

BASIC ASSURANCES® WEBINAR SERIES

Factor 4: Protection from Abuse, Neglect, Mistreatment and Exploitation



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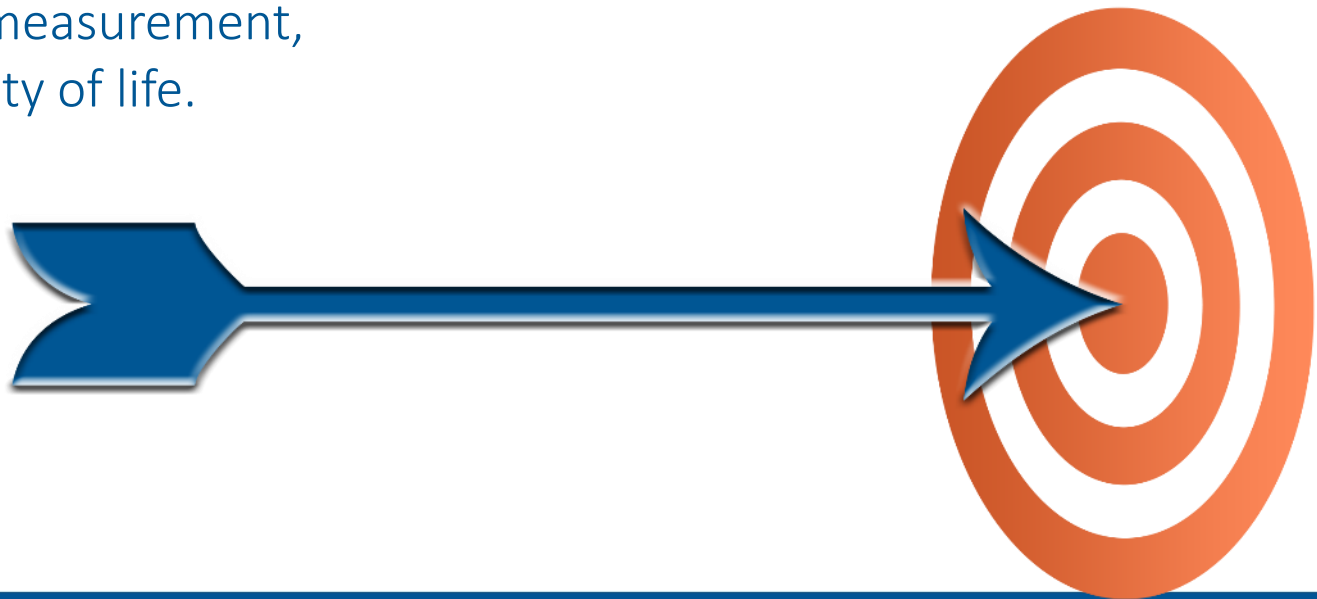
CQL | THE COUNCIL ON QUALITY AND LEADERSHIP ABOUT US

Vision

A world of dignity, opportunity, and community for **all** people.

Mission

CQL is dedicated to the definition, measurement, and improvement of **personal** quality of life.





CQL | THE COUNCIL ON QUALITY AND LEADERSHIP
ABOUT US

Change *Inspires* us.

“Quality is a continuous journey,
it’s not a destination.”

- Jeff Pederson, CHI Friendship



CQL | THE COUNCIL ON QUALITY AND LEADERSHIP

CQL PARTNERSHIP

- An *appreciative* approach to quality enhancement
- Opportunities not deficiencies
- Continuous quality improvement





CQL | THE COUNCIL ON QUALITY AND LEADERSHIP

WEBINAR OVERVIEW

- Introduction to the Basic Assurances®
- Process and evidence collection
- Indicator A: The organization implements policies and procedures that define, prohibit and prevent abuse, neglect, mistreatment and exploitation.
- Indicator B: People are free from abuse, neglect, mistreatment and exploitation.
- Indicator C: The organization implements systems for reviewing and analyzing trends, potential risks and sentinel events including allegations of abuse, neglect, mistreatment and exploitation, and injuries of unknown origin and deaths.
- Indicator D: Support staff know how to prevent, detect and report allegations of abuse, neglect, mistreatment and exploitation.



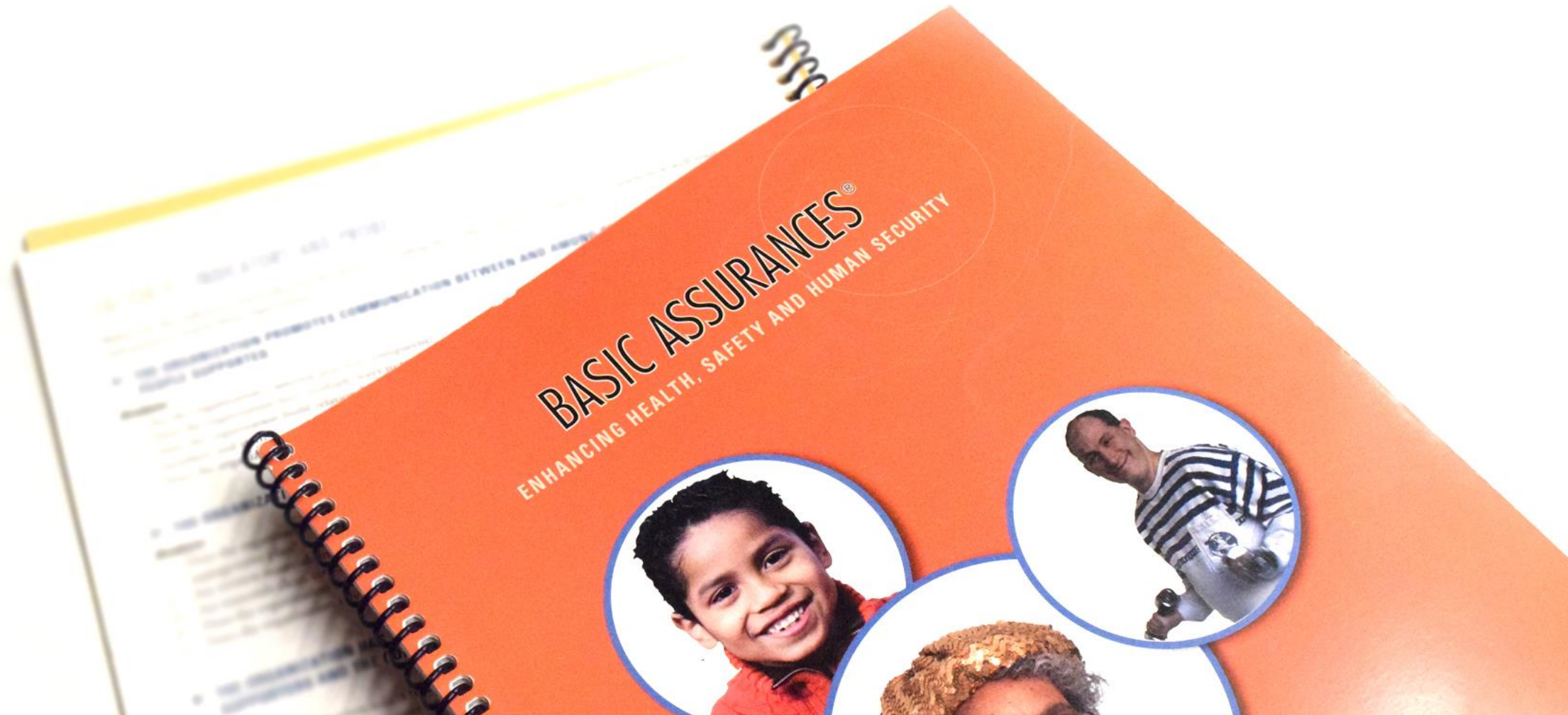
CQL | THE COUNCIL ON QUALITY AND LEADERSHIP WEBINAR OVERVIEW (cont.)

- Indicator E: The organization ensures objective, prompt and thorough investigations of each allegation of abuse, neglect, mistreatment and exploitation, and of each injury, particularly injuries of unknown origin.
- Indicator F: The organization ensures thorough, appropriate and prompt responses to substantiated cases of abuse, neglect, mistreatment and exploitation, and to other associated issues identified in the investigation.
- Red Flags
- Questions



BASIC ASSURANCES®

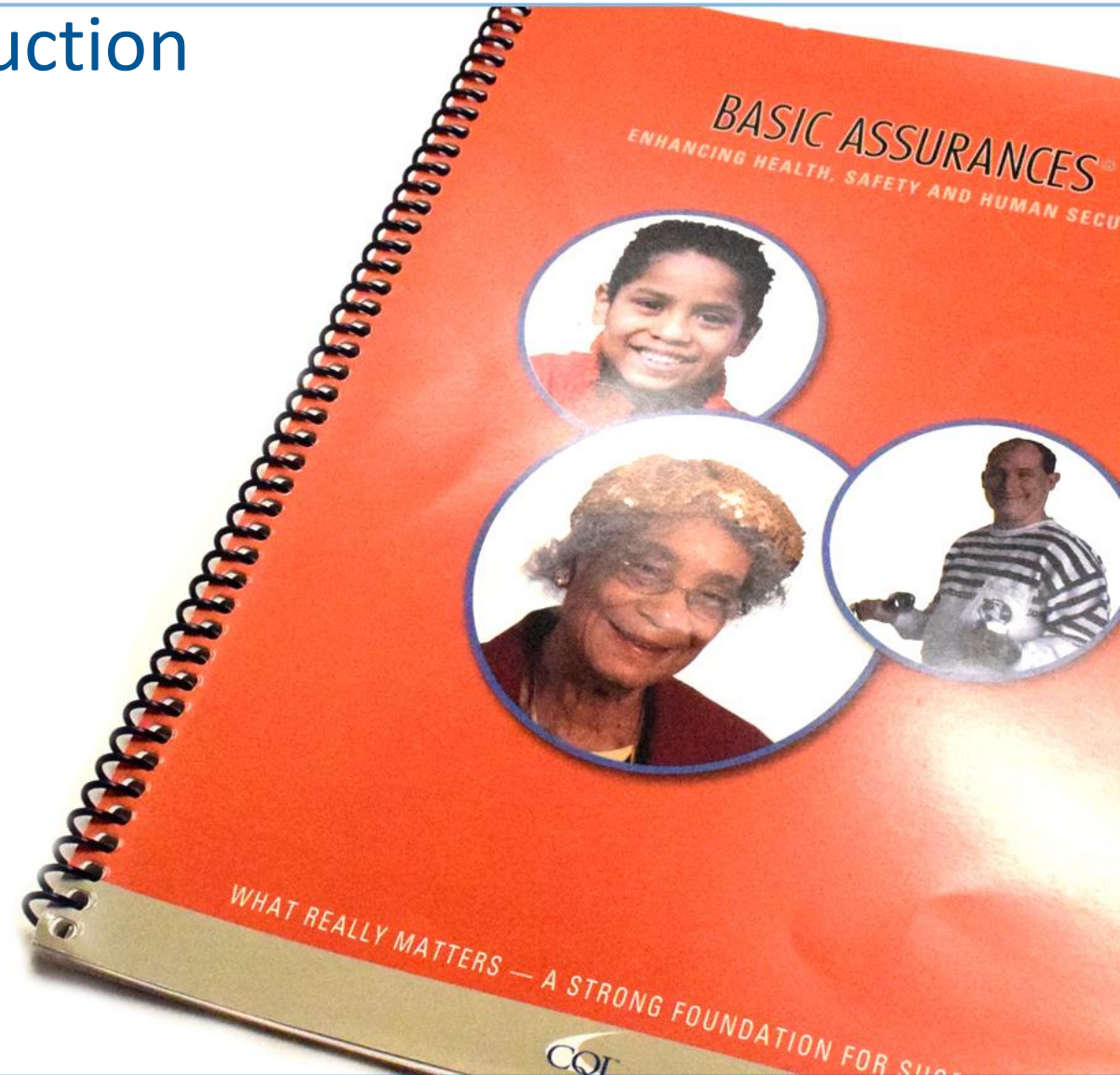
An Introduction



BASIC ASSURANCES[®]

An Introduction

1. Rights Protection and Promotion
2. Dignity and Respect
3. Natural Support Networks
4. Protection from Abuse, Neglect, Mistreatment, and Exploitation
5. Best Possible Health
6. Safe Environments
7. Staff Resources and Supports
8. Positive Services and Supports
9. Continuity and Personal Security
10. Basic Assurances[®] System





BASIC ASSURANCES®

An Introduction

Key Concepts

The Basic Assurances® focus on essential, fundamental, and non-negotiable requirements for all service and support providers

- Organizations are encouraged to implement consensus best practices in relation to each measure
- The Basic Assurances® require more than compliance with licensing and certification standards. We use this tool to understand the effectiveness of practice through the perspective of each person.

BASIC ASSURANCES[®]

Structure

Factor:

Protection from Abuse, Neglect, Mistreatment and Exploitation

(Topic Area)

Indicator:

4e The Organization Ensures Objective, Prompt And Thorough Investigations Of Each Allegation Of Abuse, Neglect, Mistreatment And Exploitation, And Of Each Injury, Particularly Injuries Of Unknown Origin (Sub-Topic)

Probes: (Questions to support validation of the indicator)

1. Is there an effective process for determining who will investigate an allegation or an injury?
2. Is there a procedure that details the conduct of the investigation of allegations and injuries?
3. Do people who are identified as responsible for investigations receive competency-based initial and refresher training on how to conduct investigations?
4. Are investigations completed within five working days? If not, is a status report filed as to why not?
5. Are people immediately protected from further potential abuse, neglect, mistreatment or exploitation during the course of the investigation?



BASIC ASSURANCES® System and Practice

Structure

Two components are evaluated: System and Practice

- Systems are those organizational supports that provide the structure for organizational practices. This may include policies, procedures, staff training or other types of systems
- Organizational practice is what is observed in daily operations. This demonstrates how an organization's systems are put into action



BASIC ASSURANCES®

Protection from Abuse, Neglect, Mistreatment and Exploitation

Process and Evidence



Process and Evidence

- Document Review
- Observation and Visits
- Conversations with people
- Focus Groups
- Factor Review
- Personal Outcome Measures

Document Review

- Policies and procedures
- Committee meeting minutes
- Investigations files
- Completed assessments
- Staff training records
- People's records (with permission)
- Support plans





PROTECTION FROM ABUSE, NEGLECT, MISTREATMENT AND EXPLOITATION

Process and Evidence

Observation and Visits

- Health and safety supports in place
- Obvious injuries
- Interactions between staff and people receiving services and between people receiving services.
- House rules
- Information on how and where to report concerns

Focus Groups

- Focus groups may be conducted with people supported, staff, families and others depending on the types of services and accreditation
- Focus groups allow us to better understand systems and practices from the perspective of those that are affected by them
- Sample Questions:
 - What do you know about ANME? Who would you report to? (people supported)
 - How do you support people to learn about ANME? (staff)
 - Do you know who to report an allegation of ANME to? (family)



PROTECTION FROM ABUSE, NEGLECT, MISTREATMENT AND EXPLOITATION

Process and Evidence

Factor Review

- Each factor is reviewed with organizational members that have a role in the implementation of systems and practice pertaining to that factor
- This is an opportunity for the organization to provide examples of what each area looks like in practice
- It is also an opportunity to ask questions and share best practices



PROTECTION FROM ABUSE, NEGLECT, MISTREATMENT AND EXPLOITATION Process and Evidence

Personal Outcome Measures®

Personal Outcome Measures® allow us to better understand quality through the perspective of the person

- The person's experience helps us to understand the effectiveness of systems and practices implemented by the organization
- Interviewees are often selected from categories such as people with a restriction in place, people with extensive health supports, or people that have experienced abuse and neglect



BASIC ASSURANCES®

Protection from Abuse, Neglect, Mistreatment and Exploitation

Indicator A:

The organization implements policies and procedures that define, prohibit and prevent abuse, neglect, mistreatment and exploitation.



PROTECTION FROM ABUSE, NEGLECT, MISTREATMENT AND EXPLOITATION

Probes

Indicator A: The Organization Implements Policies And Procedures That Define, Prohibit And Prevent Abuse, Neglect, Mistreatment And Exploitation.

1. Are definitions of abuse, neglect, mistreatment and exploitation comprehensive and specific? Do they comply with applicable requirements?
- 2. Does the policy expressly prohibit abuse, neglect, mistreatment and exploitation of people?**
3. Do policies and procedures include screenings to prevent hiring people with a previous history of substantiated abuse or neglect?
- 4. Do policies and procedures include prevention strategies, identification strategies and staff training requirements?**
5. Are responsibilities and procedures for reporting allegations of abuse and neglect defined?
6. Are procedures for protecting people from potential further abuse, neglect, mistreatment or exploitation defined?
7. Does the organization define procedures for investigating possible abuse and neglect? Does it also define how it will respond to the results of the inquiry?



BASIC ASSURANCES®

Protection from Abuse, Neglect, Mistreatment and Exploitation

Indicator B:

People are free from
abuse, neglect,
mistreatment and
exploitation





PROTECTION FROM ABUSE, NEGLECT, MISTREATMENT AND EXPLOITATION Probes

Indicator B: People Are Free From Abuse, Neglect, Mistreatment and Exploitation.

- 1. Are people provided understandable information about their rights to be free from abuse, neglect, mistreatment and exploitation?**
2. Are people supported to report allegations of abuse, neglect, mistreatment and exploitation?
3. Is there a complaint process that is understandable and easy to use?
- 4. Are the same reporting and investigating procedures used for allegations made by employees or others, followed for allegations reported by people supported by the organization?**
5. Do people who cause injury or harm to themselves or others receive supports to replace those behaviors?

Continued....

Indicator B: People Are Free From Abuse, Neglect, Mistreatment and Exploitation. (continued)

6. When people have been subjected to abuse, neglect, mistreatment or exploitation, are they afforded supports to address the effects of the abuse even if the abuse occurred before they entered into the organization's system of services?

7. When people have been subjected to abuse, neglect, mistreatment or exploitation, are they afforded supports to address the effects of the abuse even if the perpetrator is another person who receives supports from the organization, regardless of the legal definition of abuse?

8. Do people who have been subjected to abuse, neglect, mistreatment or exploitation receive full supports to mitigate the effects?

Indicator C:

The organization implements systems for reviewing and analyzing trends, potential risks and sentinel events, including allegations of abuse, neglect, mistreatment and exploitation, and injuries of unknown origin and deaths.



Indicator C: The Organization Implements Systems For Reviewing and Analyzing Trends, Potential Risks and Sentinel Events Including Allegations of Abuse, Neglect, Mistreatment and Exploitation, and Injuries of Unknown Origin and Deaths.

1. Are there policies and procedures that define the Incident Management system used to protect people from abuse, neglect, mistreatment and exploitation?
2. Is the Incident Management system used to identify patterns or isolated incidents that may be indicative of abuse, neglect, mistreatment or exploitation? Identify situations that may precipitate abuse or neglect? Determine what corrective actions or other interventions are needed?
- 3. Is there an Incident Management system for maintaining data on reports of allegations of abuse, neglect, mistreatment or exploitation that enables evaluation of both individual and organizational outcomes?**

Continued....



PROTECTION FROM ABUSE, NEGLECT, MISTREATMENT AND EXPLOITATION Probes

Indicator C: The Organization Implements Systems For Reviewing and Analyzing Trends, Potential Risks and Sentinel Events Including Allegations of Abuse, Neglect, Mistreatment and Exploitation, and Injuries of Unknown Origin and Deaths. (continued)

4. Is there an Incident Management system for maintaining data on injuries, of known and unknown origin, that enables evaluation of both individual and organizational outcomes?
5. Is there an Incident Management system for morbidity and mortality review that enables evaluation of both individual and organizational outcomes?
6. Is there an Incident Management system for review of intrusive and restrictive interventions that enables evaluation of both individual and organizational outcomes?



BASIC ASSURANCES®

Protection from Abuse, Neglect, Mistreatment and Exploitation

Indicator D:

Support staff know how to prevent, detect and report allegations of abuse, neglect, mistreatment and exploitation.





PROTECTION FROM ABUSE, NEGLECT, MISTREATMENT AND EXPLOITATION Probes

Indicator D: Support Staff Know How to Prevent, Detect and Report Allegations of Abuse, Neglect, Mistreatment and Exploitation

- 1. Do staff receive orientation on what constitutes abuse, neglect, mistreatment and exploitation? On prevention, detection and reporting requirements?**
2. Before providing supports to people, do staff demonstrate competency in defining abuse, neglect, mistreatment and exploitation, and on reporting procedures?
3. Does ongoing training in prevention, detection and reporting occur frequently enough to support both personal and organizational outcomes?
4. Does training on specific supports, services, policies, procedures and/or person-centered plans occur when support staff competency is identified as a (potential) causal factor?
5. Does the organization evaluate potential underreporting and screening of allegations of abuse, neglect, mistreatment and exploitation, and provide additional competency-based training as needed?

Protection from Abuse, Neglect, Mistreatment and Exploitation

Indicator E:

The organization ensures objective, prompt and thorough investigations of each allegation of abuse, neglect, mistreatment and exploitation, and of each injury, particularly injuries of unknown origin.



Indicator E: The Organization Ensures Objective, Prompt and Thorough Investigations of Each Allegation of Abuse, Neglect, Mistreatment and Exploitation, And of Each Injury, Particularly Injuries of Unknown Origin

1. Is there an effective process for determining who will investigate an allegation or an injury?
2. Is there a procedure that details the conduct of the investigation of allegations and injuries?
3. Do people who are identified as responsible for investigations receive competency-based initial and refresher training on how to conduct investigations?
4. Are investigations completed within five working days? If not, is a status report filed as to why not?
5. Are people immediately protected from further potential abuse, neglect, mistreatment or exploitation during the course of the investigation?

Protection from Abuse, Neglect, Mistreatment and Exploitation

Indicator F:

The organization ensures thorough, appropriate and prompt responses to substantiated cases of abuse, neglect, mistreatment and exploitation, and to other associated issues identified in the investigation.



Indicator F: The Organization Ensures Thorough, Appropriate and Prompt Responses to Substantiated Cases of Abuse, Neglect, Mistreatment and Exploitation, and to Other Associated Issues Identified in the Investigation

1. Does the procedure for responding to substantiated allegations include a time frame that does not exceed ten working days?
2. Does the procedure require that the scope, severity and circumstances surrounding a substantiated case be thoroughly considered as the response is developed?
3. Do the actions taken in response to a substantiated case or for other relevant observations (possibly termination of employment) reduce the likelihood of reoccurrence of a similar incident?
4. Are responses documented, and data available to validate, that planned actions have been implemented?
5. **Does the organization share the results of investigations and its responses with the people entitled to receive that information?**



Past Webinars

Past webinars on best practices related to abuse, neglect, mistreatment and exploitation.

Archived webinars can be found on our website at: c-q-l.org/resource-library/webinars

- Trauma And Healing In The Lives Of People With Disabilities



BASIC ASSURANCES®

Protection from Abuse, Neglect, Mistreatment and Exploitation



Validation and Decision-Making



Validation and Decision-Making

- Each probe is validated present or not present based on evidence obtained during the review
- Each indicator is validated at the systems and practice level
- Indicators are validated based on a preponderance of evidence related to an indicator, not based on a given number of probes found to be present or not present
- During an accreditation, when an **indicator** is found to be not present in systems and/or practice, an action plan is required
- The title of the indicator is not always a complete description of all the elements contained within an indicator



Example: Validation and Decision-Making

Indicator 4B: People are free from abuse, neglect, mistreatment and exploitation

There are several probes that address supports needed to be free from abuse:

3. Is there a complaint process that is understandable and easy to use?
4. Are the same reporting and investigating procedures used for allegations made by employees or others, followed for allegations reported by people supported by the organization?
8. Do people who have been subjected to abuse, neglect, mistreatment or exploitation receive full supports to mitigate the effects?

Of key significance, probes 1 and 2 address needed supports in this area. These areas are considered fundamental and would have an outsized impact in validation:

1. Are people provided understandable information about their rights to be free from abuse, neglect, mistreatment and exploitation?
2. Are people supported to report allegations of abuse, neglect, mistreatment and exploitation?

Red Flags

When red flags are noted, it may bear further investigation and inquiry. We will determine whether the situation is isolated or if there is a systemic pattern. Some red flags may jeopardize accreditation or require additional monitoring to maintain accreditation.

Red Flags Around Abuse, Neglect, Mistreatment & Exploitation:

- Abuse not properly reported and/or investigated
- Person with repeated injuries with no action and protection
- Unexplained or suspicious injuries observed
- Failure to track incidents so that potential future incidents might be prevented

Factor 4 Measurables:

- Review of Incident Management Committee minutes
- Training for staff and people supported
- Data on allegations of abuse, neglect, mistreatment and exploitation – including # of allegations and # of substantiated allegations of ANME
- Data on injuries (known & unknown origin), deaths, and restrictive interventions
- POMs: People are Free From Abuse & Neglect, People are Safe



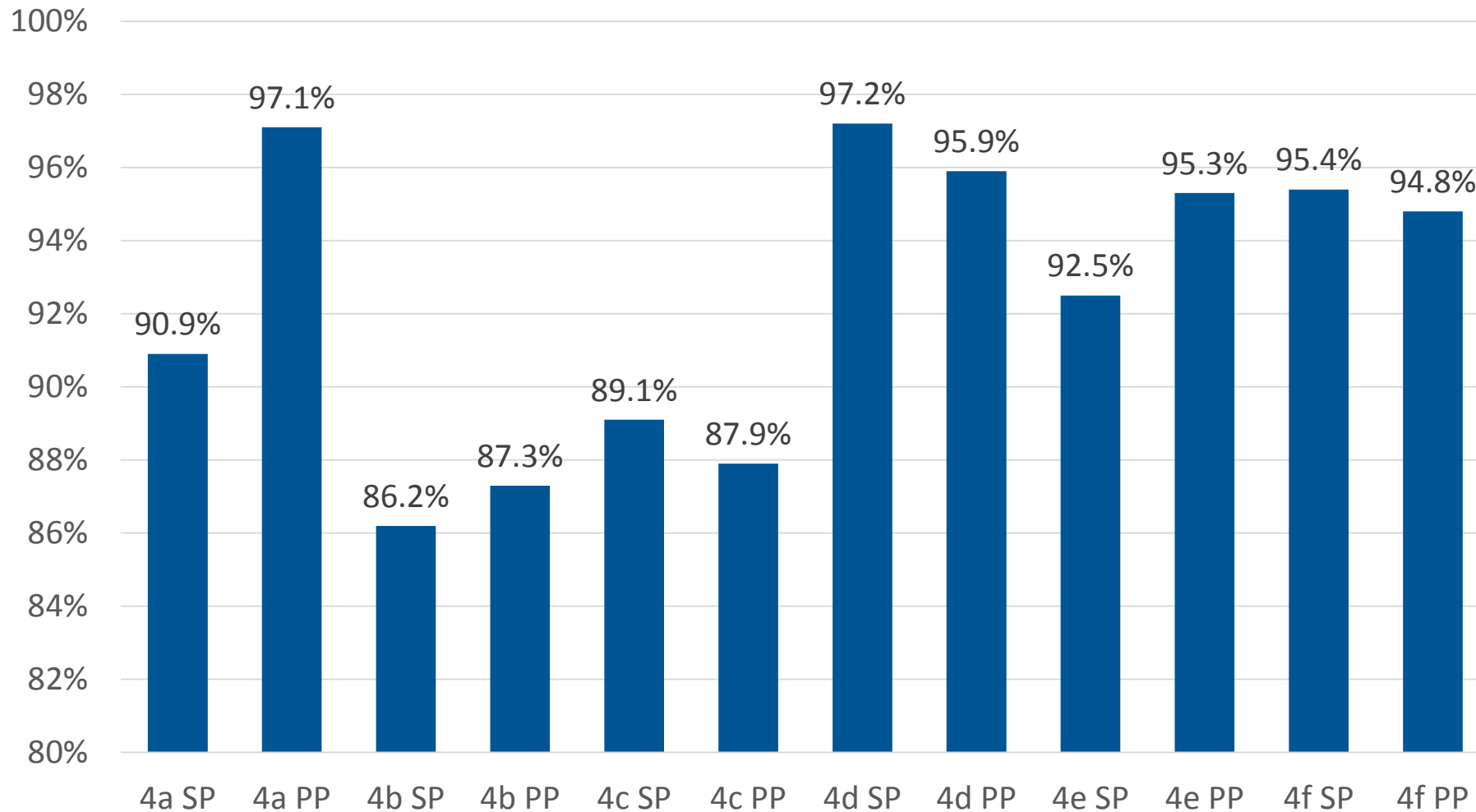
BASIC ASSURANCES®

Protection from Abuse, Neglect, Mistreatment and Exploitation



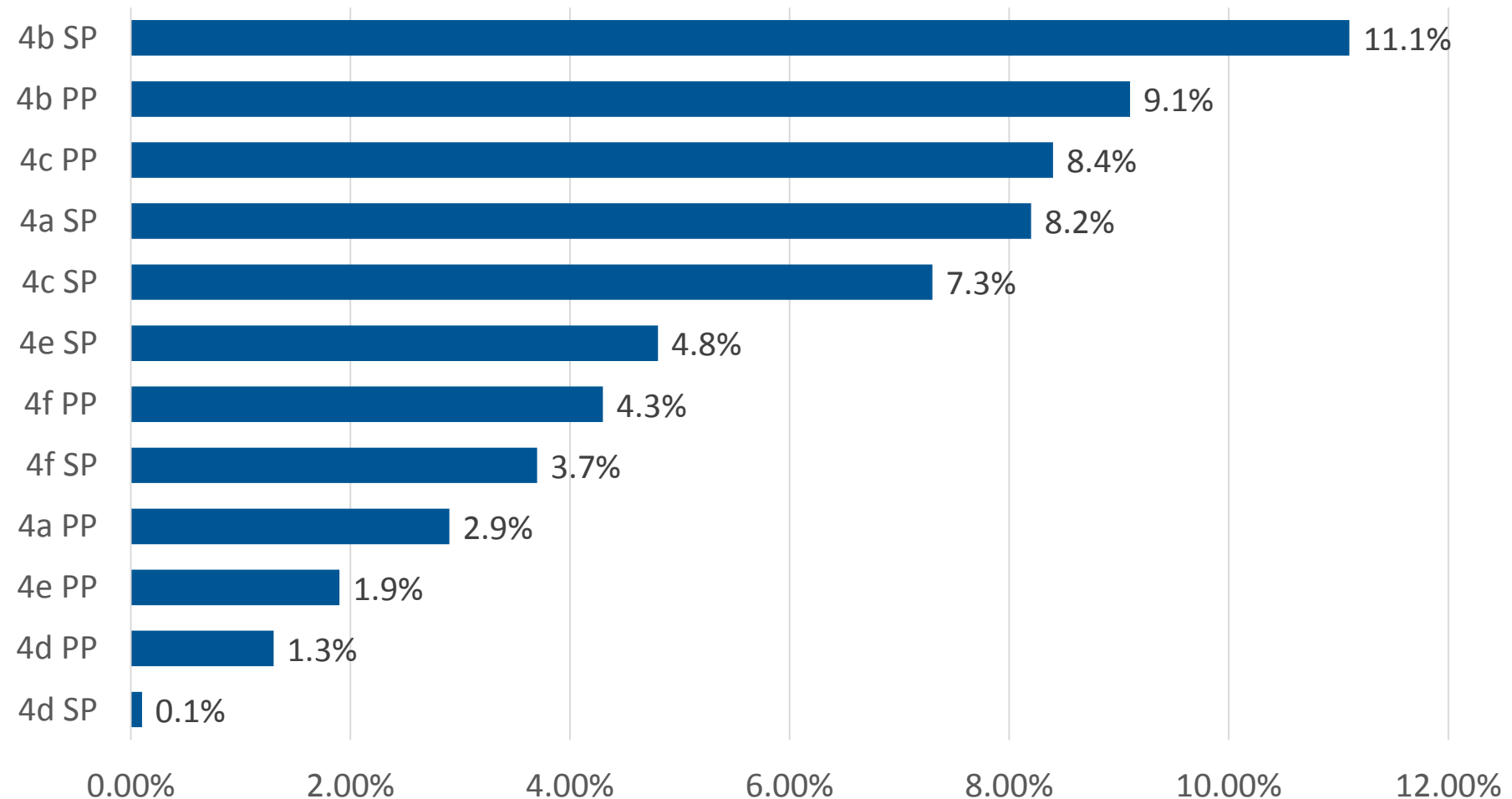
Factor 4 Data

FACTOR 4: PRESENCE OF INDICATORS

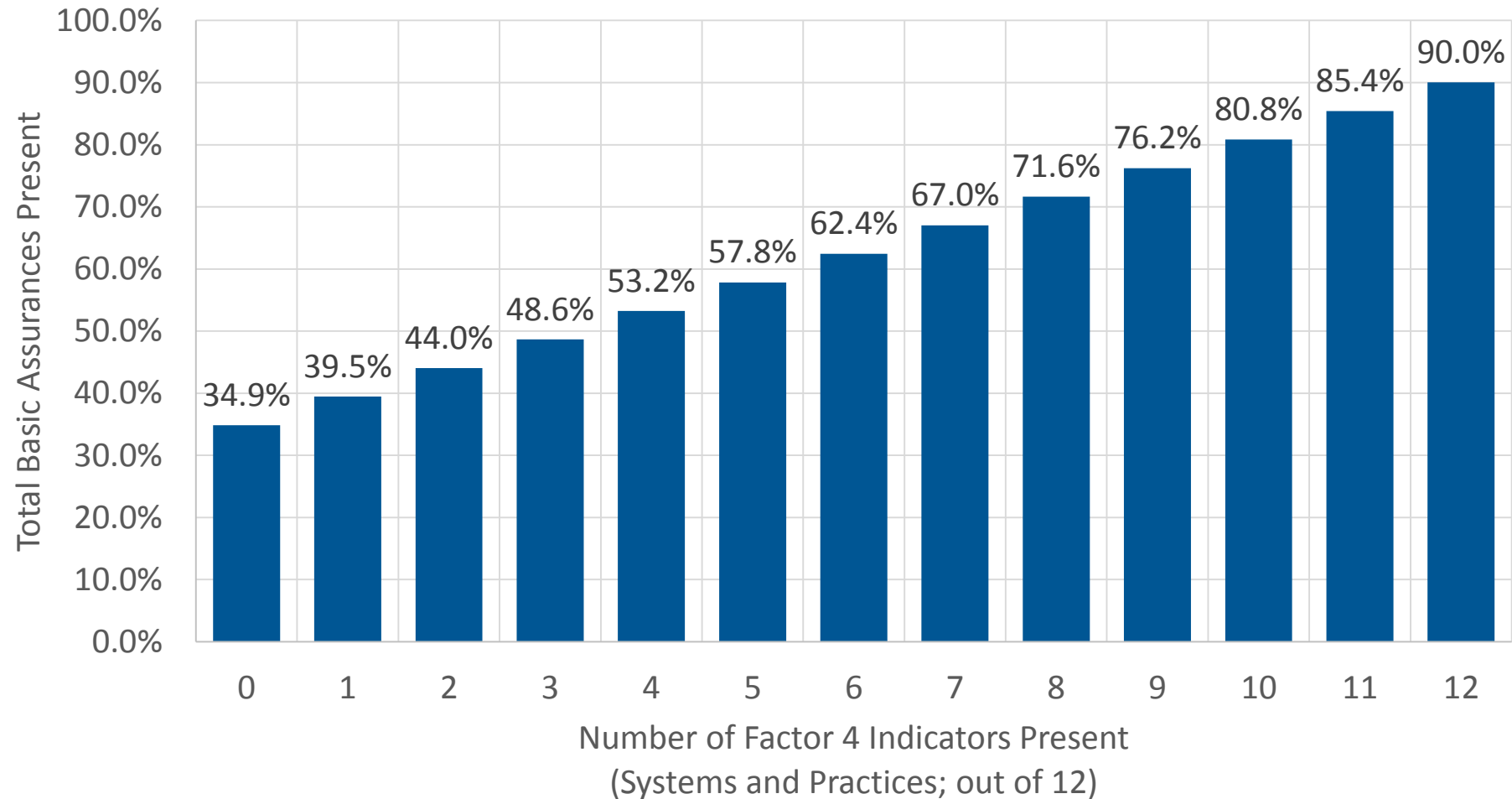




DISCREPANCIES BETWEEN ORGANIZATION'S SELF-ASSESSMENTS & CQL REVIEW



IMPACT OF FACTOR 4 ON TOTAL BASIC ASSURANCES®





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