



Corporate Office:
8 Southwoods Blvd, Suite 110
Albany, NY 12211
(518) 235-1888
www.caredesignny.org

WHAT YOU NEED TO KNOW ABOUT INCIDENTS

The New York State Justice Center for the Protection of People with Special Needs was implemented on June 30, 2013, for consistency in reporting and investigating allegations of abuse. Mandated reporters are required to report allegations of Abuse/Neglect and Significant Incidents directly to the Justice Center when the incident takes place at a certified residence or day program. The phone number for the Justice Center is **1-855-373-2122**, and the call center operates 24 hours a day, seven days a week.

Care Design NY Care Managers are considered mandated reporters and are required to report incidents which occur under the auspices of a provider agency (e.g., a certified residence or day habilitation program) if the Care Manager cannot confirm that a provider agency has made that call. The Care Manager will also alert the provider agency's quality assurance program to ensure immediate protections are put in place and to initiate their incident management process.

An incident is considered to have taken place "under the auspices" of a provider agency if 1) paid staff is with the member when the incident occurred or 2) paid staff was expected to have been with the member when the incident occurred.

If Care Design NY learns that a Care Manager is alleged to have been involved in a 624 incident (see the OPWDD *Learning About Incidents* brochure for a list of types of 624 incidents), Care Design NY will perform the investigation and report the incident to OPWDD. Care Design's Incident Review Committee will review the investigation and provide recommendations to CDNY administration for disciplinary action and training. Care Design NY does not file reports with the Justice Center. To file a complaint against a Care Manager or any Care Design NY staff, please call the Main Office at (518) 235-1888 or call the anonymous hotline number (877) 382-2942.

Most of the incidents which Care Design NY reports to OPWDD are considered 625 Events/Situations. (See the OPWDD *Learning About Incidents* brochure for a list of types of 625 Events/Situations.) These include events or situations that are not under the auspices of an agency, such as:

- If the incident occurred at the person's home, and the person does NOT live in a residential setting.
- The incident occurred in the community and the person was alone or with family or friends.
- The incident occurred or may have involved agency staff during the time he or she was acting under the supervision of a state agency other than OPWDD (e.g., non-residential school).
- Any event or situation that exclusively involves the family, friends, employers, or co-workers of an individual receiving services.



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- Any report of neglect that is based on conditions in a private home, excluding a family care home.
- Any time there is police involvement, and the member is not receiving services under the auspices of a provider agency.
- Injuries which require treatment beyond basic first aid and which occur not under the auspices of a provider agency.
- The death of an individual residing in a community setting (non-residential) unless the member was residing in a certified setting within 30 days of his or passing.

If there is an allegation of physical or sexual abuse, neglect, financial exploitation, or any other crime has been committed against the member, the Care Manager will advise that law enforcement be notified.

Upon learning of any event/situation, the Care Manager is responsible to ensure that immediate protections are put in place.

These immediate protections include but are not limited to making referrals to:

- Adult Protective Services or Child Protective Services (NYC: Administration for Children's Services)
- Counseling Services
- Law Enforcement
- School (for therapy, residential placement)
- Family members
- Hospitals

The Care Manager may also:

- Assess and monitor the person supported
- Educate the member regarding choices/options
- Interview the member or others involved
- Review documents

Following a report, the Care Manager will request periodic updates regarding the event/situation to ensure immediate protections remain in place and to follow through on referrals made.

OPWDD offers additional information in their *Learning About Incidents* brochure. You may find this brochure on our website. If you would like to request a copy of this brochure or any Care Design NY Incident related policies or procedures, please reach out to a Care Design NY representative at 518-235-1888.