

"AT A GLANCE"
County Board Administrative Responsibilities with MUIs

From Rule	Requirement
(D)(4) Reporting Requirements	Ensure all reasonable measures necessary to protect the health and welfare of any at-risk individual have been taken. Interpretation: In cases where the County does not feel this is in place, they MUST direct the Provider to take additional measures.
(D)(8)	Enter preliminary information on ITS and in the manner prescribed by the department by 3 p.m. on the working day following notification by the provider or becoming aware of the MUI. Interpretation: Ensure provider is timely with written reports. If the county board receives notification of an MUI through their on call system and they know that this meets the definition for a potential MUI then that is their discovery date. If additional information is needed the county board should contact the provider if there is health and welfare concerns or they can gather that information and determine if the incident is an MUI when they receive the UI by 3pm the following day. The county board should never wait past 3pm the following working day. If the provider has not sent in an incident report, the county board should file with the information received from the hotline call.
(D)(9)	Keep the provider apprised of the status of the administrative investigation so the provider can resume normal operations, as soon as possible, consistent with the health and safety of any at-risk individuals.
(D)(11)	Have a system that is available 24-hours a day, 7-days a week to receive/respond to all reports required by the rule and communicate this system in writing to all providers and the department.
(E)(2) Reporting of Alleged Criminal Acts	Immediately report to law enforcement any allegation of exploitation, failure to report, misappropriation, neglect, peer-to-peer act, physical abuse, sexual abuse, or verbal abuse, which may constitute a criminal act. Interpretation: The county board must ensure the notification has been made and it must be reported to the entity having jurisdiction of the location where the incident occurred.
(F)Abused or Neglected Children	Immediately report to Children Services all allegations of abuse or neglect involving individuals under the age of twenty-one years. . Interpretation: The county board must ensure the notification has been made and it must be reported to the entity having jurisdiction of the location where the incident occurred.
(G)(1) Notification Requirements	Ensure notifications to the individuals as identified in (G)(1)(a)-(e) of the rule, as applicable, when the incident or discovery of the incident occurs when such provider has responsibility for the individual. The notification shall be made on the same day the incident or discovery of the incident occurs and include immediate actions taken. See (G)(2)-(5) for additional information on this process.
(H)(2) General Investigation Requirements	All MUIs require an investigation meeting the requirements established in either appendix A, appendix B or appendix C to this rule, unless it's not possible or relevant in which case the reason shall be documented. Investigations shall be conducted by investigative agents certified under rule 5123:2-5-07 of the Administrative Code. See (H)(2)-(4) for additional information on this process.
(H)(5)	Immediately, but no later than twenty-four hours after the discovery of any MUIs in category A, commence and document the initiation of the investigation. If law enforcement and/or children services decline to investigation, the county board shall commence the investigation within twenty-four hours of notification. For MUIs in categories B and C, the county board shall commence an investigation within a reasonable amount of time based upon the initial information received or obtained and consistent with the health and welfare of all at risk individuals, but no later than three working days from notification or identification by the county board. Interpretation: "Commencing an Investigation" means any of the actions defined as such in the appendix portion of this rule.
(H)(8)	All DD employees shall cooperate with administrative investigations conducted by entities authorized to conduct investigations and shall respond to requests for information within the timeframe requested. The timeframes identified shall be reasonable.
(H)(9)	The IA shall complete a report of the investigation and submit it for closure in the ITS within 30 working days unless the department grants an extension. The department shall grant such extensions for good cause. If an extension is granted, the department may require submission of interim reports and may identify alternative actions to assist with the timely conclusion of the report.

(H)(10)	The report shall follow the format prescribed by the department.
(I) Department-Directed Investigations	Notify the department when the incident meets the requirements of a department-directed investigation.
(J)(1) Written Summaries	No later than 5 days following the county board's recommendation via the ITS that the report be closed, the county board shall provide a written summary of the administrative investigation of category A or category B MUIs, including the allegations, the facts and findings, including as applicable whether the case was substantiated or unsubstantiated, and preventive measures implemented in response to the MUI, to the individuals as listed in (J)(1)(a)-(c) of the rule. See (J)(2)-(3) for additional information on this process.
(J)(4)	The SSA or county board designee shall be responsible for ensuring the preventative measures are implemented based upon the written summary.
(J)(5)	An individual, individual's guardian, other person whom the individual has identified or provider may dispute the findings.
(K)(1) Review, Prevention & Closure of MUIs	Implement a written procedure for the internal review of all MUIs and shall be responsible for taking all reasonable steps necessary to prevent the reoccurrence of MUIs.
(K)(2)	The individual's team, including the county board, shall collaborate on the development of preventative measures to address the causes and contributing factors to the incident.
(K)(5)	The county board shall review and close reports regarding all incidents as listed in (K)(5)(a)-(f) of the rule.
(K)(6)	The department may review any case to ensure it has been properly closed and may reopen any investigation that does not meet requirements of the rule. The county board shall provide any information deemed necessary by the department to close the case.
(K)(7)	Follow rule criteria when determining whether to close a case. See (K)(7)(a)-(f) for additional information on this process.
(L)(1) Analysis of MUI Trends & Patterns	Analyze MUIs to identify trends and patterns semi-annually and annually (July 31 and January 31, respectively) with the annual review being comprehensive for the year.
(L)(3)	Conduct the analysis and follow-up for all entities operated by county boards such as workshops, schools and transportation. The county board shall send its analysis and follow-up actions to the department by August 31 for the semi-annual review and by February 28 for the annual review. See (L)(4)-(5) for additional information on this process.
(L)(6)	Have a committee that reviews trends and patterns of MUIs. The committee shall be made up of a reasonable representation of the county board(s), providers, individuals who receive services and their families and other stakeholders deemed appropriate by the committee.
(L)(6)(b)	Committee shall meet each September to review and analyze data for the first 6 months of the calendar year and each March to review and analyze data for the preceding calendar year.
(M)(2) UI Requirements	Develop and implement a policy and procedure as identified in (M)(2)(a)-(d) of the rule.
(M)(3)	Ensure all staff are trained and knowledgeable regarding the policy and procedure.
(M)(4)	If the UI occurs at a site operated by the county board or by an entity with which the county board contracts, then the county board or entity shall notify the licensed provider or staff, guardian, or other person whom the individual has identified, as applicable, at the individual's residence. The notification shall be made the same day the incident is discovered.

(M)(7)	UI reports, documentation of identified trends and patterns and corrective action shall be made available to the department upon request.
(M)(9)	Ensure trends and patterns of UIs are included and addressed in each individual's service plan.
(N)(1)	Review, on a quarterly basis, a representative sampling of provider logs including logs where the county board is a provider for the purpose of ensuring all MUIs required to be reported have been reported and that trends and patterns have been identified and addressed. The sampling shall be made available to the department for review upon request.
(P)(1) Training	Ensure staff employed in direct services positions are trained on the requirements of this rule prior to direct contact with any individuals. Thereafter, staff employed in direct services positions shall receive annual training on the requirements of this rule including a review of health and welfare alerts issues by the department since the previous year's training.