

# Big Bend Community Based Care Policy & Procedure

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| <b>Series:</b>           | 800: Quality Assurance and Improvement  |   |
| <b>Policy Name:</b>      | Incident Reporting and Client Risk Prevention   |   |
| <b>Policy Number:</b>    | 805   |   |
| <b>Origination Date:</b> | 2/2/2009  | <b>Revised:</b> Board Meeting of 12/13/2018 |
| <b>References:</b>       | CFOP 215-6<br>65C-14.017, F.A.C.<br>Ch. 394, Part V, F.S.<br>Ch. 794, F.S.<br>Ch. 916, F.S.<br>BBCBC OP 500-500, Prevention, Reporting and Services to Missing Children<br>BBCBC OP 800-808, Death Notification |   |

## Referenced Documents:

800-805 x 1, Missing Child Information Sheet  
800-805 x 2, Incident Reporting/Client Risk Prevention Detail & Follow-Up Form  
800-805 x 3, Incident Report Distribution List

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## Policy

It is the policy of Big Bend Community based Care, Inc. (BBCBC), to identify and report critical incident information in order to ensure client and employee safety and to prevent future risk. It is the responsibility of all BBCBC staff and all partner and contract provider staff to promptly report all incidents, accidents, and safety and risk issues in accordance with this Policy.

**Note:** It is the responsibility of all BBCBC staff, contracted partners and contracted providers to promptly report all incidents in accordance with the requirements of the aforementioned procedures through the appropriate operational lines.

## Procedure

### A. Definitions of Reportable Incidents.

- 1. Allegation of Abuse/Neglect.** An allegation of abuse or neglect of a client in a BBCBC licensed facility, foster home or relative/non-relative placement.
- 2. Altercation.** A physical confrontation occurring between a client and employee or two (2) or more clients at the time services are being rendered, or when a client is in the physical custody of BBCBC which results in one or more clients or employees receiving medical treatment by a licensed health care professional.
- 3. Child on Child Sexual Abuse.** An allegation of sexual battery with child as a victim or by a child on a child, employee on a child or child on an employee that has involved a new report and/or medical/law enforcement involvement.
- 4. Child Arrest.** The arrest of a child in the custody of BBCBC.
- 5. Death.** Any client death allegedly due to an accident, act of abuse, neglect or other incident of a client or parent/caregiver of an open case or recently closed case. See *Section B., Procedure for Reporting Critical Incidents*, for immediate reporting requirements.

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6. **Elopement.** The unauthorized absence of a client during involuntary civil placement within a BBCBC contracted or licensed service provider; unauthorized absence of a client on conditional release in the community or absence of any individual in a BBCBC contracted or licensed residential substance abuse and/or mental health program.
7. **Employee Arrest.** The arrest of any employee, for a civil or criminal offense.
8. **Employee Misconduct.** Any work-related conduct or activity of an employee of BBCBC or its contracted or licensed service providers that results in a potential liability for BBCBC; death or harm to a client; abuse, neglect or exploitation of a client; or results in a violation or statute, rule, regulation, or policy. This includes, but is not limited to, misuse of position or property; falsification of records; failure to report suspected abuse or neglect; contract mismanagement; or improper commitment or expenditure of State, BBCBC or its contracted or licensed service providers funds.
9. **Escape.** The unauthorized absence of a client who is committed by the court to a state mental health treatment facility pursuant to Chapter 916, Florida Statutes (F.S.), or Chapter 394, Part V, F.S.
10. **Media Attention.** May or may not accompany any of the reportable incidents as defined in this Procedure, however, should you know there is a potential for any type of media attention, i.e., arrest, death or event involving an alleged perpetrator, parent, caregiver or child involved in an open case or recently closed case the information is to be shared *verbally* with the Case Management Supervisor and/or Program Manager of the partnering agency responsible for case supervision. The notification is to be provided immediately or within (1) hour of learning of or suspecting media attention.
11. **Missing Child.** The unauthorized absence of a child who is in the physical custody or under supervision of BBCBC on whom a missing person report has been filed with local law enforcement or attempts are being made to get law enforcement to take the report.
  - For incidents involving a Missing Child the *Missing Child Information Sheet* must accompany the Incident Report when submitted to BBCBC (see *Section C., Procedure for Reporting Incidents Involving Missing Children*, below, for more detail).
  - If the missing child is 12 years of age or younger or is a disabled child of any age, the Chief Operations Officer or Chief Executive Officer must be verbally notified immediately (see *Section B., Procedure for Reporting Critical Incidents*, below, regarding immediate notification).
12. **Security Incident – Unintentional.** An unintentional action or event that results in compromised data confidentiality, a danger to the physical safety of personnel, property, or technology resources; misuse of BBCBC or state property or technology resources; and/or denial of use of property or technology resources. This excludes instances of compromised client information.
13. **Severe Injury or Illness to Client.** Any severe bodily trauma received by a client who is in the physical custody of BBCBC that requires immediate medical or surgical evaluation or treatment in a hospital emergency room to prevent permanent damage or loss of life.
14. **Severe Injury or Illness to Staff.** Any severe bodily trauma received by a staff member as a result of work related activity that requires immediate medical or surgical evaluation or treatment in a hospital emergency room to prevent permanent damage or loss of life.
15. **Sexual Abuse/Sexual Battery.** Any unsolicited or non-consensual sexual activity by one client to another client, a BBCBC or service provider employee or other individual to a client, or a client to an employee regardless of the consent of the client. This may include sexual battery as defined in Chapter 794, F.S., as “oral, anal, or vaginal penetration by, or union with, the sexual organ of

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another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.” This includes any unsolicited or non-consensual sexual battery by one (1) client to another client, a BBCBC or service provider employee or other individual to a client, or a client to an employee regardless of consent of the client.

**16. Suicide Attempt.** An act which clearly reflects the threat of or physical attempt by a client that results in a Baker Act.

**17. Other Incident.** An unusual occurrence or circumstance initiated by something other than natural causes or out of the ordinary such as a bomb threat, kidnapping, riot or hostage situation which jeopardizes the health, safety and welfare of clients who are in an open case of BBCBC or employee of BBCBC.

## **B. Procedure for Reporting Critical Incidents.**

**1. Critical Incidents require immediate reporting, regardless of time or date.** Reporting requirements and deadlines for notification regarding Critical Incidents are applicable **24 hours per day, seven (7) days per week.**

**2. Critical Incidents that require immediate (within one (1) hour) reporting include:**

- a. Unexpected client deaths;
- b. Incidents involving the endangerment of clients, (for example: child abduction or child hostage situation); and
- c. Incidents that may garner media attention or adversely impact the agency.

**3. Special/Initial Reporting Procedure for Critical Incidents.**

- a. Critical Incidents will be orally reported up the chain of command immediately upon notification of the incident.
  - i. Contracted Provider Program Managers will notify the BBCBC Chief Operations Officer or the appropriate Circuit Operations Manager immediately upon being informed of the incident.
  - ii. The BBCBC Chief Operations Officer and/or Circuit Operations Manager will report the incident to the Chief Executive Officer immediately upon learning of the incident.
  - iii. Upon notification of any incident of child death, the Chief Executive Officer or Chief Operations Officer will immediately report the incident to the Department of Children and Families’ Northwest Regional Director (or designee).
- b. After verbal notification, Critical Incidents will be reported electronically as delineated in *Section D., Electronic Incident Reporting Procedure*, below.

## **C. Procedure for Reporting Incidents Involving Missing Children.**

1. If the missing child is a participant in an open Court case, the assigned Case Manager will notify Children’s Legal Services (CLS) of the child’s elopement within one business day of the incident.
2. Upon location of the missing child, the original Incident Report must be updated and submitted in accordance with reporting requirements and deadlines and updated in FSFN (see *BBCBC OP 500-500, Prevention, Reporting and Services to Missing Children*).

## **D. Reporting Procedure for Sub-Contracted Residential/Group Care Providers.**

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1. Sub-contracted residential group care providers must report incidents as defined in this policy via direct notification of the child's assigned case manager.
  - a. Verbal notification is required. Notification via phone message, voicemail, text message or email is *not* acceptable.
  - b. In the event the assigned case manager is unavailable, the provider will notify the case manager's direct supervisor of the incident.
  - c. In the event that the case manager supervisor is also unavailable, the provider will continue up the chain of command until a supervisor or manager is reached and verbally notified.
2. Elopements (missing/runaway child) and critical incidents that occur after normal business hours will be reported to the correct CMO on-call number provided at the time of placement.
  - a. Verbal notification is required. Notification by voicemail, text message or email is *not* acceptable.
  - b. If, for any reason, the provider is unable to reach a staff member via the On-Call CMO worker and supervisor, the provider may contact the on-call Placement Line for assistance.

## **E. Electronic Incident Reporting Procedure.**

1. Upon becoming aware of a reportable incident, the BBCBC, provider or partner agency employee will first notify his/her immediate supervisor to provide an oral report of the incident.
  - a. Notification may be made in person or by telephone.
  - b. In the event the employee's direct supervisor is unavailable, the employee will continue up the chain of command until a supervisor or manager is reached and verbally notified.
2. The employee will then complete the Incident Report Form (800-805 x 2, *Incident Reporting/Client Risk Prevention Detail & Follow-Up Form*) and submit it to his/her immediate supervisor (or immediate supervisor and person notified within the chain of command).
  - a. Incident report forms are to be completed in their entirety and include as much information as is available at the time.
  - b. Unrelated children involved in the same incident should be listed on a separate incident report (i.e., when two or more unrelated clients are involved in an incident, a separate incident report will be completed and submitted for each child involved).
  - c. A copy of the Incident Report will be maintained in the employee's work unit by the unit supervisor and/or in the provider's electronic Incident Reporting system (i.e., Airsweb, etc.).
3. The Supervisor and/or Program Manager must review and approve all Incident Reports prior to submission to BBCBC. This review includes:
  - a. Ensuring completeness and accuracy of the information presented on the form to include a clear description of events and participants.
  - b. Ensuring that the Incident Report is properly password protected
  - c. Ensuring the plan for and coordination of all necessary follow-up and/or corrective action is defined and assigned to appropriate staff
  - d. The Supervisor and/or Program Manager's approval, with signature, is required prior to submission to BBCBC
4. Upon approval by the Supervisor and/or Program Manager, the Incident Report will be submitted to BBCBC.

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- a. The department requires BBCBC to enter all incidents into IRAS within one (1) business day of the incident occurring. Therefore BBCBC requires all incident reports be submitted to BBCBC by noon local time on the business day following the occurrence of (or case management's notification of) the incident.
  - b. All Incident Reports are to be submitted via email using the appropriate electronic Incident Report Distribution List (800-805 x 3, *Incident Report Distribution List*).
5. BBCBC's Chief Operations Officer and applicable Management Team members will review each Incident Report to identify any potential case practice concerns and/or the need for additional follow-up. This review of the incident report will assure that:
  - a. Appropriate actions have been or are being taken to address the situation and protect the client/staff
  - b. Appropriate steps have been taken to maintain control of the situation and to limit further risk and liability
  - c. Appropriate arrangements have been made for any necessary medical care and any resulting follow-up on recommendations made by a medical provider, if applicable
  - d. Law enforcement has been properly notification, if necessary
  - e. BBCBC, provider or partner agency employees have appropriately complied with this policy and procedure
- F. Responding to Requests for Access to Incident Reports.** Incident Reports are public documents and may be requested by outside parties. However, client names and other identifying information that may be included in Incident Reports are protected from public disclosure by Florida Statutes. Therefore, protected client information must be redacted as legally required prior to the release of any Incident Report requested by outside parties. Procedure:
  1. Any request from an outside party for access to or a copy of an Incident Report is to be directed to the BBCBC Chief Operations Officer, who will assure that all legal requirements are met.
  2. The Chief Operations Officer (or designee) will collaborate with the Department of Children and Families' Communications Officer to assure that information that is protected from public disclosure by Florida Statutes is redacted from the report prior to its release.
  3. The redacted report will be provided to the requestor in accordance with Florida's public records laws by BBCBC or the Department, as appropriate.
  4. Subsequent requests for corrective action plans, status reports or additional information will be addressed on an individual basis as determined by the situation.