



**Vulnerable Adults Maltreatment Reporting and Internal Review Policy (Posted Version)**  
**Axis Minnesota**

**A6 Vulnerable Adults Maltreatment Reporting and Internal Review Policy (Posted Version)**

**Axis Minnesota 245D ISS**

6/26/15

**Course 9386**

**Record 3536**

**Rationale**

All individuals will be cared for with respect and will be protected from any abuse, neglect or exploitation.

**Policy**

245A.65 License holder requirements governing maltreatment of vulnerable adults.

Subd. 3. Orientation of mandated reporters. The license holder shall ensure that each new mandated reporter, as defined in section 626.5572, subdivision 16, who is under the control of the license holder, receives an orientation within 72 hours of first providing direct contact services as defined in section 245C.02, subdivision 11, to a vulnerable adult and annually thereafter.

The orientation and annual review shall inform the mandated reporters of:

- the reporting requirements and definitions in sections 626.557 and 626.5572;
- the requirements of this section;
- the license holder's program abuse prevention plan, and;
- and all internal policies and procedures related to the prevention and reporting of maltreatment of individuals receiving services.

**Reporting and Internal Review Procedure:**

All knowledge of and written information about alleged or suspected abuse, neglect, financial exploitation, injury of unknown origin of a client, or, physical aggression of one client to another client served by Axis, will be reported immediately by the mandated reporter, by one of the following methods:

- 1)the mandated reporter will make an internal report by completing the First Report of Incident and communicating this to the designated nurse (primary contact person) and administrator immediately, and make an oral report immediately to the Minnesota Adult Abuse Reporting Center  
, or;
- 2)the mandated reporter will make an external oral report directly to the appropriate outside authority (e.g., Minnesota Adult Abuse Reporting Center) immediately and to the Axis Administrator immediately.

"Immediately" means there should be no delay between staff awareness of the allegation and reporting to the administrator unless the situation is unstable at the time the allegation comes to the attention of the staff. In this case, reporting should occur as soon as the safety of all clients is assured and all necessary emergency measures have been taken.

When the administrator is not on duty, the Director of Program Services will be acting in the administrator's absence.

Axis expects that such reporting is always made to the administrator unless the administrator is suspected to be involved in the mistreatment, neglect or injury) and that the administrator will ensure that the appropriate State officials are notified. In any instance where a staff member is concerned that the administrator may have been involved in an incident of mistreatment, neglect, abuse or injury, the staff member will make a report to the Director of Program Services.

The secondary contact person (Program Supervisor) shall be involved when there is reason to believe that the primary contact person (designated nurse) is involved in the alleged or suspected maltreatment.

If the primary contact person is involved in the alleged or suspected abuse, neglect, financial exploitation, injury of unknown origin of a client, or, physical aggression on one client to another client served by Axis:

- 1) the mandated reporter will make an internal report by completing the First Report of Incident and communicating this to the secondary contact person (Program Supervisor) and immediately to the Axis Administrator, and make an external oral report immediately to the Minnesota Adult Abuse Reporting Center, or;
- 2) the mandated reporter will make an external oral report directly to the appropriate outside authority (e.g., the common entry point at the Minnesota Adult Abuse Reporting Center) immediately and Axis Administrator immediately.

The primary or secondary contact person, upon receipt of alleged or suspected abuse, neglect, financial exploitation, injury of unknown origin of a client, or, physical aggression of one client to another client served by Axis, will report to the administrator immediately and the appropriate outside authority such as the Minnesota Adult Abuse Reporting Center immediately and other required contacts such as the legal guardian and county case manager. Reporters who make good faith reports are immune from retaliation. When an internal report is made in



which maltreatment is alleged, the mandated reporter(s) shall be given a copy of the confidential "Notice of status of report of suspected maltreatment" or email equivalent within 2 working days of their report. The Notice shall include the statement that the reporter has the right to report the alleged maltreatment to an external agency and that Axis cannot retaliate against the reporter.

Note: An "injury of unknown origin of a client" means:

- a. he source of the injury was not witnessed by any person, **and**;
- b. the source of the injury could not be explained by the client, **and**;
- c. the injury raises suspicions of possible abuse or neglect because of the extent of the injury **or** the location of the injury (e.g., the injury is located in an area not generally vulnerable to trauma) **or** the number of injuries observed at one particular point in time **or** the incidence of injuries over time.

Upon receiving the initial report of the incident, the primary or secondary contact person shall immediately initiate internal investigative procedures. Investigating procedures shall include but not be limited to:

- physical examination by appropriate medical personnel if a physical injury or sexual assault is involved, including a written report of the nature and extent of the injuries;
- interviews with the person reporting the incident and any witnesses to the incident;
- written reports by all persons involved including place, date and time of occurrence and the nature of the nature of the suspected abuse, neglect or exploitation;
- interview with the person reported as perpetrating the suspected abuse, neglect or exploitation including a written response to the allegation;
- records of any previous abuse, neglect or exploitation, and;
- periodic updates and a final report to the Director of Program Services as soon as possible.

Any time during the investigation, the alleged perpetrator may be dismissed from work pending further investigation. Upon the completion of the initial investigation, the investigator shall immediately forward all the material and results of the investigation to the appropriate authority if they request it. Original reports will be maintained in confidence at the facility or AXIS Corporate Office.

State law requires that all mandated reporters must report incidents of abuse, neglect & exploitation. A mandated reporter who negligently or intentionally fails to report is liable for damages caused by the failure to report. Reports to the outside authority by the primary contact person requires a response to the initial reporter, that the common entry point at the Minnesota Adult Abuse Reporting Center has been called. It is the agency's responsibility to assure that the report is made and must give written notice within two working days to the initial reporter whether the internal report was passed on to the common entry point at the Minnesota Adult Abuse Reporting Center. The "Notice of Status of report of suspected maltreatment" form or an e-mail equivalent notice will be used.

The secondary contact person (Program Supervisor) will use the Incident Reporting Form to review internal and external reports for purposes of evaluation as to whether:

- (a) related policies and procedures were followed;
- (b) whether the policies and procedures were adequate;
- (c) whether there is a need for additional staff training;
- (d) whether the reported event is similar to past events with vulnerable adults or the services involved, and;
- (e) whether there is a need for corrective action by Axis to protect the health and safety of vulnerable adults.

Based upon the results of this review, Axis will develop, document and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by individuals or Axis, if any.

Reports should be made to the Minnesota Adult Abuse Reporting Center.

Outside reports will go to:

1. The common entry point at the Minnesota Adult Abuse Reporting Center (MAARC) 844-880-1574
2. The consumer's legal representative: (locate phone number in Contacts database)
3. The consumer's case manager: (locate phone number in Contacts database)

### **Reporting of Serious injuries or deaths - ICF-IID Homes**

Serious injuries or deaths of individuals who live in an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID) Home such as Axis on Belmont, Axis on Glenhill, Axis on Eldridge, Axis on Seneca, Axis on St. Michael or Axis on White Bear Ave.), must be reported to two separate agencies.

1. Office of Ombudsman for Mental Health and Mental Retardation by completing and faxing two forms to them:

"Death or Serious Injury Report  
Fax Transmission Cover Sheet"

Fax these to (651) 431-7673. If it is an individual's death, fax the completed "Death Report" (Document Library) to (651) 296-1021. If this is to report serious injury, you should fax the "Serious Injury Report" to the Ombudsman office at (651) 296-1021, and then a call of the death or serious injury must be made to:

2. Minnesota Department of Health - Office of Health Facility Complaints (OHFC) by calling 651-201-4201.

### **Reporting of Serious injuries or deaths - Individuals receiving waiver services (Axis Alternatives, Inc. Clients)**

Serious injuries or deaths of individuals must be reported to the DHS - Division of Licensing. Fax the completed "Death or Serious Injury Report - Fax Transmission Cover Sheet" to (651) 431-7673. The Office of Ombudsman for Mental Health and Mental Retardation must also be contacted for serious injury or death of a individual. If it is a individual death, fax the completed "Death Report" (Document Library) to (651) 296-1021. If this is to report serious injury, you should fax the "Serious Injury Report" to the Ombudsman office at (651) 296-1021.



Final reports shall include original written material gathered in the investigation, names of persons involved, persons interviewed, investigating authority notified, written summary of all findings by the person conducting the investigations, and all conclusions reached and actions taken and all information relative to previous abuse. All reports shall be dated and include the signature and title of the person writing the report.

The conduct of the investigation and all records of the investigation shall be treated with utmost confidentiality. Upon the completion of the internal investigation, a conclusion will be made and appropriate disciplinary actions may be imposed upon the employee. The policy shall be made available to all individual's at her/his admission conference with review and documentation in their annual individual abuse prevention plan. If individuals are unable to comprehend this plan, their representative shall be given the opportunity to receive the orientation with documentation in the individual's abuse prevention plan.

This policy will be posted in a prominent place (i.e., Easy AXIS) in each facility. Copies shall be made available upon request to individuals.

Cooperation with DHS and any other outside authority is mandatory.

### **Internal Reviews**

Internal reviews and final reports shall be documented and include original written material gathered in the investigation, names of persons involved, persons interviewed, investigating authority notified, written summary of all findings by the person conducting the investigations, and all conclusions reached and actions taken and all information relative to previous abuse. All reports shall be dated and include the signature and title of the person writing the report. Internal review summaries are accessible to the commissioner upon the commissioner's request.

The documentation provided to the commissioner by AXIS may consist of a completed checklist that verifies completion of each of the requirements of the review. Results of all investigations must be reported to the administrator or designee within five (5) working days of the incident. AXIS shall ensure that an internal review is completed and that corrective action is taken as necessary to protect the health and safety of vulnerable adults when the facility has reason to know that an internal or external report of alleged or suspected maltreatment has been made. The conduct of the investigation and all records of the investigation shall be treated with utmost confidentiality.

Upon the completion of the internal investigation, a conclusion will be made and appropriate disciplinary actions may be imposed upon the employee.

The policy shall be made available to all individual's at her/his admission conference with review and documentation in their annual individual abuse prevention plan. If individuals are unable to comprehend this plan, their representative shall be given the opportunity to receive the orientation with documentation in the individual's abuse prevention plan.

Orientation to this policy must be given to all staff persons at the time of hire, and semi-annually thereafter. This policy will be posted in a prominent place in each facility. Copies shall be made available upon request to individuals.

### **Staff Training**

Axis shall ensure that each new mandated reporter receives an orientation within 72 hours of first providing direct contact services to a vulnerable adult and semi-annually thereafter. The orientation and semi-annual review shall inform the mandated reporter of the reporting requirements and definitions under Minnesota Statutes, sections 626.557 and 626.5572, the requirements of Minnesota Statutes, section 245A.65, the license holder's program abuse prevention plan, and all internal policies and procedures related to the prevention and reporting of maltreatment of individuals receiving services.

AXIS Minnesota, Inc. will document the provision of this training, monitor implementation by staff, and ensure that the policy is readily accessible to staff, as specified under Minnesota Statutes, section 245A.04, subdivision 14.



