

ABUSE INVESTIGATION

(Including: Neglect, Injuries of Unknown Source, Misappropriation)

POLICY:

- Nursing Homes must ensure that all alleged violations involving mistreatment, neglect, or abuse, including injuries of unknown source, and misappropriation of resident property, are reported immediately to the Administrator (Executive Director) of the facility and the Bureau of Quality Assurance. *Immediately means as soon as possible, but not to exceed 12 hours after the discovery of the incident.*
- It is the policy of ABC that all reports of resident abuse, neglect and injuries of an unknown source shall be promptly reported and thoroughly investigated by facility management as required by the federal guidelines.

PROCEDURE:

1. Should an incident or suspected incident of resident abuse, neglect or injury of an unknown source be reported the Executive Director, or his/her designee will immediately investigate the alleged incident.
 - The form entitled “Alleged Nursing Home Resident Mistreatment, Neglect And Abuse Report” will be completed and faxed by the Administrator or her designee to the Bureau of Quality Assurance.
2. An internal investigation will be conducted using the following as part of the investigation:
 - a. Review the completed Grievance/Complaint Investigation Report
 - b. Review the resident's medical record to determine events leading up to the incident
 - c. Interview the person(s) reporting the incident
 - d. Interview any witnesses to the incident
 - e. Interview the resident (as medically appropriate)
 - f. Interview the resident's attending physician to determine the resident's current mental status as needed
 - g. Interview staff members (on all shifts) who have had contact with the resident during the period of the alleged incident
 - h. Interview the resident's roommate, family members, and visitors
 - i. Interview other residents to whom the accused employee provides care services as warranted; and
 - j. Review all events leading up to the alleged incident.
3. The following guidelines will be used when conducting interviews:
 - a. Each interview will be conducted separately and in a private location.

- b. The purpose and confidentiality of the interview will be explained thoroughly to each person involved in the interview process; and
 - d. Should a person disclose information that may be self-incriminating, that individual will be informed of his/her rights to terminate the interview until such time as his/her rights are protected (e.g., representation by legal counsel).
4. Witness reports will be in writing. Witnesses will be required to sign and date such reports. (Note: A copy of such reports must be attached to the "Grievance/Complaint Investigation Report.")
5. The Ombudsman may be notified regarding the abuse investigation being conducted. The Ombudsman may also be invited to participate in the investigation process.
 - Should the Ombudsman decline the invitation to participate in the investigation, he/she will be notified of the results of the investigation as well as any corrective measures taken.
6. While the investigation is being conducted, accused individuals not employed by the facility will be denied unsupervised access to residents.
7. Employees of this facility who have been accused of resident abuse may be reassigned to nonresident care duties or suspended from duty until the Executive Director has reviewed the results of the investigation.
8. The Executive Director will keep the resident and his/her representative or designee informed of the progress of the investigation. Upon completion of the investigation the results of the investigation and corrective action will be provided within five days of the completing the investigation.
9. Upon completion of the internal investigation, the following will be mailed to the Bureau of Quality Assurance within 5 working days from the initial report:
 - Findings as documented on the internal **“Resident Abuse Investigation Report Form.”**
 - The completed State form entitled **“Caregiver Misconduct Incident Report”** (DDE-2447.)
 - A copy of the **“Alleged Nursing Home Resident Mistreatment, Neglect And Abuse Report”** (DDE-2617).
 - The incident report and any available documentation.
10. Should the investigation substantiate that resident abuse occurred, the Executive Director will report the findings to the local police department, the Ombudsman, the state licensing agency, and others as may be required by state or local laws within five days of the results of the investigation.

11. Should the investigation reveal that a false report was made/filed, the investigation will cease. Residents, family members, Ombudsmen, state agencies, etc., will be notified of the findings.
12. Policies governing abuse reporting are outlined in separate policies of this section entitled "Reporting Abuse to Facility Management" and "Reporting Abuse to State Agencies and Other Entities/Individuals."
13. Inquiries concerning abuse reporting and investigation should be referred to the Executive Director, Director of Nursing Services, or the Social Worker.