



Department of
Developmental Disabilities

Office of MUI/Registry Unit

John R. Kasich, Governor
John L. Martin, Director

*Addressing Major Unusual Incidents
and Unusual Incidents to ensure
health, welfare, and continuous
quality improvement*

Understanding the MUI/UI
Reporting System

A Handbook for the Individuals, Families
and Paid Supports

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Introduction

This handbook has been developed to assist individuals and families understand major unusual incidents (MUI's) and the various activities and responsibilities that occur when one is reported. Incidents impacting health and welfare are reported in order to provide immediate assistance to protect the health and welfare of individuals served. The role of the family is not detailed in the MUI Rule, as families are not required in rule to report incidents. The Department, however, recognizes the valuable role families' play and the importance for families to understand why the MUI system exists, how they might be involved from time to time and the role of providers, county boards and the Department in protecting individuals with disabilities. The Ohio system for reporting MUIs is dependent on timely reporting and follow up to incidents and so it is critical that families, individuals, community members and paid supports understand the system.

I. What is an MUI?

An Major unusual incident alleged, suspected, or actual occurrence of an incident when there is reason to believe the health or welfare of an individual may be adversely affected or an individual may be placed at a likely risk of harm, if such individual is receiving services through the developmental disabilities service delivery system or will be receiving such services as a result of the incident. There are three categories of major unusual incidents that correspond to three administrative investigation procedures delineated in appendix A, appendix B, and appendix C. The types of MUIs are explained in the Definitions section of this guide.

II Why are MUIs Reported?

Why are they reported?

The MUI system is set up for the purpose of identifying the cause or contributing factors leading up to the incident and developing prevention plans to reduce the likelihood of the incident occurring again. MUIs are always filed on the victim. The residential provider is also flagged for incidents involving individuals whom they serve. This assists the provider in looking at trends and working with the county board to address them.

III. How are MUIs Different from UIs (Unusual Incidents)?

Unusual incident is 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 supports without a likely risk to health and welfare. the agency provider or the county board. These incidents are handled at the provider level and are reviewed quarterly by the county board of DD.

III. Who Must Report?

1. All providers who are contracted, certified or licensed to serve persons with DD are *required* to report MUIs to the county board.
2. All county board staff and department staff are also *required* to report MUIs.
3. A basic responsibility for anyone on a Medicaid waiver is to ensure health and welfare so anyone paid to provide Medicaid waiver services *must* report MUIs.

V. When Are MUIs Reported?

Incidents involving Abuse, Neglect, Exploitation, Misappropriation, Accidental or suspicious Death, Non-Suspicious or Non-Accidental Deaths, Attempted Suicide, Law Enforcement, Missing Individual, Prohibited Sexual Relations, Rights Code Violations, and Failure to Report are always reported no matter where they happen or who is involved.

The remaining categories are reported when the individual is with or under the care of their licensed or certified provider or a county board operated or contracted program.

VI. To Whom Are MUIs Reported?

An MUI contact person has been identified at each county board of DD to receive reports of possible MUIs. Incidents may be reported to Annette Petrella 740 266 4291 x2123 or to any county board of DD employee.

DODD also has a hotline 1 – 866-313-6733 – which may be used if there are concerns or difficulties in reporting to the county board of DD.

VII. What is the Role of the Provider?

The provider's role is to take immediate actions to protect individuals from further harm when incidents occur in their setting, to report possible incidents to the county board of DD immediately, but no later than 4 hours for abuse, neglect, misappropriation, exploitation, or suspicious death. Notify the police immediately when there is an alleged crime. Report all other MUIs within 24 hours of awareness. Implement preventive

crime. Report all other MUIs within 24 hours of awareness. Implement preventive measures to reduce the likelihood of similar incidents occurring.

VIII. What is the Role of the County Board of DD?

When the county board provides services, they must also take immediate actions to protect the person when an MUI occurs in a county board setting. The county board of DD is required to report and investigate MUIs and ensure proper notifications have been made such as law enforcement or the guardian. Investigations, or being asked questions, can feel intimidating. While all MUIs require an investigation, the process is to identify the primary cause and contributing factors in order to prevent future incidents from occurring. County boards contract or employ investigative agents who are certified by the Department. Their only roles are to investigate MUIs and conduct other major unusual incident functions.

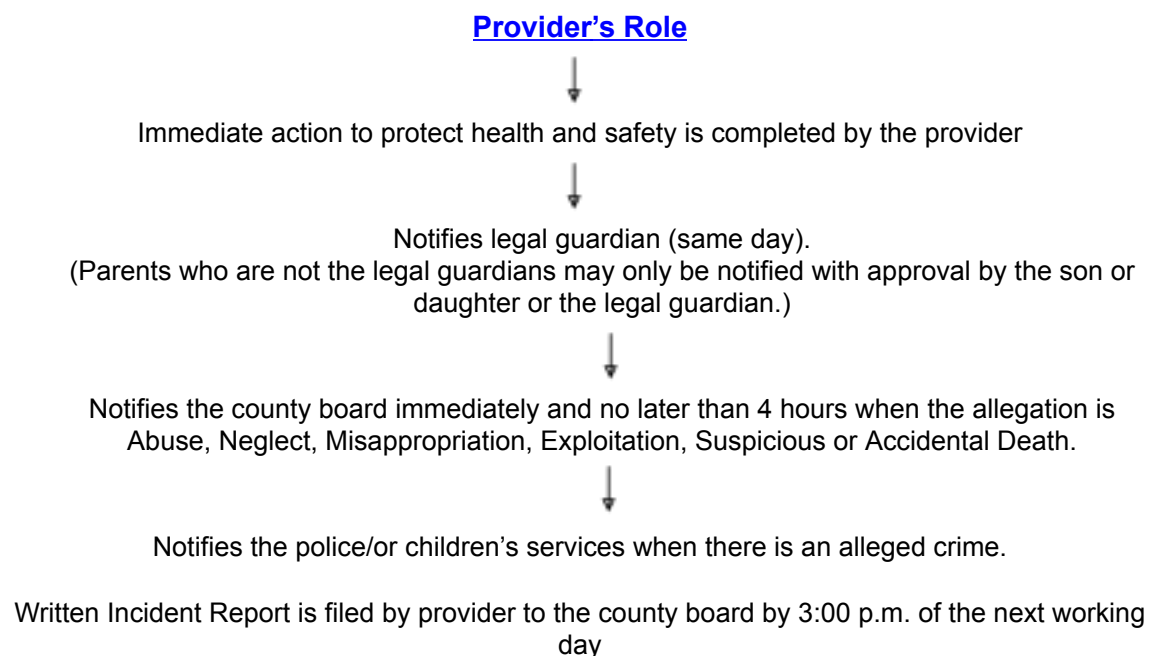
IX. What is the Role of the Department?

The Ohio Department of DD provides oversight and technical assistance. All MUI reports are reviewed by the Department of DD, MUI/Registry Unit to ensure immediate action, timely reporting, good investigations and necessary implementation of prevention plans. The Department reviews patterns and trends reviews for individuals and the state. The Department also conducts investigations where it would be a conflict of interest for the county board to complete. In addition, the Department manages the State of Ohio Abuser Registry.

X. Why are Family Members Called for Information?

The Department's system was established to afford protections for all individuals in the DD system, and to identify why something happens to possibly prevent a similar incident from happening again. By looking at individual and aggregate data, we can see trends that can be addressed leading to better protections. These trends may include: lack of access to adequate health care, lack of diagnosis, and lack of assessment of symptoms, and lack of identification of new problems for people with certain syndromes. Reporting helps us to get a better picture of what is happening and enables us to make improvements in the system that benefit everyone

XI. MUI REPORTING FLOW CHART - Incident occurs



County Board's Role

Ensures or notifies police if possible crime
and/or
Children's Services Board if suspected abuse or neglect and the person is under 21.



Notifies county board SSA (same day).



Notifies the licensed or certified residential provider if the incident happened in the county board program (same day).



Ensures Legal guardian is notified the same day



Submits a report on Department's incident tracking system by 3:00 p.m. the next working day following notification.



Sends a summary letter to legal guardian and residential provider 5 calendar days after the case has been recommended for closure by the county board.

Department of DD's Role



1. Intake reviews all initial reports to ensure immediate actions have occurred, notifications are made and the MUIs have been classified appropriately.



2. Conducts investigations where it is a conflict for county boards to do so.



3. Review cases prior to closure to assure appropriate cause/contributing factor identification and prevention plan development



4. Notifies Ohio Department of Job and Family Services via on-line incident reporting system



XII. Definitions - Major Unusual Incidents include:

Accidental or suspicious death. "Accidental or suspicious death" means the death of an individual resulting from an accident or suspicious circumstances.

Physical Abuse means the use of physical force that can reasonably be expected to Result in physical harm or serious physical harm as those terms are defined in section 2901.01 of the Revised Code. Such force may include, but is not limited to, hitting, slapping, pushing, or throwing objects at an individual.

Sexual Abuse means unlawful, sexual conduct or sexual contact as those terms are defined in section 2907.01 of the Revised Code and the commission of any act prohibited by section 2907.09 of the Revised Code (e.g., public indecency, importuning, and voyeurism).

Verbal Abuse means the use of words, gestures, or other communicative means to purposefully threaten, coerce, intimidate, harass, or humiliate an individual.

Attempted Suicide means a physical attempt by an individual that results in emergency room treatment, in-patient observation, or hospital admission.

Death other than accidental or suspicious death means the death of an individual by natural cause without suspicious circumstances.

Exploitation means the unlawful or improper act of using an individual or an individual's resources for monetary or personal benefit, profit, or gain.

Failure to Report means that a person, who is required to report pursuant to section 5123.61 of the Revised Code, has reason to believe that an individual has suffered or faces a substantial risk of suffering any wound, injury, disability, or condition of such a nature as to reasonably indicated abuse (including misappropriation) or neglect of that individual, and such person does not immediately report such information to a law enforcement agency, a county board, or, in the case of an individual living in a developmental center, either to law enforcement or the department. Pursuant to division (C) (1) of section 5123.61 of the Revised Code, such report shall be made to the department and the county board when the incident involves an act or omission of any employee of a county board.

Law Enforcement means any incident that results in the individual being charged, incarcerated, or arrested.

Medical Emergency. means an incident where emergency medical intervention is required to save an individual's life (e.g., choking relief techniques such as back blows or cardiopulmonary resuscitation, epinephrine auto injector usage, or intravenous for dehydration).

Misappropriation means depriving, defrauding, or otherwise obtaining the real or personal property of an individual by any means prohibited by the Ohio Revised Code, including Chapter 2911. and 2913. of the Revised Code.

Missing individual. means an incident that is not considered neglect and an individual's whereabouts, after immediate measures taken, are unknown and the individual is believed to be at or pose an imminent risk of harm to self or others. An incident when an individual's whereabouts are unknown for longer than the period of time specified in the individual service plan that does not result in imminent risk of harm to self or others shall be investigated as an unusual incident.

Neglect means when there is a duty to do so, failing to provide an individual with any treatment, care, goods, supervision, or services necessary to maintain the health or safety of the individual.

Peer-to-peer act means one of the following incidents involving two individuals served:

(a) *Exploitation which means the unlawful or improper act of using an individual or an individual's resources for monetary or personal benefit, profit, or gain.*

(b) *Theft which means intentionally depriving another individual of real or personal property valued at twenty dollars or more or property of significant personal value to the individual.*

(c) *Physical act that occurs when an individual is targeting, or firmly fixed on another individual such that the act is not accidental or random and the act results in an injury that is treated by a physician, physician assistant, or nurse practitioner. Allegations of one individual choking another or any head or neck injuries such as a bloody nose, a bloody lip, a black eye, or other injury to the eye, shall be considered major unusual incidents. Minor injuries such as scratches or reddened areas not involving the head or neck shall be considered unusual incidents and shall require immediate action, a review to uncover possible cause/contributing factors, and prevention measures.*

(d) *Sexual act which means sexual conduct and/or contact for the purposes of sexual gratification without the consent of the other individual.*

(e) *Verbal act which means the use of words, gestures, or other communicative means to purposefully threaten, coerce, or intimidate the other individual when there is the opportunity and ability to carry out the threat.*

Prohibited Sexual Relations means an DD employee engaging in consensual sexual conduct or having consensual sexual contact with an individual who is not the employee's spouse, and for whom the DD employee was employed or under contract to provide care at the time of the incident and includes persons in the employee's supervisory chain of command.

Rights code violation. "Rights code violation" means any violation of the rights enumerated in section 5123.62 of the Revised Code that creates a likely risk of harm to the health or welfare of an individual.

Significant injury. "Significant injury" means an injury of known or unknown cause that is not considered abuse or neglect and that results in concussion, broken bone, dislocation, second or third degree burns or that requires immobilization, casting, or five or more sutures. Significant injuries shall be designated in the incident tracking system as either known or unknown cause.

Unapproved Behavior Support. "Unapproved behavior support" means the use of an aversive strategy or intervention prohibited by paragraph (J) of rule 5123:2-1-02 of the Administrative Code or an aversive strategy implemented without approval by the human rights committee or behavior support committee or without informed consent, that results in a likely risk to the individual's health and welfare. An aversive strategy or intervention prohibited by paragraph (J) of rule 5123:2-1-02 of the Administrative Code that does not pose a likely risk to health and welfare shall be investigated as an unusual incident.

Unscheduled Hospital Admission means any hospital admission that is not scheduled unless the hospital admission is due to a condition that is specified in the individual service plan or nursing care plan indicating the specific symptoms and criteria that require hospitalization.

To Report an MUI, please call Your County Board MUI Contact Person. For a listing of County Board contacts, please see link below, located on the Department's website.

[County Board MUI Contacts](#)

or contact the Ohio Department of DD through

Abuse/Neglect Hotline at (866) 313-6733 or

