

|->

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

|->

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

|->

Section 411-089-0120@ Complaint Investigation Report (Local SPD/AAA Office)

## **411-089-0120 Complaint Investigation Report (Local SPD/AAA Office)**

### **(1)**

Report Required. The investigator shall write a complaint investigation report after each investigation is completed.

### **(2)**

Content. The complaint investigation and the findings of the investigation shall be summarized on the complaint investigation report form. The form shall not include the names of any resident, complainant, or persons interviewed. The investigation report shall include: (a) The nature of the allegations; (b) The investigator's personal observations relating to relevant evidence, including the dates and times of each incident (as appropriate); (c) A summary of the documents reviewed; (d) A summary of each interview; (e) The investigator's findings regarding the incident or problem alleged in each allegation; and (f) The factual basis for the finding.

#### **(a)**

The nature of the allegations;

#### **(b)**

The investigator's personal observations relating to relevant evidence, including the dates and times of each incident (as appropriate);

#### **(c)**

A summary of the documents reviewed;

**(d)**

A summary of each interview;

**(e)**

The investigator's findings regarding the incident or problem alleged in each allegation;  
and

**(f)**

The factual basis for the finding.

**(3)**

Investigator's Conclusions. For each alleged wrongdoing, the investigator shall prepare a separate evaluation and written conclusion. The conclusion shall be: (a) The alleged wrongdoing is substantiated; (b) The alleged wrongdoing is not substantiated; or (c) The investigator is unable to determine whether the alleged wrongdoing is substantiated or not substantiated because necessary, relevant information is unable to be obtained; or following a complete investigation, a reasonable person is unable objectively to conclude whether it was likely the wrongdoing occurred.

**(a)**

The alleged wrongdoing is substantiated;

**(b)**

The alleged wrongdoing is not substantiated; or

**(c)**

The investigator is unable to determine whether the alleged wrongdoing is substantiated or not substantiated because necessary, relevant information is unable to be obtained; or following a complete investigation, a reasonable person is unable objectively to conclude whether it was likely the wrongdoing occurred.

**(4)**

Timeframe for Completion Processing (Local APD or Type B AAA Office). (a) If a complaint alleges abuse, the complaint report shall be completed within five working days after the investigation is completed, but not later than 60 days after receipt of the complaint. (b) All other complaint investigation reports shall be completed within 90 days of the receipt of the complaint. (c) Investigation reports shall be sent to OLRO promptly upon completion.

**(a)**

If a complaint alleges abuse, the complaint report shall be completed within five working days after the investigation is completed, but not later than 60 days after receipt of the complaint.

**(b)**

All other complaint investigation reports shall be completed within 90 days of the receipt of the complaint.

**(c)**

Investigation reports shall be sent to OLRO promptly upon completion.