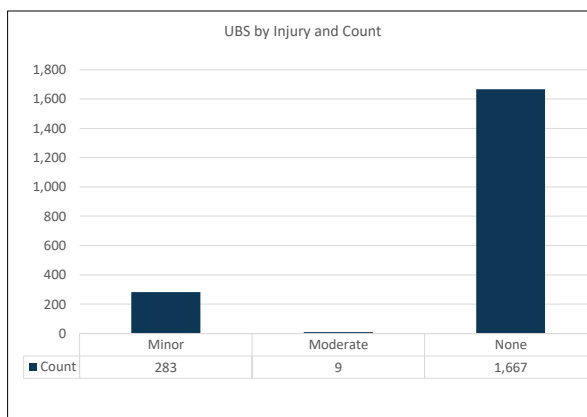
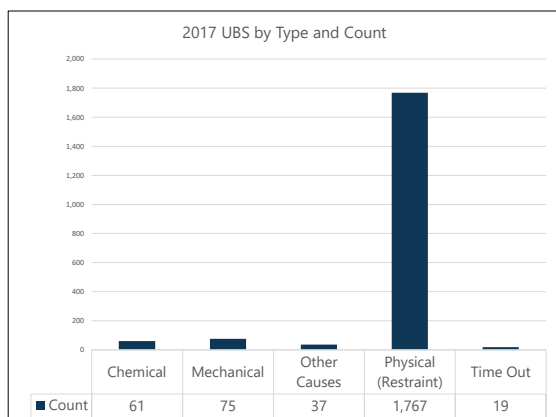
- Prone restraints are not to be used at any time, including as a behavioral intervention in any crisis situation
- Prone restraints are not to be written into any support or service plan



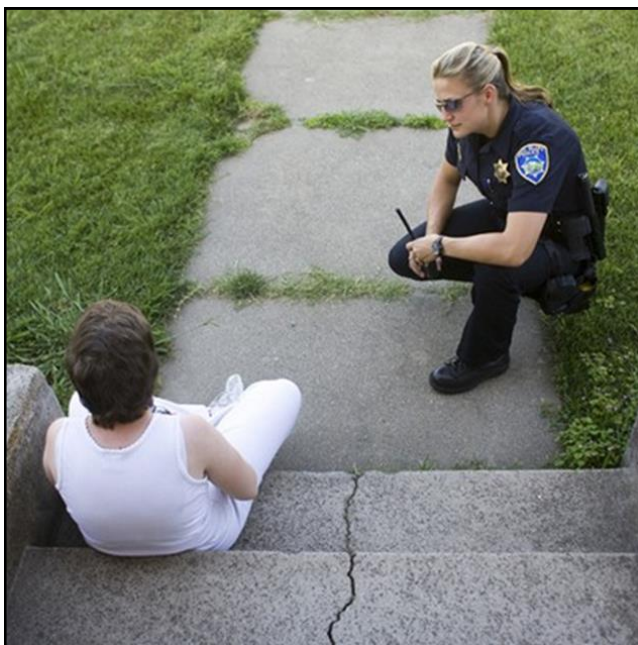
Prone Restraint

- Placing people in a prone position is a potentially fatal maneuver that reduces a person's ability to breathe. The dangers of restraint-related positional asphyxia are well documented.
- Should any person place themselves in a prone position while in a restraint, those applying the restraint shall immediately release their hold or any pressure that was being applied to prevent the application of a prone restraint.

Unapproved Behavioral Support



47



Law Enforcement

Individual is:

- Charged
- Incarcerated
- Arrested
- Tased even if individual is not arrested

There were 791 law enforcement MUIs in 2017.



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48

Abuser Registry

Established under Ohio law, the Abuser Registry lists the names of people who have committed acts of abuse, neglect, misappropriation, failure to report, and/or prohibited sexual relations. People who have committed a registry offense are prohibited from working with people with developmental disabilities for a minimum of one year.

Prevents persons who were DD employees from working in this field.

As of January 10, 2019 there are 898 people placed on the Abuser Registry.



49

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Abuser Registry Process

The Abuser Registry is one way Ohio protects it's most vulnerable citizens

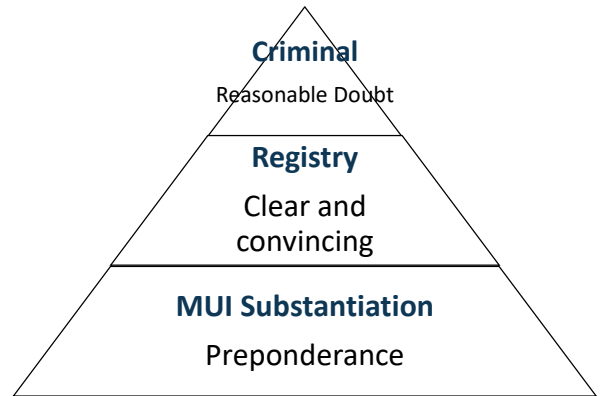
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| 1 All Substantiated cases are screened after being closed on ITS. If they meet criteria, they are assigned. | 2 Registry Investigators review the entire file to see if it should move forward. | 3 If it meets criteria, it goes to External Committee. The Committee makes a decision. | 4 If person is to be placed, Notified by certified mail. Opportunity for a 119 hearing | 5 Hearing or Affidavit. Final decision made by Director. If decision is for placement, name goes on the list |
|---|---|--|--|--|



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Abuser Registry

- Knowingly – Aware that conduct will probably cause a certain result
- Recklessly – Heedless indifference to the consequences.
- Negligently – Substantial lapse in care, failure to perceive or avoid risk



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51

Rights

- Have a clean safe place to live in and a place to be alone
- Have food that is good for you
- Be able to go, if you want, to any church, temple, mosque
- Be able to go to a doctor or dentist when you are sick



Rights

- Be able to complain or ask for changes if you don't like something without being afraid of getting in trouble
- Not be given medicine that you don't need, or be held down if you are not hurting yourself or others
- To vote and learn about laws and your community



Rights

- Be treated like everyone else
- Be treated nicely at all times and as a person
- Not be hit, yelled at, cursed at, or called names that hurt you
- To say yes or no to being part of a study or experiment



Rights

- Be able to learn new things, make friends, have activities to do, and go out in your community
- Be able to tell people what you want and be part of making plans or decisions about your life
- Be able to ask someone you want to help you, let others know how you feel or what you want
- Be able to use your money to pay for things you need and want with help, if you need it



Rights

- Be able to work and make money
- Be able to have men and women as friends
- Be able to join in activities and do things that will help you grow to be the best person you can be
- Be able to say yes or no before people talk about what you do at work or home or look at your file





Stay Tuned

The new and improved rule is coming soon...



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Abuse and Neglect contacts

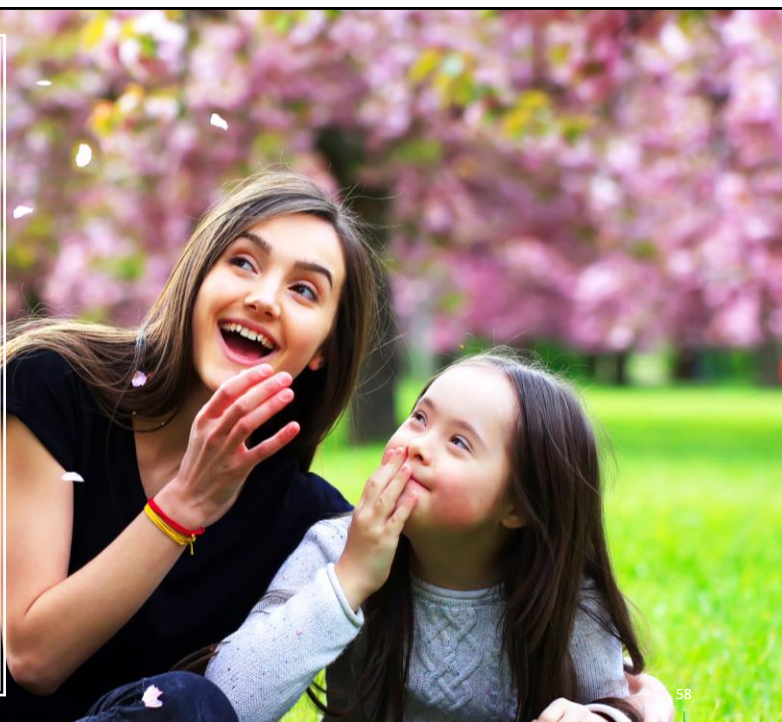
Hotline (866)313-6733

DODD MUI Office
614-995-3810

County Board
Emergency Contacts

<http://dodd.ohio.gov/reportabuse/Pages/default.aspx>

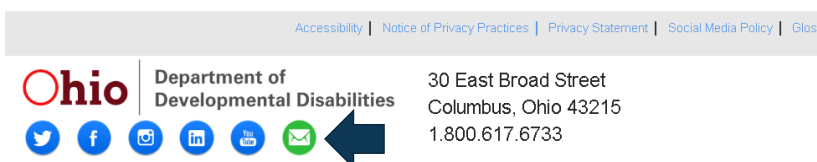
www.dodd.ohio.gov



58

Helpful Resources on our website

- Subscribe to Health and Welfare Publications like Alerts



- Subscribe for Abuser Registry Updates
https://its.prodapps.dodd.ohio.gov/ABR_Default.aspx

Helpful Resources on our website

- Check out the Health and Welfare Toolkit for forms, trainings and guidance memos.



- Phone Numbers for MUI Contacts and DODD MUI staff are located here as well.
- You can also find out about upcoming trainings on Training tab.
- The MUI Rule and other rules are also located on the Home page!

MUI Training Contacts

Connie McLaughlin, Regional Manager Supervisor

614-752-0092

Connie.McLaughlin@dodd.ohio.gov

Scott Phillips, Assistant Deputy Director

(614)752-0090

Scott.Phillips@dodd.ohio.gov

DODD MUI Office (614)995-3810



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