

310_675-7-5.1 Reports to state and federal agencies

(a)

Timeline for reporting. All reports to the Department shall be made within twenty-four (24) hours of the reportable incident unless otherwise noted. A follow-up report of the incident shall be submitted to the Department within five (5) Department business days after the incident. The final report shall be filed with the Department within ten (10) Department business days after the incident.

(b)

Reporting abuse, neglect or misappropriation. The facility shall report to the Department allegations and incidents of resident abuse, neglect or misappropriation of residents' property [63 O.S. § 1-1939(A)(1)(e)]. This requirement does not supersede reporting requirements in Title 43A of the Oklahoma Statutes (relating to the Protective Services for the Elderly and for Incapacitated Adults Act).

(c)

Reporting to licensing boards. The facility shall also report allegations and incidents of resident abuse, neglect, or misappropriation of residents' property by licensed personnel to the appropriate licensing board.

(d)

Reporting communicable diseases. The facility shall report communicable diseases [63 O.S. § 1-1939(A)(1)(a)] and injuries as specified by the Department in OAC

310:515 (relating to communicable disease and injury reporting).

(e)

Reporting certain deaths. The facility shall report deaths by unusual occurrence, such as accidental deaths or deaths other than by natural causes, and deaths that may be attributed to a medical device, [63 O.S. § 1-1939(A)(1)(b)] according to applicable state and federal laws. The facility shall also report such deaths to the Department.

(f)

Reporting missing residents. The facility shall report missing residents to the Department after a search of the facility and facility grounds and a determination by the facility that the resident is missing. In addition, the facility shall make a report to local law enforcement agencies within two (2) hours if the resident is still missing [63 O.S. § 1-1939(A)(1)(c)].

(g)

Reporting criminal acts. The facility shall report situations arising where a criminal intent is suspected. Such situations shall also be reported to local law enforcement [63 O.S. § 1-1939(A)(1)(d)]. Where physical harm has occurred to a resident as a result of a suspected criminal act, a report shall immediately be made to the municipal police department or to the sheriff's office in the county in which the harm occurred. A facility that is not clear whether the incident should be reported to local law enforcement should consult with local law enforcement.

(h)

Reporting utility failures. The facility shall report to the Department utility failures of more than eight (8) hours.

(i)

Reporting certain injuries. The facility shall report to the Department incidents that

result in: fractures, injury requiring treatment at a hospital, a physician's diagnosis of closed head injury or concussion, or head injuries that require more than first aid .

(j)

Reporting storm damage. The facility shall report to the Department storm damage resulting in relocation of a resident from a currently assigned room.

(k)

Reporting fires. The facility shall report to the Department all accidental fires and fires not planned or supervised by facility staff occurring on the licensed real estate.

(l)

Reports made following local emergency response. In lieu of making incident reports during an emergency response to a natural or man-made disaster, the facility may coordinate its communications, status reports and assistance requests through the local emergency response coordinator, and file a final report with the Department within ten (10) days after conclusion of the emergency response.

(m)

Reporting nurse aides. The facility shall report to the Department allegations and incidents of abuse, neglect, or misappropriation of resident property by a nurse aide by submitting a completed Nurse Aide Abuse, Neglect, Misappropriation of Resident Property Form (ODH Form 718), which requires the following: (1) facility name, address, and telephone; (2) facility type; (3) date; (4) reporting party name or administrator name; (5) employee name and address; (6) employee certification number; (7) employee social security number; (8) employee telephone number; (9) termination action and date; (10) other contact person name and address; and (11) facts of abuse, neglect, or misappropriation of resident property.

(1)

facility name, address, and telephone;

(2)

facility type;

(3)

date;

(4)

reporting party name or administrator name;

(5)

employee name and address;

(6)

employee certification number;

(7)

employee social security number;

(8)

employee telephone number;

(9)

termination action and date;

(10)

other contact person name and address; and

(11)

facts of abuse, neglect, or misappropriation of resident property.

(n)

Content of reports to the department. Reports to the Department made pursuant to this section shall contain the following: (1) The preliminary report shall, at the minimum, include: (A) who, what, when, and where; and (B) measures taken to

protect the resident(s) during the investigation. (2) The follow-up report shall, at the minimum, include:(A) preliminary information; (B) the extent of the injury or damage if any; and (C) preliminary findings of the investigation. (3) The final report shall, at the minimum, include preliminary and follow-up information and: (A) a summary of investigative actions; (B) investigative findings and conclusions based on findings; and (C) corrective measures to prevent future occurrences. (D) if items are omitted, why the items are omitted and when they will be provided.

(1)

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(A)

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(B)

measures taken to protect the resident(s) during the investigation.

(2)

The follow-up report shall, at the minimum, include:(A) preliminary information; (B) the extent of the injury or damage if any; and (C) preliminary findings of the investigation.

(A)

preliminary information;

(B)

the extent of the injury or damage if any; and

(C)

preliminary findings of the investigation.

(3)

The final report shall, at the minimum, include preliminary and follow-up information and: (A) a summary of investigative actions; (B) investigative findings and conclusions

based on findings; and (C) corrective measures to prevent future occurrences. (D) if items are omitted, why the items are omitted and when they will be provided.

(A)

a summary of investigative actions;

(B)

investigative findings and conclusions based on findings; and

(C)

corrective measures to prevent future occurrences.

(D)

if items are omitted, why the items are omitted and when they will be provided.

(o)

Form for incident reports to the Department. Facilities shall use the Incident Report Form, ODH Form 283, to report incidents required to be reported to the Department under OAC 310:675-7-5.1. The ODH Form 283 shall require: the facility name, address and identification number; the date, location and type of incident; parties notified in response to the incident; description of the incident; the relevant resident history; summary of the investigation; and name of person completing the report.