



**Maltreatment of Minors Reporting and Internal Review Policy (Posted Version)**

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**Axis Minnesota 245D ISS**

**5/29/15**

**Course 9387  
Record 3537**

**Rationale**

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

**Policy**

**Public policy:** The legislature hereby declares that the public policy of this state is to protect children whose health or welfare may be jeopardized through physical abuse, neglect, or sexual abuse. In furtherance of this public policy, it is the intent of the legislature under this section to strengthen the family and make the home, school, and community safe for children by promoting responsible child care in all settings; and to provide, when necessary, a safe temporary or permanent home environment for physically or sexually abused or neglected children.

In addition, it is the policy of this state to require the reporting of neglect, physical or sexual abuse of children in the home, school, and community settings; to provide for the voluntary reporting of abuse or neglect of children; to require the assessment and investigation of the reports; and to provide protective and counseling services in appropriate cases.

**Reporting Procedure:**

All knowledge of and written information about suspected abuse, neglect or exploitation or injuries of unknown origin of an individual served by Axis, will be verbally reported immediately to designated nurse (primary contact person) and the administrator immediately, and in writing by completing the First Report in the Incident Report Form in the computer. The secondary contact person (Program Supervisor) will be involved when there is reason to believe that the primary contact person is involved in the alleged or suspected maltreatment. A phone report to the appropriate outside authority (i.e., Child Protection) shall be made immediately by the primary or secondary contact person. The reporter may also make his/her report directly to the appropriate outside authority. Reporters who make good faith reports are immune from retaliation. Mandated reporters shall be notified of the status of the report of suspected maltreatment' within 2 working days of their report.

"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.

"Injuries of unknown origin" means:

- a. the 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:

- (a) 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;
- (b) interviews with the person reporting the incident and any witnesses to the incident;
- (c) 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;
- (d) interview with the person reported as perpetrating the suspected abuse, neglect or exploitation including a written response to the allegation;
- (e) records of any previous abuse, neglect or exploitation, and;
- (f) 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 the Axis Corporate Office.



State law requires that all mandated reporters must report incidents of abuse, neglect & exploitation. Therefore, the reporter may report directly to the outside authority if they so choose. 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 or secondary contact person requires a response to the initial reporter, that Child Protection 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 Child Protection. The "Notice of Status of report of suspected maltreatment" form or an e-mail equivalent notice will be used.

**Internal Reviews**

The primary contact person (Program Supervisor) will conduct the internal reviews. The secondary contact person (Manager on Call) will conduct the reviews when there is reason to believe that the primary contact person (Program Supervisor) is involved in the alleged or suspected maltreatment.

The primary contact person (Program Supervisor) or secondary contact person (manager on call) will use the Incident Report Form to review internal and external reports for purposes of evaluation as to whether:

- (a) related policies and procedures were followed;
- (b) the policies and procedures were adequate;
- (c) there is a need for additional staff training;
- (d) the reported incident is similar to past events with the children or the services involved, and;
- (e) there is need for immediate corrective action by AXIS to protect the health and safety of children in care.

Based on 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.

AXIS shall document that the internal review has been completed and will provide this documentation showing this review was completed to the DHS Commissioner upon the Commissioner's request.

The documentation provided to the DHS Commissioner may consist of a completed checklist that verifies completion of each of the requirements of the review.

Reports should be made to the department in the county in which the maltreatment occurred. A follow-up report should be made to the person's host county, if it is different from the county in which the maltreatment occurred.

Outside reports will go to:

1. County Child Protection Services (report to the County in which the consumer resides):
  - Ramsey County : (651) 266-4500
  - Dakota County : (952) 891- 7400
  - Scott County: (952) 445-7751
  - Hennepin County: (612)-348-3552
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/DD Homes**

Serious injuries or deaths of individuals who live in an Intermediate Care Facility for Persons with Mental Retardation or Developmental Disability (ICF/MR 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 by calling 651-201-4201.

**Reporting of Serious injuries or deaths - Individuals receiving waiver services**

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.

Cooperation with DHS and any other outside authority is mandatory.

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.

### **Staff Training**

Axis shall ensure that each new mandated reporter receives an orientation within 72 hours of first providing direct contact services to a minor and semi-annually thereafter. The orientation and semi-annual review shall inform the mandated reporter of the reporting requirements and definitions under the Reporting of Maltreatment of Minors Act (Minnesota Statutes, sections 626.556). The program must document the provision of this training in individual personnel records, monitor implementation by staff, and ensure that the policy is readily accessible to staff, as specified under Minnesota Statutes, section 245A.04, subdivision 14.



