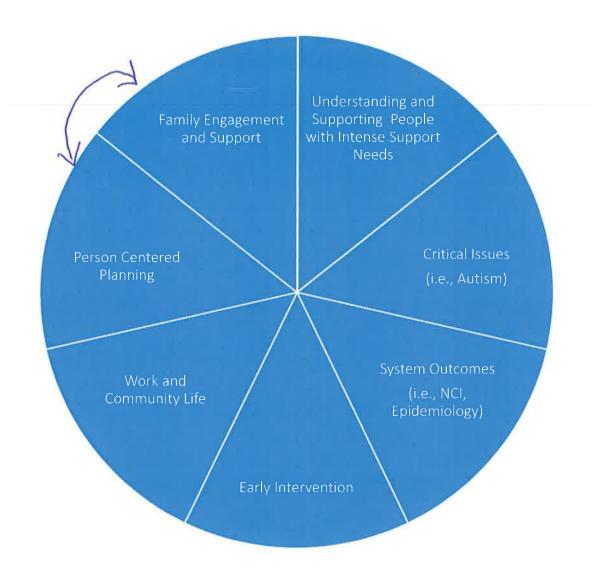
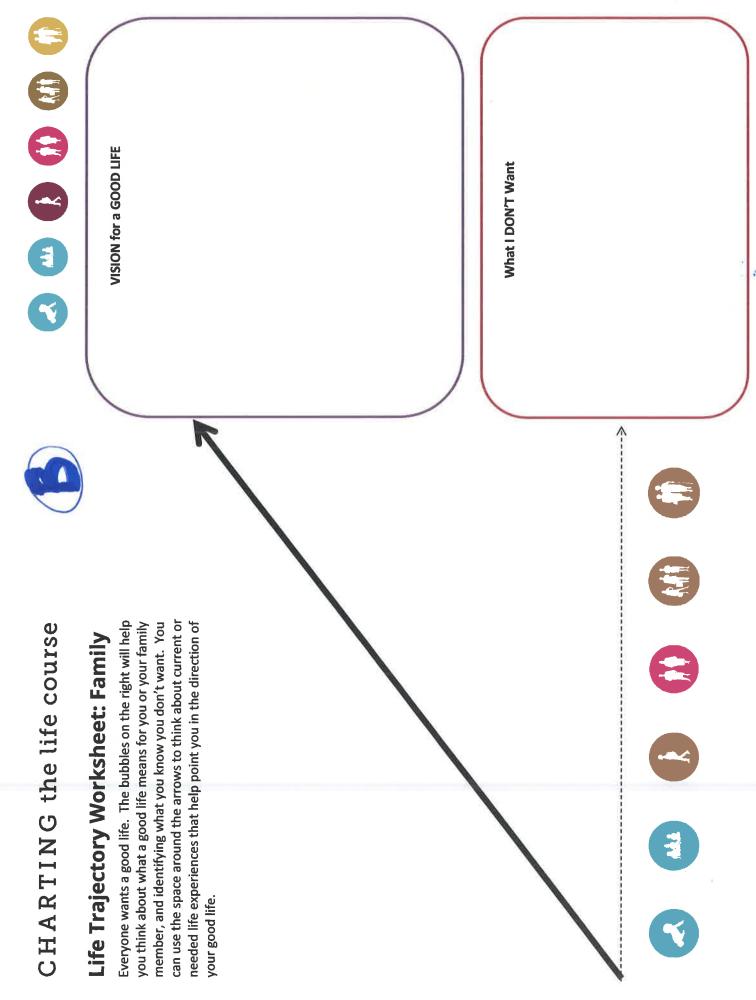
#### DODD – Division of Policy & Strategic Direction









### Services and Supports are Evolving



COMMUNITY

Disability Services



PERSON

Traditional

within the context of

family and community

Everyone exists

family and community Integrated Services and Supports within context of person,





#### **Immediate Actions**

by System Account at 3:45 PM in Well Informed Newsletter

Through case reviews and discussion with various stakeholders, it appears that a common immediate action in Major Unusual Incidents (MUIs) is to place support staff on administrative leave and not return them to duty until the investigation is complete.

While each situation is different, we would like to provide some general guidance about rule requirements and making determinations about immediate actions to ensure health and welfare.

Immediate actions to protect "at risk" individual(s) can include *many actions* such as immediate retraining, removal from specific duties (medication administration, driving, money management), additional oversight, random visits by management, daily check ins with the individuals, not working alone, or administrative leave.

In some abuse, neglect and misappropriation allegations, it would be appropriate for a provider to place a staff on administrative leave until such time as the provider has reasonably determined that such removal is no longer necessary. The provider and County board shall discuss any disagreements regarding reasonable measures (including placing an employee on leave) in order to resolve them. If the provider and county board are unable to agree on reasonable measures to ensure the health and welfare of at-risk individuals, the department shall make the determination.

Once immediate actions have been agreed upon, the provider is responsible for notifying the county board or department when there are changes in protective actions (i.e. returning employee to duty, change in supervision levels, etc.).

The MUI rule requires that "when a provider has placed an employee on leave or otherwise taken protective action pending the outcome of the administrative investigation, the county board or department, as applicable, shall keep the provider apprised of the status of the administrative investigation so that the provider can resume normal operations as soon as possible consistent with the health and welfare of at-risk individuals. The provider shall notify the county board or department, as applicable, of any changes regarding the protective action.

What does the rule say?

O.A.C. 5123:2-17-02 (D) (4) states that "Immediately upon identification or notification of a major unusual incident, the provider shall take all reasonable measures to ensure the health and welfare of at-risk individuals. The provider and county board shall discuss any disagreements regarding reasonable measures in order to resolve them. If the provider and county board are unable to agree on reasonable measures to ensure the health and welfare of at-risk individuals, the department shall make the determination. Such measures shall include:

(a) Immediate and ongoing medical attention, as appropriate;

(b) Removal of an employee from direct contact with any at-risk individual when the employee is alleged to have been involved in abuse or neglect until such time as the provider has reasonably determined that such removal is no longer necessary; and

(c) Other necessary measures to protect the health and welfare of at-risk individuals".

While (D) (4)(b) outlines removal of an employee in allegations of abuse and neglect, it is only until such time as the provider has reasonably determined that it is no longer necessary. There are many steps that can be taken to quickly remediate allegations of neglect while the investigation is under way. For example, if a staff is involved in a neglect allegation for not providing the appropriate level of support and there was a risk to the individual, the provider could review all the information considering any injuries, staff's actions, reporting, staff prior performance and individual's preference.

It is possible that in such a case, immediate retraining would adequately address any at risk individual(s) during the investigation and removal would not be necessary. In another scenario, a staff may be immediately removed due to an allegation of physical abuse. Removal of the staff in this situation is both for the protection of the individual(s) as well as the involved staff. If it is clear that very early into the investigation that it will not be substantiated, the staff can be returned to duty even prior to the conclusion of the investigation.

Immediate actions must focus on what is in the best interest of individual. It is the provider's responsibility to take the action with their employees. A county board or COG may recommend outcomes but it is ultimately the provider's decision to make. If the provider and CB cannot agree on acceptable immediate actions then the DODD MUI Department should be consulted to make the determination.

(D)(9) of the MUI rule requires that "when a provider has placed an employee on leave or otherwise taken protective action pending the outcome of the administrative investigation, the county board or department, as applicable, shall keep the provider apprised of the status of the administrative investigation so that the provider can resume normal operations as soon as possible consistent with the health and welfare of at-risk individuals. The provider shall notify the county board or department, as applicable, of any changes regarding the protective action.

Effective communication is the key to protecting at risk individuals. Below is a list of some of the immediate actions that may be considered. This list is no way inclusive and immediate actions should be tailored to meet individual(s) needs.

- Checked for injuries
- Initiated first aid
- o Called 911
- o Taken to ER
- Immediate retraining
- Staff was removed from specific duties (medication administration, driving, money management)
- Additional oversight provided

- o Random visits by management (during shifts or meal times)
- o Completed daily check-ins with the individuals
- o Staff is not scheduled to working alone
- o Immediately retrained staff
- o Provided additional supports
- O Contacted physician and made an appointment
- o Ensured individual's funds were adequate for supplies and bills
- Scheduled a consult with Occupational Therapist, Physical Therapist or Speech Pathologist
- Completed an assessment (For example: choking or falls)
- Consulted the pharmacist
- o Ensure individual had needed medication
- o Called Poison Control
- Secured funds, medication or other property
- Ensured that food was adequate
- o Made sure adaptive equipment was repaired
- Separated the individuals
- o Placed staff on leave
- o Placed staff in another situation where health and safety can be ensured

There are no comments for this post.

#### **Project STIR**

# Steps Toward Independence and Responsibility

## Participant "all inclusive" fee = \$415

SELF Waiver enrollees may pay \$155 directly and arrange payment of \$260 through Participant Goods and Services. Contact Dana Charlton at 614-562-1375 for details.

### Participant fee covers:

- Ally supporting the participant (lodging, food and training materials)
  - Hotel room for 3 nights for both (double occupancy single room occupancy will be arranged for an fee equal to ½ of the room cost)
    - Breakfast on days 2, 3 and 4; Lunch on days 2 and 3 and afternoon snacks. Dinner each evening is "on your own".
- A disc of presentation slides, handouts and links to other information used during the training is provided to each participant and ally.

Training details you need to know before you come will be provided by email to the participant and ally about 1 week prior to the training.

To learn more check us out at www.osdaohio.org



The Ohio Self Determination Association (OSDA) and the OSDA Council of Ohio Leaders (COOL). 705-E Lakeview Plaza Blvd., Worthington, Ohio 43085 – Phone: 614-562-1375

#### **Project STIR**



WITH
THOSE WHO SUPPORT THEM







A Hands-On Training for and by people with disabilities that is designed to provide the tools to be a good self advocate, connect with others in advocacy and gain leadership skills and experience.

### Project STIR Training GOALS:

- Build your team
- Practice tools for speaking up:
- Knowing yourself and speaking up
- Communicating assertively
- Solving problems (individually and as a group)
  - Rights and responsibilities
- Self determination
- Learn to start or strengthen a local advocacy
- Plan next steps for training and leading others.

Each training opportunity targets 30 individuals living with a disability who have family, staff or an ally committed to participate in the training and provide ongoing support to them to use what is learned back at home.



#### This training.....

- ...provides practical, "how to" tools for use by anyone who wants to be a self-advocate who makes choices and decisions about how they live their lives.
- ....is designed to empower people with developmental disabilities (DD), their families, friends and their professional associates by developing leadership skills.
- ...helps you to develop and strengthen local advocacy groups by establishing structure and purpose.
- ... is a "train the trainer" model originally developed by the University of North Carolina, Chapel Hill, through funding from the Administration of Developmental Disabilities The Speak Up Guide includes activities that can be used to help self-advocates lead their own training.
- ... is supported with networking events held quarterly where Project STIR graduates and allies share the work they are doing locally and learn from others how to keep the momentum going and keep speaking up!
- ... is provided by the Ohio Self Determination Association (OSDA), through its Council of Ohio Leaders (COOL) and is partially funded by the Ohio Developmental Disabilities Council under the Developmental Disabilities Assistance and Bill of Rights Act.

The OSDA Council of Ohio Leaders uses Project STIR to provide opportunities for people with DD to become leaders in Ohio.

## Project STIR (Steps Toward Independence and Responsibility)

### Basic Information - Train-the-Trainer

#### WHAT HAPPENS FIRST

OSDA and its Council of Ohio Leaders (COOL) support our training team of people with disabilities to train other people with disabilities. We have about 30 people with disabilities at each session, plus an ally for each person. The training uses a "train-the-trainer" model so that each participant has the materials and experience they need to train others locally.

After training, OSDA and COOL coordinate quarterly network meeting for graduates of Project STIR. At each quarterly meeting graduates and their allies share what they have done to speak up for themselves, to educate policymakers, increase community awareness of DD issues, and give back to their communities. OSDA and COOL use these meetings as a way to support those trained, to train others, discuss next steps and learn together.

# WHAT YOUR STATE OR ORGANIZATION CAN DO

Project STIR graduates can teach sections from the curriculum to other people with developmental disabilities across the state. Graduates may set policy, change goals and join a community board or task force (non-disability specific). They may join organizations that promote inclusion for people with disabilities or in other ways become active in local and statewide efforts toward expanding self-advocacy and self-determination.

#### Example of potential impact

4 Training Sessions by OSDA/COOL x 30 People = 120 self advocates plus their ally, trained to train others. The 120 typically are from 8 to 10 different local organizations. If the people in the 8 to 10 groups set up local or agency specific training and each train 10 additional self advocates, the number of Ohio Leaders grows and grows – this adds about 100 locally trained.

# TOGETHER 220 CAN BE TRAINED EACH YEAR!