



# Incident Reporting

---

- DEPARTMENT OF HEALTH
- DIVISION OF HEALTH CARE SERVICES
- RESIDENTIAL LICENSING

# Learning Objective

---

At the end of this presentation, you will:

- What must be reported to Residential Licensing.
- When reports need to be submitted.
- Where reports need to be submitted.
- How to submit a report to centralized intake.
- Who else needs to be notified a report had been submitted.
- What is a critical incident report?
- What critical incident must be reported?
- Where critical Incident must be reported?

# 7 AAC 75.340 (a) Notification Requirements

---

## **7 AAC 75.340 (a)**

An assisted living home shall provide, on a form supplied by the department, written notice to the department, to each affected resident or that resident's representative, and to any service coordinator.

### **Licensing Expectation:**

- All Homes are expected to make all reports/notification requirement to the State of Alaska's Central Intake Unit – Centralized Reporting.
- All Homes are expected to share a copy of their report to the affected resident, their representative, and to any service coordinator/care coordinator.



# Central Intake Unit – Centralized Reporting

---



- The Central Intake Unit was established to centralized reporting requirements.
- The Central Intake Unit is part of the Division of Senior and Disabilities Service.
- The unit ensures reports contain necessary information for agencies to respond.
- The unit will then route reports to the appropriate agency including, but not limited to:
  - Residential Licensing
  - Adult Protective Services
  - Quality Assurance
  - The Office of Children’s Services
  - Health Facilities Licensing and Certification
  - The Ombudsman
- The Central Intake Unit is not an emergency services agency – Homes should always seek emergency service first when appropriate.

# Central Intake Unit – Making a Report

---



- When making a report provide as much information as possible in the report.
- Be clear and concise to eliminate any questions or confusion.
- Reports lacking information will result in follow-up with the reporter and can delay a response.

## Most common issues:

- Not attaching Do Not Resuscitate (DNR), Comfort one, or Physician Orders for Life Sustaining Treatment (POLST) orders when a resident passes away.
- Not attaching an Involuntary Termination of Contract Notice.
- Not providing full details about a hospitalization.
- Using initials for individuals involved in the report or not providing the full names of the individuals involved.

# Central Intake Unit – Where to make a Report

---

Reports can be filed from multiple location including:

The Residential Licensing Website: <https://health.alaska.gov/dhcs/Pages/cl/all/default.aspx>

The Division of Senior and Disabilities Website:  
<https://health.alaska.gov/dsds/Pages/default.aspx>

The Central Intake Unit Website:  
<https://health.alaska.gov/dsds/Pages/CentralIntake.aspx>

Reports can also be made by contact the unit as the following phone numbers:907

Call: 907-269-3666 (Anchorage number)

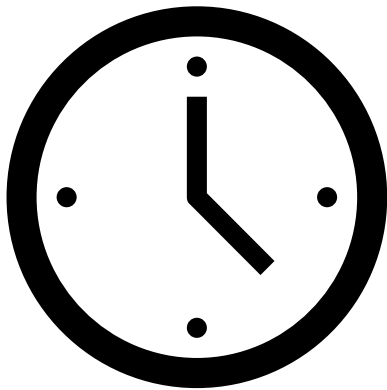
Call: 1-800-478-9996 (toll-free in state)

Fax: 907-269-3648

You can always click on the Icon (File Your Report Here) to make your report.



# Notification Requirements – Within 24 Hours or next business day



## **7 AAC 75.340 (a) (1) 24 hours or the next business day**

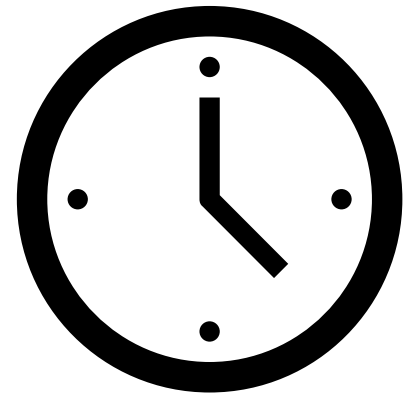
- If an administrator, a care provider, or an individual who resides in the home, other than a resident receiving services, is charged with, convicted of, found not guilty by reason of insanity for, or adjudicated as a delinquent for, a barrier crime or condition.
- The Home is unable to correct a violation constituting an emergency.
- A resident dies of other than a natural cause.
  - Note: this differs if you are certified, certified homes must report all deaths per their SDS requirements.
- Physical restraint is used.
  - Note: This notification shall be provided only to the resident's representative and the notification does not need to be made if the resident's assisted living plan indicates that pre-notification is required, or notification can be provided within five days when you notify the Department.

# Notification Requirements – Within 48 Hours

---

## 7 AAC 75.340 (a) (2) 48 hours

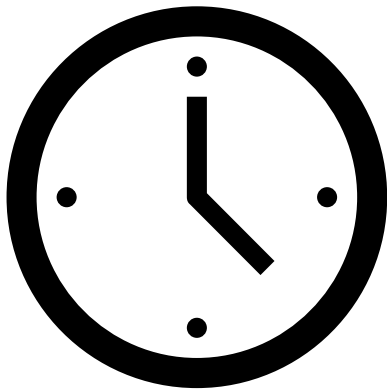
- A resident experiences a medical emergency, serious injury, or accident.
  - Note: This notice must include information regarding whether the resident required more than 24 hours of hospitalization.
- A resident is involved in assaultive behavior that resulted in the need for medical treatment for the resident or another individual, or that required police intervention.
- A resident is absent from the home for 24 hours or longer without prior notice to the home.





# Notification Requirements – Within 72 hours, and not less than 24 hours

**7 AAC 75.340 (a) (3) 72 hours, and not less than 24 hours**



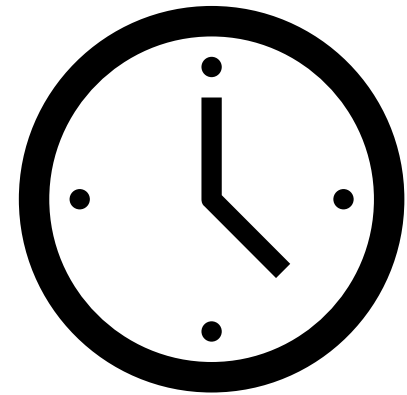
- If you are terminating a residential service contract for medical reasons or because of a doctor's order.
  - Note: In these cases, homes will need to show documentation for the medical reason or the doctor's order.

# Notification Requirements – Within Five (5) Days

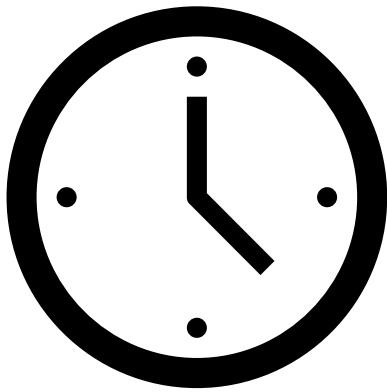
---

## 7 AAC 75.340 (a) (4) Five (5) Days

- If physical restraint is used.
  - Note: This is unless a shorter time is provided in a resident's assisted living plan.



# Notification Requirements – Within 14 days



## **7 AAC 75.340 (a) (5) 14 days**

- Before a change in the home's mailing address.

### Licensing Expectation:

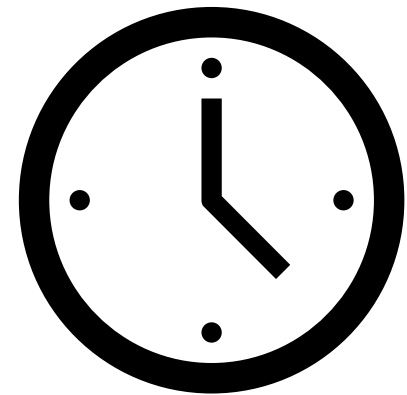
- Homes are expected to submit a modification application to change their mailing address.
  - Note: Please allow for 10 Business Days for a response as a new license must be issued. If you are a certified provider, ensure to notify Provider Certification of the changes as mailing address changes must be coordinated with Provider Certification.

# Notification Requirements – Within 30 days

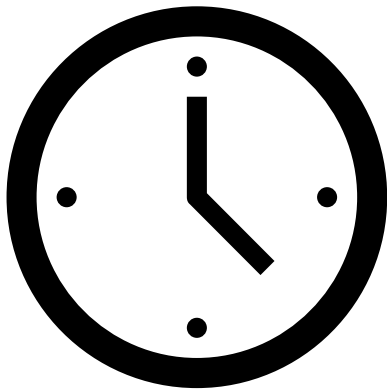
---

## 7 AAC 75.340 (a) (6) 30 days

- Before increasing any rates in the Residential Service Contract.
- Before terminating a residential service contract.
  - Home's will need to include the reason for the termination and notify the resident of their right to a case conference.
- Before amending a residential services contract to require an advance payment.



# Notification Requirements – Within 90 days



## **7 AAC 75.340 (a) (6) 90 days**

- Before closure of the home.
- Before relocation of the home.

### Licensing Expectation:

- Home's must use the modification application to change locations. A health and safety inspection of the proposed new location will need to occur before a relocation can be approved.
  - We will work with Home's to on these notices if all resident agree to the relocation sooner or leave care sooner than 90 days.
- If the Home is certified ensure you contact Provider Certification of the proposed locations change.
- There will include a fee of \$25 for moving the home.

# Notification Requirements – Miscellaneous

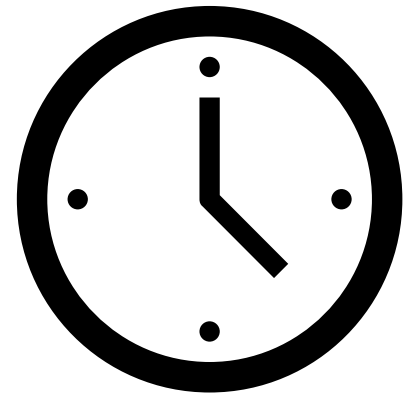
---

## 7 AAC 75.340 (c) (1) (2) (3)

- An assisted living home shall notify the Residential Licensing, in writing, before taking these actions:
  - Changing the administrator, individual, or entity named in the current application.
  - Increasing resident capacity.
  - If the use of the home will change from exclusive occupancy as an assisted living home to shared use as a business or other enterprise.

### Licensing Expectations:

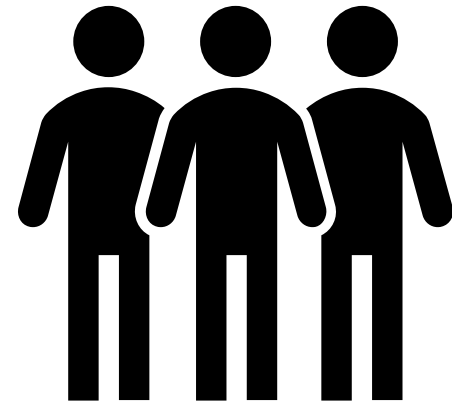
- Homes are expected to submit a modification application to change their Administrator, Designee, or Resident Manager, change capacity, and/or change the exclusive occupancy.
  - Note: Please allow for 10 Business Days for a response as a new license must be issued. If you are a certified provider, ensure to notify Provider Certification of the changes as the changes must be coordinated with Provider Certification.
  - Note: A change in Administrator, Designee, or Resident Manager will also require the completion of the Administrator, Designee, and Resident Manager Designation Questionnaire.
  - Note: You will need Department approval for the other business. Those businesses must be consistent with the health, safety, and welfare of clients.



# Critical Incident Report

---

- Home's certified through Senior and Disabilities Services must adhere to slightly different reporting requirements offer referred to as Critical Incident Reports.
- Some of these requirements are different than Residential Licensing notification requirements.
- These requirements apply to all clients who reside in the Home regardless of their funding source.



# Critical Incident Report: Notification in One (1) business day

---

- Per regulation the following incidents must be reported within one (1) business day after a provider observes or learns of the incident:
- A missing resident.
  - Regardless of the amount of time missing.
- Resident's behavior that resulted in harm to the recipient or others.
- Misuse of a restrictive intervention.
- Use of restrictive intervention that resulted in the need for evaluation by or consultation with medical personnel.
- Death of a resident.
  - Expected and Unexpected.
- An accident, an injury, or another unexpected event that affected the residents' health, safety, or welfare to the extent evaluation by or consultation with medical personnel was needed.
- Medication error that resulted in the need for evaluation by or consultation with medical personnel.
- Event that involved the resident and a response from a peace officer.
- Falls experienced by residents.



# Reporting/ Notification Expectation

---

- When a Home experiences an incident that meets more than one agency reporting/notification requirement. The Home must adhere to the most stringent reporting/notification timeline.
- For Example: A resident experiences a medical emergency resulting in the Home's caregiver calling 911.
  - Residential Licensing Notification Requirement:
    - A resident experiences a medical emergency, serious injury, or accident.
    - Incident must be reported within 48 hours.
  - Critical Incident Report Notification Requirement:
    - An accident, an injury, or another unexpected event that affected the residents' health, safety, or welfare to the extent evaluation by or consultation with medical personnel was needed.
    - Incident must be reported within 24 hours or the next business day.
  - Expectation:
    - The Home must submit a report/notification to the Central Intake Unit within 24 hours or the next business day.

# Mandatory Reporter

## AS 47.24.010 (a) (1-16)

---

### AS 47.24.010 (a):

Except as provided in (e) of this section, the following persons who, in the performance of their professional duties, have reasonable cause to believe that a vulnerable adult suffers from undue influence, abandonment, exploitation, abuse, neglect, or self-neglect shall, not later than 24 hours after first having cause for the belief, report the belief to the department's vulnerable adult centralized intake office.

This includes:

- A physician or other licensed health care provider;
- A mental health professional as defined in [AS 47.30.915](#) and including a marital and family therapist licensed under [AS 08.63](#);
- A pharmacist;
- **An administrator or employee of a nursing home, residential care, or health care facility;**
- A guardian or conservator;
- A police officer;
- A village public safety officer;
- A village health aide;
- **A social worker;**
- A member of the clergy;
- A staff employee of a project funded by the Department of Administration for the provision of services to older Alaskans, the Department of Health, or the Council on Domestic Violence and Sexual Assault;
- **An employee of a personal care or home health aide program;**
- An emergency medical technician or a mobile intensive care paramedic;
- **A caregiver of the vulnerable adult;**
- **A certified nurse aide;**
- An educator or administrative staff member of a public or private educational institution.

# Failure to Report AS 47.24.010 (c)

---

## AS 47.24.010 (c):

The department or its designees shall report to the Department of Law any person required by (a) of this section to report who fails to comply with this section. A person listed in (a) of this section who, because of the circumstances, should have had reasonable cause to believe that a vulnerable adult suffers from undue influence, abandonment, exploitation, abuse, neglect, or self-neglect but who **knowingly fails** to comply with this section is **guilty of a class B misdemeanor**. If a person convicted under this section is a member of a profession or occupation that is licensed, certified, or regulated by the state, the court shall notify the appropriate licensing, certifying, or regulating entity of the conviction.



# Imminent Risk

## AS 47.24.010 (e)



### AS 47.24.010 (e):

If a person making a report under this section believes that immediate action is necessary to protect the vulnerable adult from imminent risk of serious physical harm due to undue influence, abandonment, exploitation, abuse, neglect, or self-neglect and the **reporting person cannot immediately contact the department's vulnerable adult centralized intake office**, the **reporting person shall make the report to a police officer or a village public safety officer**. The police officer or village public safety officer shall take immediate action to protect the vulnerable adult and shall, within 24 hours after receiving the report of harm, notify the department. A person may not bring an action for damages against a police officer, a village public safety officer, the state, or a political subdivision of the state based on a decision under this subsection to take or not to take immediate action to protect a vulnerable adult. If a decision is made under this subsection to take immediate action to protect a vulnerable adult, a person may not bring an action for damages based on the protective actions taken unless the protective actions were performed with gross negligence or intentional misconduct; damages awarded in the action may include only direct economic compensatory damages for personal injury.

# Orientation Requirements

## 7 AAC 75.240 (b)

---

### **7 AAC 75.240 (b)**

(b) An administrator shall ensure and document that each care provider, within the first 14 days of employment, is oriented to the assisted living home's policies and procedures, including emergency procedures, fire safety, resident rights, prohibition against abuse, neglect, exploitation, and mistreatment of residents, recognition of abuse, neglect, exploitation, and mistreatment of residents, **reporting requirements under AS 47.24.010**, universal precautions for infection control, biohazards, applicable state regulations and statutes, resident interaction, any house rules established under AS 47.33.060, sanitation, duties and responsibilities, medication management and security, and physical plant layout. Before caring for a resident without direct supervision, a care provider shall receive the orientation required in this subsection and, unless the care provider has sufficient documented experience working with the population of residents to be served, shall work under the direct supervision of the administrator or an experienced care provider who is at least 21 years of age for not less than three complete workdays. Direct supervision must be documented in the personnel file of the supervised care provider.

### **Expectation:**

- The Home is required to train its staff on their duties to act as a mandatory reporter.
- The Home must train staff on how and where to report.
- A staff member telling the Administrator/supervisor, does NOT fulfill their duty as a mandatory reporter.

# Questions or Comments

---

- If you have any additional questions or concerns, please follow-up with your assigned licensing specialist and/or their supervisor.
- Questions and concerns can also be sent to [ALH.Newhome@alaska.gov](mailto:ALH.Newhome@alaska.gov).

