

## MUI AND UI FACT SHEET

O.A.C. 5123-17-02

Major unusual incident" means the alleged, suspected, or actual occurrence of an incident described in paragraph (C) (16) (a), (C)(16)(b), or (C)(16)(c) of this rule when there is reason to believe the incident has occurred. There are three categories of major unusual incidents that correspond to three administrative investigation procedures delineated in appendix A, appendix B, and appendix C to this rule. There are (19) nineteen types of incidents defined in the rule that are considered major unusual incidents (MUIs).

Unusual incident" means an event or occurrence involving an individual that is not consistent with routine operations, policies and procedures, or the individual's care or individual service plan, but is not a major unusual incident. Unusual incident includes, but is not limited to, dental injuries; falls; an injury that is not a significant injury; medication errors without a likely risk to health and welfare; overnight relocation of an individual due to a fire, natural disaster, or mechanical failure; an incident involving two individuals served that is not a peer-to-peer act major unusual incident; and rights code violations or unapproved behavior behavioral supports without a likely risk to health and welfare; emergency room or urgent care treatment center visits; and program implementation incidents.

All agency providers and county boards shall ensure staff employed indirect service positions are trained prior to direct contact. Those in non-direct service positions must be trained no later than 90 days of hire date. Thereafter, all employees shall receive MUI training during each calendar year which shall include a review of health and welfare alerts released since the previous calendar year's training. Health and Safety alerts can be found at: <https://dodd.ohio.gov/wps/portal/gov/dodd/health-and-welfare/health-and-welfare-alerts/>

All incidents require that immediate action is taken to protect individuals from further harm, that an investigation is conducted to determine the cause of the incident and contributing factors, and that a prevention plan is developed to reduce the likelihood of future occurrences.

MUIs are reported to the local County Board of Developmental Disabilities (DD), which then reports the information to the Department of Developmental Disabilities (DODD). County Boards of DD are responsible for immediate action, investigations, and prevention planning for each incident. In order to demonstrate compliance, a provider/county board must be able to evidence the following:

Upon identification of a **Major Unusual Incident**, the provider took the following immediate actions as appropriate:

- Ensure that individual received immediate and on-going medical attention for injuries (document that action)
- Removal of an employee from direct contact with any individual when the employee is alleged to have been involved in physical or sexual abuse until such time as the provider has reasonably determined that such removal is no longer necessary;
- All other necessary measures to protect the health and welfare of individuals.
- Notification to the County Board about the below listed incidents within 4 hours of discovery:
  - Accidental or suspicious death;
  - Exploitation;
  - Misappropriation;
  - Neglect;
  - Peer-to-peer act;
  - Physical abuse;
  - Prohibited sexual relations;
  - Sexual abuse;

Verbal abuse; and

When the provider has received an inquiry from the media regarding a major unusual incident.

[After Hours MUI Contact Information](https://dodd.ohio.gov/wps/portal/gov/dodd/your-family/your_cb_and_provider/4-find-your-county-board) for the county boards and COGs are available through the Department's Website At: [https://dodd.ohio.gov/wps/portal/gov/dodd/your-family/your\\_cb\\_and\\_provider/4-find-your-county-board](https://dodd.ohio.gov/wps/portal/gov/dodd/your-family/your_cb_and_provider/4-find-your-county-board)

Providers must complete a written incident report documenting the major unusual incident or unusual incident. The report must include but is not limited to the following:

- Individual's name;
- Individual's address;
- Date of incident;
- Location of incident;
- Description of incident;
- Type and location of injuries;
- Immediate actions taken to ensure health and welfare of individual involved and any at-risk individuals;
- Name of primary person involved and his or her relationship to the individual;
- Names of witnesses;
- Statements completed by persons who witnessed or have personal knowledge of the incident;
- Notifications with name, title, and time and date of notice;
- Further medical follow-up; and
- Name and signature of person completing the incident report.

A written incident report is submitted to the County Board by 3:00 p.m. The county board shall enter preliminary information regarding the major unusual incident in the incident tracking system and in the manner prescribed by the department by five p.m. on the first working day following the day the county board receives notification from the provider or otherwise becomes aware of the major unusual incident.

If applicable, the provider makes appropriate notifications to other agencies:

- Children's Services
- Law Enforcement

Documented evidence that the provider made notification on the same day of the major unusual incident to the following as applicable:

- Guardian
- Service and Support Administrator
- Other providers of services as necessary to ensure continuity of care and support for the individual
- Staff or Family who provide direct supervision in the home

The provider cooperated with the investigation of MUIs by:

- Providing requested information in a timely manner
- Providing results of an internal investigation (if conducted) to county board within 14 days of completion
- Providing evidence that a prevention plan was identified, a collaborative team effort by relevant involved parties participated in the prevention plan, and that the prevention plan addressed the causes and contributing factors identified in the investigation.
- Submitted evidence that the prevention plan is being implemented and made part of the plan and that the individual's Service Plan was revised if necessary.

Upon identification of an **Unusual Incident**, the provider took the following immediate actions as appropriate:

- Report was made to the designated person
- The Unusual Incident report was made within 24 hours of the incident
- Appropriate actions were taken to protect the health and safety of the at-risk individual
- Investigation occurred to identify causes and contributing factors and an effective prevention plan.
- The provider at the time of the UI should notify other providers of services (as appropriate) to ensure continuity and support of the individual.

The provider/County Board as provider conducts a monthly review of Unusual Incidents

Each agency provider and independent provider shall maintain a log of all unusual incidents. The log shall contain only unusual incidents as defined in paragraph (C)(25) of this rule and shall include:

- Name of Individual
- Description of Incident
- Injuries
- Time of Incident
- Date of Incident
- Location of Incident
- Cause and contributing factors
- Preventative Measures to address both the individual incidents and identified trends.
- Review for any missed MUI's

Evidence that the provider completed the required review of MUIs as follows:

- Annual In-Depth Review (Due by February 28)

Evidence that all incidents were reported as either an unusual incident or major unusual incident.

For your convenience, additional resources are available on the Department's website at:

<https://dodd.ohio.gov/>.