

Wood County Board of Developmental Disabilities

PROCEDURE

Procedure #: 02-ALL-ALL-0222 (CR)
Effective Date: 12-05-88
Person Responsible: Director of Service and Support Administration

Subject: Abuse/Neglect
Last Revision: 11-28-17

Approvals/Date:

Brestaban 12/13/17
Superintendent, WCBDD Date

Claude R. Kitz 12/13/17
Department Director Date

The following definitions will apply:

Abuse – All employees are required to report Abuse/Neglect pursuant to section 5123.61 of the Revised Code.

- **Physical Abuse** – The use of physical force that can reasonably be expected to result in physical harm or 5123:2-17-02-4 serious physical harm as those terms are defined in section 2901.01 of the Revised Code. Such force may include, but is not limited to, hitting, slapping, pushing, or throwing objects at an individual.
- **Sexual Abuse** – Unlawful sexual conduct or sexual contact as those terms are defined in section 2907.01 of Revised Code and the commission of any act prohibited by Chapter 2907 of the Revised Code (e.g., public indecency, importuning, and voyeurism).
- **Verbal Abuse** – The use of words, gestures, or other communicative means to purposefully threaten, coerce, intimidate, harass, or humiliate an individual.

Abuse/Neglect of Child – The reporting of suspected abuse/neglect of a child shall be reported to the Wood County Job and Family Services – Children’s Services Unit in accordance with section 2151.421 of the Ohio Revised Code.

Aggravation of Abuse/Neglect – Any withholding of knowledge concerning an incident of alleged abuse and/or neglect.

Caretaker – A person who is responsible for the care of an adult by an order of a court, including an order of guardianship, or who assumes the responsibility for the care of an adult as a volunteer, as a family member, by contract, or by the acceptance of payment for care (staff).

Designated Administrator – Each Department Director shall designate the administrator(s) to be contacted in the event of alleged/neglect.

Eligible Individual – A person who demonstrates substantial functional limitations as determined after July 1, 1991, through the completion of the “Ohio Eligibility Determination Instrument” (OEDI) or the “Children’s Ohio Eligibility Determination Instrument (COEDI) and application found therein.

Incapacitated – Lacking understanding or capacity, with or without the assistance of a caretaker, to make and carry out decisions regarding food, clothing, shelter, health care, or other necessities, but does not include mere refusal to consent to the provision of services.

Major Unusual Incident - The alleged, suspected, or actual occurrence of an incident when there is reason to believe the health or welfare of an individual may be adversely affected or an individual may be placed at a likely risk of harm, if such individual is receiving services through the developmental disabilities service delivery system or will be receiving such services as a result of the incident. There are three categories of major unusual incidents that correspond to three administrative investigation procedures delineated in appendix A, appendix B, and appendix C of 5123:2-17-02.

Neglect – When there is a duty to do so, failing to provide an individual with any treatment, care, goods, supervision, or services necessary to maintain the health or welfare of the individual. All employees are required to report Abuse/Neglect pursuant to section 5123.61 of the Revised Code.

Rights Code Violation – 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.

Unauthorized Use of Medication – Any use of medications which has not been authorized by a licensed physician or dentist, or the prescription of any medications by a physician which does not improve the therapeutic levels of medication, and which is not used in accordance with reasonable standards of the profession.

Unauthorized Use of Restraints – Violation of the use of restraints, as outlined in the Behavior Support policy/procedures.

1. In the event that abuse/neglect is suspected, the principal staff person will contact the supervisor and/or designated administrator. **The On-Call, MUI Specialist or Director of Service and Support Administration shall be notified immediately in the event of any alleged, suspected, or actual Major Unusual Incident occurrences and determination will be made by them in compliance with the Administrative Rule for Incidents adversely affecting health and safety (5123:2-17-02).**

2. When possible, a staff person will remain with the individual until appropriate personnel arrive.

3. In all cases where physical abuse/neglect is suspected, medical staff shall be notified.

4. Any incident of suspected abuse/neglect will be:

- A. Immediately given in verbal report to the Department Director, who shall notify the Superintendent;
- B. Immediately given in verbal report to Service and Support Administration staff;
- C. Submitted in written report (UIR) to the Department Director immediately upon completion; and,
- D. Submitted in written report (UIR) to Service and Support Administration staff immediately upon completion.

5. In all cases where abuse/neglect of a child is suspected, the Wood County Department of Job and Family Services – Children’s Services Unit shall also be notified directly by the person having that knowledge or suspicion.
6. Immediately after Service and Support Administration review, a report of suspected abuse/neglect may be considered a Major Unusual Incident and will therefore be subject to the Major Unusual Incident procedure 02-ALL-ALL-0452 (SS) for investigation/review.
7. Board employees who are suspected of committing an act of abuse/neglect are subject to immediate administrative leave with pay, as authorized by the Superintendent, based upon the severity of the incident and pending further investigation. Such employees may also be subject to the Progressive Discipline/Correction Action procedure 02-ALL-ALL-0337 (HR).
8. Volunteers who are suspected of committing an act of abuse/neglect are subject to immediate removal from duties, based upon the severity of the incident and pending further investigation.
9. Depending on the nature of the incident, information pertaining to the investigation and review of incidents of abuse, neglect, and misappropriation will be shared between the Board and other provider agencies that serve individuals with developmental disabilities when an employee works for both entities.
10. Depending on the nature of the incident, if an employee is being investigated for abuse/neglect and works for both the WCBDD and another provider agency that serves individuals with developmental disabilities, the employee may be placed on administrative leave from both agencies pending further investigation.

References: 02-ALL-ALL-0054 (AD)
 02-ALL-ALL-0337 (HR)
 02-ALL-ALL-0452 (SS)
 ORC 2151:421; 5123:2-1-11; 5123:2-3-26; 5123:2-17-02; 5123:61; 5123:62

Forms: 03-ALL-ALL-0019
 03-ALL-ALL-0020

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