

## Frequently Asked Questions & Reminders # 2

May 2013

### REMINDERS and CLARIFICATIONS

- CHRIS will close out after 15 minutes of non use. Non use means not interacting with the application. Reading the information in the system or merely moving the cursor or typing is not interacting with the application. You must take an action like saving or moving to another screen. **So SAVE your work!**
- You must save each screen's data before selecting a new tab on the top of the page.
- DBHD IT is able to run a "log" to obtain information about when an item was changed. This is a security function through both Delta and CHRIS.
- Please see guidance documents on the following topics for additional information:
  - Requiring Names of employees
  - Serious Injuries
  - Medication Errors

### QUESTIONS

1. In peer-to-peer violence, should one enter the perpetrator or the victim down in the name field?
  - a. Peer on peer aggression is investigated as an allegation of neglect against the provider. As such, the name of an employee should be listed in the "accusation" field. The name of the victim of the aggression is listed as the individual.
2. If the CM goes to the group home and has concerns, then should they put it into CHRIS or have the provider put it into CHRIS?
  - a. In the situations described above the Case Manager should not enter the incident in CHRIS. The CM should notify the group home of the concern and the group home should report it in CHRIS. The CM can also alert the Office of Human Rights and the Office of Licensing of the concern through informal channels.
3. If a CM notices a bruise, should they put it into CHRIS? If the bruise require medical attention per the guidance document or if he abuse is suspected, then he should.
4. 12 VAC 35-115-50 D 3,(e) states the following in reference to the receipt of an allegation of abuse or neglect : "The director shall immediately notify the human rights advocate and the individual's authorized representative. In no case shall notification be later than

24 hours after receipt of the initial allegation of abuse, neglect or exploitation.” Does the 24 hours mean a business day? If an allegation is received on the weekend or holiday can the advocate be notified on the next business day?

- a. No, this requirement in the regulation is very specific. It states, “**In no case shall the notification be later than 24 hours...**” There is no other time frame in the regulation that is
  - b. Other parts of the regulations set time frames that are not as specific or even state business day. ( see 12 VAC 35-115-170, 180, 190)
5. Questions regarding the entering of employees names: ( Please see the guidance document on this topic)
- Some providers heard someone from DBHDS say that accused staff would be tracked in the system for repeat allegation or findings (I heard this 3<sup>rd</sup> hand).
    - Provider employees will not be “tracked”. However, DBDHS will pay attention to each provider’s personnel responses to founded cases of abuse and neglect to ensure the health and safety of other individuals served by that provider.
  - Does that mean DBHDS staff will then inform a provider about that person and suggest they terminate them?
    - *No. DHBDS will encourage providers to follow their personnel policies, including hiring and back ground checks. DBHDS will not notify other providers about any personnel action taken by another provider.*
  - That scenario makes the entering of the names without due process for the individual or the ability of the person to challenge their name being in a tracking system more problematic for providers in terms of liability.
    - CHRIS is an incident reporting system. The names are entered by the provider as part of the investigation and DBHDS monitors that investigation or may conduct its own.
  - It also raises the issue of fairness. There was a recent article in the NY Times about retail organizations keeping lists of names of people who were accused of stealing and sharing those to prevent people from being hired. The individuals on this list had no due process. This is now being disputed by various governmental entities. I do not know if this issue was raised with the OAG in terms of the trending of names in the system and using those in some negative way.
    - There will be no trending of names. Again, CHRIS is an abuse neglect, human rights complaint and deaths & serious injury reporting system. Any trending done will be related to those incidents. Any monitoring of names will be internal to each provider.

