

**THE ECKAAA-CDDO SERVING COFFEY, OSAGE AND FRANKLIN COUNTIES
Policies and Procedures**

SUBJECT: ABUSE, NEGLECT, & EXPLOITATION

EFFECTIVE: ~~7/2/2018~~ 7/1/2019

SECTION: ~~610B~~ 516A

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SUPERCEDES: 610A B

~~R2 Dated 2/6/2017~~ **R3 Dated 2/26/2019**

Policy:

The East Central Kansas Area Agency on Aging Community Developmental Disability Organization (ECKAAA-CDDO) serving Coffey, Osage, and Franklin counties has the primary responsibility to monitor paid services, to ensure that individuals are protected from harm and that their rights are observed and protected, pursuant to K.A.R. 30-64-27, 4 and 5 (A) and (B), namely that: ***The CDDO, the affiliate of the CDDO, (and any Paid Support Worker to the person as agent of the affiliate) is affording the person being served all of the person's legally protected rights. The CDDO, the affiliate of the CDDO, meets both of these requirements: (A) Is reporting any suspicions of abuse, neglect, or exploitation to the appropriate state agency; and (B) has corrected or is actively in the process of correcting the cause of any confirmed violation.*** The ECKAAA-CDDO works in conjunction with the Council of Community Members and the Quality Assurance Committee to ensure that all Affiliated Providers are immediately reporting incidents of suspected abuse, neglect, and/or exploitation to the appropriate authorities. (Please reference local agency policies regarding Abuse, Neglect, and Exploitation and K.A.R. 30-63-28).

All people who provide paid support to Individuals served through the IDD waiver shall comply with these standards. All affiliate agencies shall provide written confirmation to the ECKAAA-CDDO that they have included this education and these expectations to all persons providing paid supports to individuals served on the IDD waiver and can produce written proof of this education to the CDDO upon reasonable request. **The CDDO reserves the right to observe all paid support activity as it is being provided.**

Procedure:

- 1) When any agent of an affiliated provider reports suspected Abuse, Neglect, or Exploitation (ANE), or is notified by an outside entity that a report has been made to the Kansas Protection Report Center, the details of the reported incident should be provided in writing to the CDDO within 24 hours of the occurrence of the incident, as a Trend Tracking report and be reported in AIR (KDADS Adverse Incident Report).
 - A) The process for reporting ANE issues will be as follows and in this sequence:
 - i) Incident of suspected abuse, neglect, or exploitation is reported to the Kansas Protection Report Center (1-800-922-5330).
 - ii) An "ECKAAA-CDDO Trend Tracking" form is completed by the person witnessing the event, the TCM agency and/or the affiliated agency which includes:
 - a) A summary of the suspected ANE incident;
 - b) Date the report was made to the Kansas Protection Report Center; and report number
 - c) Date and location where the incident occurred;
 - d) Names of all persons involved in the incident.
 - iii) The Trend Tracking form shall be forwarded to the ~~CDDO Executive Director,~~ the CDDO Quality Assurance Liaison, the CDDO Coordinator, and KDADS Quality Management Specialist (QMS) via secure email. The current blank Trend

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Tracking form is available from the CDDO in electronic and paper formats and are available also as requested.

- iv) The Affiliated Provider must forward to the CDDO Coordinator any follow up correspondence received from Kansas Protective Services or DCF within two (2) working days of receipt. This includes notification of screen-in and screen-out and ~~confirmed/unconfirmed~~ **substantiated/unsubstantiated** findings.

- B) The Executive Director of CDDO Administration, **CDDO Coordinator, and/or CDDO Quality Assurance Liaison, Quality Assurance Committee, or Council of Community Members** may provide written recommendations or request corrective action from the Affiliated Provider at any time during or following the course of the Kansas Protective Services investigation.

- C) If an investigation of abuse, neglect, or exploitation results in a confirmed finding, the Executive Director of CDDO Administration, **CDDO Coordinator, and/or CDDO Quality Assurance Liaison** will request outcomes of any internal investigations and corrective action taken or contemplated by the Affiliated Provider and may conduct its own investigation of the incident, including, but not limited to unscheduled visits to the place where the paid service is occurring. The CDDO will provide a final review and respond, in writing, to the Affiliated Provider with further recommendations, if needed.

- D) ~~Should the Affiliated Provider fail to respond to CDDO requests or correct deficiencies as specified, the CDDO may recommend disciplinary action up to and including suspension or termination the affiliation agreement with the Affiliated Provider. If the Provider is a Paid Support worker providing in-home supports, the Executive Director of CDDO Administration, CDDO Coordinator, or CDDO Quality Assurance Liaison will follow the guidance stated in K.A.R 30-63-10, J (i) and (ii), to whit:~~ ***The person or person's representative directing and controlling the services agrees to both of the following: (i) If it is determined by the CDDO or the commission that the person receiving services is or could be at risk of imminent harm to the person's health, safety, or welfare, the person or person's representative directing and controlling the services shall correct the situation promptly. (ii) If the situation is not so corrected, after notice and an opportunity to appeal, funding for the services shall not continue.***

- E) ~~Should the Affiliated Provider fail to respond to the CDDO requests or correct deficiencies as specified, the CDDO may recommend disciplinary action including:~~
 - i) ~~Notification to Quality Assurance Committee and/or Council of Community Members and/or KDADS~~
 - ii) ~~Imposition of penalties in an amount not to exceed \$125 per day for each violation from a specified date forward until Affiliate complies~~
 - iii) ~~Suspension of referrals for services~~
 - iv) ~~Termination of Affiliate Agreement~~

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- F) The CDDO will actively monitor any situation that indicates risk or possibility of risk to a person’s health, safety, welfare from abuse, neglect and/or exploitation.