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ODP Certified Investigators Manual

Pennsylvania Department of Public Welfare, Office of Developmental Programs

This manual provides guidance on conducting certified incident investigations through the Certified Investigator's Program managed by the Bureau of Supports for People with Intellectual Disabilities, Office of Developmental Programs

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INTRODUCTION

The Commonwealth of Pennsylvania serves individuals who have intellectual and/or other developmental disabilities. These individuals receive services from a vast network of over 600 private and public service and support providers throughout the state.

In accordance with the Mental Retardation Bulletin on Incident Management #6000-04-01 issued by the Pennsylvania Department of Public Welfare, Office Developmental Programs (ODP), this manual was developed to provide continuing guidance to Certified Investigators, agency Administrators and Managers, and others on how to properly conduct certified investigations.

Underlying the principles outlined in the Bulletin, it is the expectation and responsibility that individuals supported through the ODP system deserve not only quality services and programs, but are to be "protected from harm," particularly from incidents involving abuse, neglect, exploitation, or even rights violations. In order to accomplish this principle, the Incident Management Bulletin outlines key roles and responsibilities service providers are to have in place to more effectively manage incidents involving harm, or the potential for harm, involving individuals receiving services.

The Incident Management Bulletin also requires that investigations will be conducted by investigators who become "certified" based on the content of this manual, as well as maintain certification through continuing education activities. An important part of the Incident Management system is ensuring that trained and certified investigators are available who possess technical competencies in conducting investigations, but who also understand the core principles and values outlined by the _Everyday Lives_ framework presented in the prerequisite course, _Protecting People from Harm: Everyday Lives and the Developmental Disability System in Pennsylvania_.

MODULE 1: CONCEPTS AND DEFINITIONS
**(See Appendix I for a full Glossary of definitions)**

In order to develop skills in conducting competent, quality, investigations, it is not only important to know the definitions of key concepts and vocabulary commonly used, but also to properly apply these terms when conducting investigations.

First and foremost, an **incident** is an event (that requires reporting) with **potential to adversely impact an individual's health, safety, or rights**. **Incident Management** is the response to an event, intended to ensure the adequate, appropriate, and effective protection of the health, safety and rights of the individual.

The incident management process involves **classifying incidents.** Incidents are generally classified based on two (2) criteria:

1. Type of incident (e.g. injury, medication error, abuse, neglect, restraints, death, etc.); and
2. Severity of harm (or potential harm) experienced by the individual(s).

Classifying incidents not only by type of incident, but also the severity of harm allows us to better define incident management responsibilities including how, when, and who to report incidents to, and outline requirements service providers must satisfy to ensure the health, safety, and welfare of individuals receiving services. Well-written regulations and policy must clearly define the types of incidents that need to be, at minimum, identified and reported via an incident management system. Incident definitions should be written using measurable, observable language easily understood by a number of individuals throughout our human service and healthcare systems, especially individuals receiving services and direct support staff.
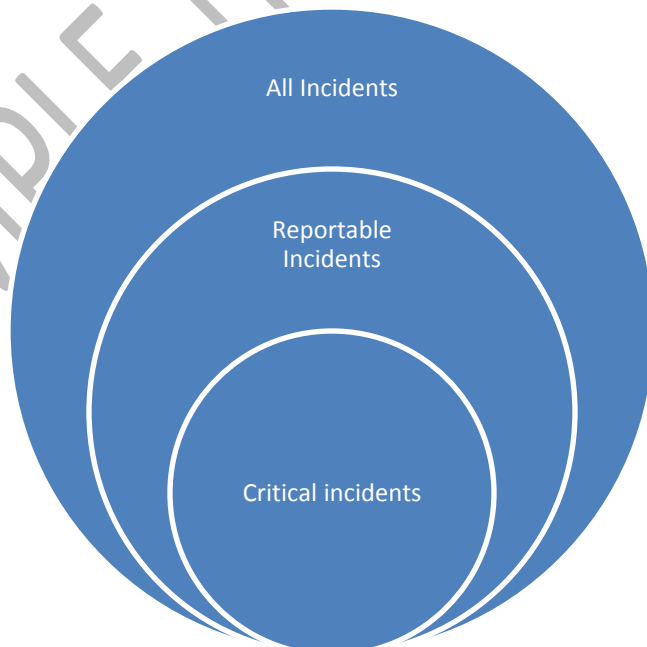
Critical incidents require an **investigation** to occur. An **investigation** is defined as *the process of identifying, collecting, and assessing facts (evidence) in a systematic manner*. The purpose of an investigation is to objectively describe and explain what did (or did not) occur at a given place and time. The ODP *Incident Management Bulletin* identifies the types of incidents requiring investigations:

Chart 1: Reportable Incidents Requiring Investigation

Primary Category	Secondary Category	Entity Responsible for Investigation
Abuse	All	Provider
	Improper or unauthorized use of restraint	Provider and A/E
Neglect	All	Provider
Rights Violation	All	Provider
Misuse of Funds	All	Provider
Death	When an individual is receiving services from a provider/entity.	Provider and ODP and, or DOH (A/E participation as requested by ODP)
Hospitalization	Accidental Injury Unexplained Injury Staff to Individual Injury Injury Resulting from Individual to Individual Abuse Injury Resulting from Restraint	Provider Provider Provider Provider Provider and A/E
Emergency Room Treatment	Unexplained Injury Staff to Individual Injury Injury Resulting from Individual to Individual Abuse Injury Resulting from Restraint	Provider Provider Provider Provider and A/E
Injury requiring treatment beyond First Aid	Staff to Individual Injury Resulting from Individual to Individual Abuse Injury Resulting from Restraint	Provider Provider Provider and A/E
Individual to Individual Abuse	Sexual Abuse	Provider