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Chapter 411@ DEPARTMENT OF HUMAN SERVICES, AGING AND PEOPLE WITH DISABILITIES AND DEVELOPMENTAL DISABILITIES

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Division 89@ NURSING FACILITIES/LICENSING - COMPLAINTS, INSPECTIONS, AND SANCTIONS

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Section 411-089-0110@ Initial Status Report (Abuse Complaints Only)

411-089-0110 Initial Status Report (Abuse Complaints Only)

(1)

Initial Status Report for Abuse Investigations (Local APD or Type B AAA Office).

Except in cases where the investigation is part of a general inspection pursuant to federal law, the local APD or Type B AAA office shall complete an Initial Status Report for all abuse investigations within two working days of the start of the investigation.

(2)

Content. The Initial Status Report shall include: (a) A summary of the complaint identifying each alleged incident or problem. The Initial Status Report shall not include names of residents, complainants, or other people interviewed during the investigation; (b) The status of the investigation; (c) Whether the complaint was filed at the direction of facility administration; (d) A determination of whether action to protect the residents is needed and whether the facility must take action; (e) The name and telephone number of the investigator; (f) The projected date the Complaint Investigation Report must be completed; and (g) A statement that the Complaint Investigation Report is available upon request after the Department issues a Letter of Determination.

(a)

A summary of the complaint identifying each alleged incident or problem. The Initial

Status Report shall not include names of residents, complainants, or other people interviewed during the investigation;

(b)

The status of the investigation;

(c)

Whether the complaint was filed at the direction of facility administration;

(d)

A determination of whether action to protect the residents is needed and whether the facility must take action;

(e)

The name and telephone number of the investigator;

(f)

The projected date the Complaint Investigation Report must be completed; and

(g)

A statement that the Complaint Investigation Report is available upon request after the Department issues a Letter of Determination.

(3)

Distribution. The Initial Status Report shall be provided either in person or by mail to the following individuals as soon as practical, but no later than two working days after its completion: (a) The complainant, unless the complainant waives the requirement; (b) If the complaint involves a specific resident or residents, to the residents or persons designated to receive information concerning the residents; (c) A representative of the Long Term Care Ombudsman, upon request; (d) The facility; and (e) OLRO.

(a)

The complainant, unless the complainant waives the requirement;

(b)

If the complaint involves a specific resident or residents, to the residents or persons designated to receive information concerning the residents;

(c)

A representative of the Long Term Care Ombudsman, upon request;

(d)

The facility; and

(e)

OLRO.

(4)

Availability of Initial Status Report. Upon completion, the Initial Status Report shall be placed in the local APD or Type B AAA facility files and available for public inspection.