



Stark County Board of
Developmental Disabilities

Major Unusual Incidents

A Handbook for Families

Understanding the MUI Reporting System

Ohio Department of Developmental Disabilities (ODODD)

Hotline Number: (866) 313-6733

Questions: (614) 995-3810

County Board Contact:

Stark County Board of Developmental Disabilities (SCBDD)

Investigative Services Unit

Incident Reporting Hotline: 330-477-4477

Fax: 330-477-0016

MUIreport@Starkdd.org

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Introduction

This handbook was developed to assist families in understanding Major Unusual Incidents and the various activities and responsibilities that occur when one is reported. The role of the family is not discussed in the MUI Rule, as families are not required in rule to report incidents. ODODD and SCBDD recognize the valuable role families' play and the importance for families to understand why the MUI system exists, how they might be involved from time to time, and the role of providers, SCBDD and ODODD in protecting individuals with disabilities.

I. What is an MUI?

A MUI (Major Unusual Incident) is an alleged, suspected or actual occurrence of an incident when there is reason to believe the health or safety of an individual with developmental disabilities may be adversely affected, or may be placed at a reasonable risk of harm; if such individual is receiving services through the Developmental Disabilities service delivery system or will be receiving services as the result of the incident. The types of MUIs are explained in the Definitions section of this guide.

II. Why are MUIs Reported?

The MUI system is set up for the purpose of identifying the cause or factors leading up to the incident and developing prevention plans to reduce the likelihood of the incident occurring again and to improve the quality of life for individuals. MUIs are always filed on the victim. The residential provider is also flagged for incidents involving individuals whom they serve. This assists the provider in looking at trends and patterns and working with the SCBDD board to address them.

III. Who Must Report?

1. All providers who are contracted, certified or licensed to serve persons with Developmental Disabilities are *required* to report MUIs to SCBDD.

2. All SCBDD staff and ODODD staff are also *required* to report MUIs.
3. Reports *must* be made by SCBDD on all individuals (children and adults) when there is reason to believe the health and safety of an individual are seriously affected or if the individual may likely be harmed, and who are served, or who will be served as the result of an incident, when a provider, SCBDD staff or ODODD staff member becomes aware of an incident.
4. A basic responsibility for anyone on a Medicaid waiver is to ensure health and safety so anyone paid to provide Medicaid waiver services *must* report MUIs.

IV. To Whom Are MUIs Reported?

A MUI contact has been identified at the SCBDD to receive reports of possible MUIs. Incidents may be reported to the Investigative Services Unit or to any SCBDD employee. The ODODD also has a hotline **1-866-313-6733** – which may be used if there are concerns or difficulties in reporting to SCBDD.

V. What is the Role of the Provider?

The Provider's role is to take immediate actions to protect individuals from further harm when incidents occur in their setting, to report possible incidents to SCBDD (immediately or) within 4-hours for incidents or allegations of abuse, exploitation, misappropriation, neglect, suspicious or accidental deaths or when a provider has received inquires from the media regarding a MUI. All other MUI's are to be reported no later than 3:00 PM the next working day following initial knowledge of a potential or determined MUI. Reports of abuse, neglect, exploitation, misappropriation, or death are filed in all cases regardless of where they occur. All other MUI's are filed only when the incident occurs in a program operated by a county board or when an individual is being served by a licensed or certified provider. Prevention plans must then be implemented to reduce the likelihood of similar incidents occurring.

VI. What is the Role of the Stark County Board of Developmental Disabilities?

When the SCBDD provides services, they must also take immediate actions to protect an individual when an MUI occurs in a SCBDD setting. The SCBDD is required to report and investigate MUIs. The Administrative Rule, Ohio Administrative Code 5123:2-17-02 – requires that when the SCBDD becomes aware of an incident, a report must be filed. This creates a dilemma at times, as SCBDD must contact the family to gather information about an incident. This can be awkward if families are unaware of these county board requirements or have not been informed of the reasons that the information is being requested. Generally, the types of incidents when the SCBDD is calling the family are related to unplanned hospitalizations, medical emergencies or accidents that result in a serious injury such as a broken bone. While all MUIs require an investigation, the process for the types of incidents mentioned

above is more of an information gathering process by the SCBDD investigative agent or service specialist.

Investigations, or being asked questions, can feel intimidating. This process should be conducted as a neutral fact-finding effort. The intent of the investigation is to gather information, not to place blame.

The SCBDD accepts reports for investigation and/or fact-finding. Reports may be made to the SCBDD –Investigative Services Unit at 330-477-4477, or to any Stark County Board of Developmental Disabilities employee.

VII. What is the Role of the Department?

The ODODD provides oversight and technical assistance. ALL MUI reports are reviewed by the ODODD MUI/Registry Unit to ensure immediate action, timely reporting, good investigations and necessary implementation of prevention plans. ODODD also conducts investigations where it would be a conflict of interest for SCBDD to complete the investigation/report.

VIII. Why are Family Members Called for Information?

The MUI system is set up to help protect all individuals in the Developmental Disabilities system. By looking at individual and group data, we can see trends that can be addressed leading to better protections. These trends and patterns may include: lack of access to adequate health care, lack of diagnosis, and lack of assessment of symptoms, and lack of identification of new problems for people with certain syndromes. Reporting helps ODODD and SCBDD to get a better picture of what is happening and helps both Departments to make improvements in the system that benefits everyone.



IX.

MUI REPORTING FLOW CHART

Incident occurs

Provider Role

Immediate action to protect health and safety is completed by the provider



Per the MUI Rule, a report is filed by provider or by SCBDD staff to the Investigative Services Unit:

The same day of the incident, or upon discovery of the incident, the provider or SCBDD as a provider, notifies:

- 1) verbally – immediately, but no later than four hours after the discovery of an incident for abuse, exploitation, misappropriation, neglect, and suspicious or accidental death, or when a provider receives inquiries from the media when there is an MUI.
- 2) in writing (for any MUI) – no later than 3:00 PM the next working day following initial knowledge of a potential or determined MUI.
- 3) to local law enforcement and SCBDD or to the public children’s services agency and SCBDD for reports of possible abuse, neglect, or misappropriation.
- 4) the guardian or advocate, or person selected by the individual, the Service and Support Administrator, the licensed or certified residential provider, and staff or family members living at the individual’s home who have responsibility for individual care.

Stark County Board of Developmental Disabilities

Investigative Services Unit



- Ensures that law enforcement has been notified (if a possible crime) *and/or*
- Children’s Protective Services if suspected abuse or neglect or misappropriation and the person is under 21 years of age.
- Submits a report on Department’s Incident Tracking System (ITS) by 3:00 p.m. the next working day following notification or becoming aware of a potential or determined MUI.
- Begins an investigation immediately, but no later than 24 hours for:
 - a) Abuse, Neglect, exploitation, or misappropriation.
 - b) Rights Code

- c) Suspicious or Accidental Death
- d) Prohibited Sexual Relations
- e) Any other MUI SCBDD determines shall be initiated within the time frame stated above, and no later than 3 working days after identification or notification for other MUI's.
- f) Submits the report of investigation closure in the ITS within 30 working days.
- g) Provides a written summary of the incident investigation within 5 calendar days after recommendation for closure in the ITS to the individuals identified in the MUI Rule.
- h) Makes a reasonable attempt to notify the primary person involved in the case of the disposition of the case, but in no later than 5 working days.
(Note: Not all investigations/cases are closed by SCBDD. ODODD may close cases as assigned per the MUI rule.)

Ohio Department of Developmental Disabilities

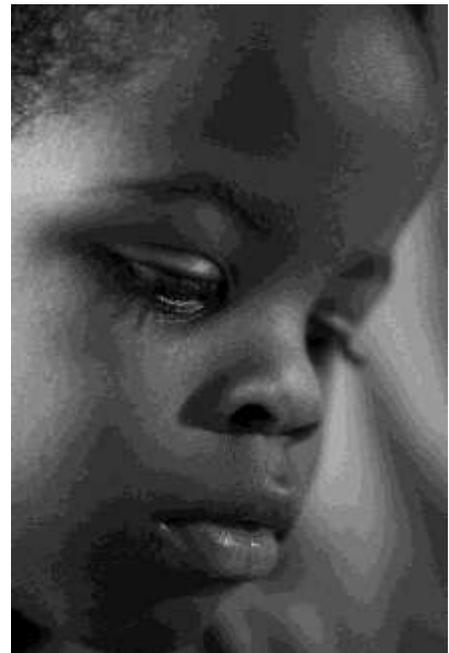


- Reviews all initial reports to ensure immediate actions have occurred and notifications were made.
- Conducts investigations where it is a conflict for county boards to do so.
- Notifies Ohio Legal Rights and Ohio Department of Job and Family Services via on-line incident reporting system.
- Closes cases as assigned per MUI Rule.

X. Definitions

Major Unusual Incidents (MUI) are categorized as:

1. *Physical Abuse* is use of physical force that can reasonably be expected to result in physical harm, or serious physical harm.
2. *Sexual Abuse* is unlawful sexual contact/conduct.
3. *Verbal Abuse* is purposefully using words or gestures to threaten, coerce, intimidate, harass or humiliate an individual.
4. *Attempted Suicide* is when there is any physical attempt by an individual that results in emergency room treatment, in-patient observation, or hospital admission.



5. *Death* means the death of an individual due to any cause.
6. *Exploitation* is the unlawful or improper act of using an individual or an individual's resources for monetary or personal benefit, profit or gain.
7. *Failure to Report* is when a required reporter fails to report a situation he/she has reason to believe that an individual has suffered or faces a substantial risk of suffering any wound, injury, disability, or condition of such nature as to reasonably indicate abuse (involving misappropriation or neglect of that individual) and such person does not immediately report to a law enforcement agency, a county board, or, in the case of an individual living in a developmental center, either to law enforcement of ODODD.
8. *Known Injury* means an injury from a known cause that is not considered abuse or neglect and that requires immobilization, casting, five or more sutures or the equivalent, second or third degree burns, dental injuries, or any injury that prohibits the individual from participating in routine daily tasks for more than two consecutive days.
9. *Law Enforcement* means any incident that results in the individual being charged, incarcerated, or arrested.
10. A *Medical Emergency* is an incident where emergency medical intervention is required to save an individual's life (e.g., Heimlich Maneuver, cardio pulmonary resuscitation, intravenous for dehydration).
11. *Misappropriation* is when an individual is deprived, defrauded or incurs a loss of real or personal property by any means.
12. A *Missing Individual* means an incident that is not considered neglect and the individual cannot be located for a period of time longer than specified in the individual service plan and the individual cannot be located after actions specified in the individual service plan are taken and the individual cannot be located in a search of the immediate surrounding area; or circumstances indicate that the individual may be in immediate jeopardy; or law enforcement has been called to assist in the search for the individual.
13. *Neglect* is when there is a duty to do so, failing to provide an individual with any treatment, care, goods, and/or supervision or services necessary to maintain the health and safety of the individual.
14. *Peer-to-Peer Acts* are acts committed by one individual against another when there is physical abuse with intent to harm; verbal abuse with intent to intimidate, harass, or humiliate; any sexual abuse; any exploitation; or intentional misappropriation of property of significant value.
15. *Prohibited Sexual Relations* occurs when an individual with Developmental Disabilities is having consensual sexual relations with a staff member (who is not the individual's spouse) who is hired to care for them.

16. A *Rights Code Violation* results in an adverse affect of the health and safety of an individual; a situation that creates a reasonable risk of harm to the health and safety of an individual.
17. *Unapproved Behavior Support* is the use of any aversive strategy or intervention implemented without approval by a human rights committee, or behavior support committee, or without informed consent.
18. *Unknown Injury* is an injury of an unknown cause that is not considered possible abuse or neglect and that requires treatment that only a physician, physician's assistant, or a nurse practitioner can provide.
19. *Unscheduled Hospitalization* means any hospital admission that is not scheduled unless the hospital admission is due to a condition that is specified in the individual service plan or nursing care plan indicating the specific symptoms and criteria that require hospitalization.

XI. How are MUIs Different from UIs (Unusual Incidents)?

Unusual Incidents are events involving a person with a developmental disability that are not consistent with routine operations, policies and procedures, or the care or individual service plan of the individual.

Unusual Incidents are minor injuries, medication errors without any serious outcomes, behaviors or other types of situations that do not meet the definition of an MUI. These incidents are handled at the provider level and are reviewed on a monthly basis by SCBDD for the purpose of ensuring that all MUI's required to be reported have been reported and that trends and patterns are identified and addressed.





Stark County Board of
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The Mission of the Stark County Board of Developmental Disabilities is to be the support that connects individuals and families with services they need.

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Bill Green, Superintendent
Thomas Vaughn, Manager of MUI & Investigative Services

To Report a MUI to **ODODD** call 866-313-6722

The Mission of the Ohio Department of Developmental Disabilities is the continuous improvement of the quality of life for Ohio citizens with developmental disabilities and their families.

Mike DeWine, Governor

Jeff Davis, Director

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