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DQA Memo 10-001

To: Mental Health Day Treatment Programs for Children

CMHA 01

From: Cremear Mims, Director
Bureau of Health Services

Via: Otis Woods, Administrator
Division of Quality Assurance

**On-line Reporting of Seclusion and Restraint Incidents for Mental Health
Day Treatment Services-DHS 40**

Background

The purpose of this memorandum is to provide notice of a new mechanism for reporting the use of seclusion and restraint in programs certified under Wisconsin Administrative Code Chapter DHS 40, Mental Health Day Treatment Services for Children. The Division of Quality Assurance (DQA) has developed a seclusion and restraint data collection tool in collaboration with the Division of Mental Health and Substance Abuse Services (DMHSAS). Effective January 4, 2010 on-line reporting of Seclusion and Restraint Incidents will begin.

The Department recognizes that in certain situations, seclusion and restraint must be utilized to prevent injury to the individual or others and these situations may require hands-on interventions. To monitor their use, the Department has developed an online tool to collect information on seclusion and restraint uses. The data collected will provide the Department with more accurate means to identify program needs and to meet patient rights obligations under chapter DHS 94.10, Isolation, Seclusion and Physical Restraints within certified mental health day treatment services for children. This section and s.51.61 (1)(i)1, Stats. requires approval of the use of seclusion or restraint on a "case-by-case basis".

This reporting requirement is one part of a Departmental initiative to decrease the use of seclusion and restraint interventions, where there is a higher risk of injury to children. The Department is providing technical assistance and training for programs that focus on the implementation of positive behavior intervention strategies.

Action

The Department of Health Services' Division of Quality Assurance will implement an online survey report process for incidents of seclusion and restraint use. Programs certified under chapter DHS 40, Mental Health Day Treatment Services for Children, shall report all instances of client seclusion and/or restraint use to the Department within 24 hours of the incident

occurring. The reporting survey tool can be accessed at the following link:

<https://doa.wi.gov/DHSSurveys/TakeSurvey.aspx?SurveyID=94LL8n8K>.

The statutory authority for access to records is established in s. 51.30(4) (b) 1 Stats. and chapter DHS 92.04(1)(a) of the Wisconsin Administrative Code. The authority to monitor compliance of day treatment services is established in chapter DHS 40.04(7)(f).

Process

Reporting incidents of seclusion and restraint provides the Department the opportunity to evaluate the circumstances of these interventions and conduct appropriate follow-up if indicated. DQA's Behavioral Health Certification Section (BHCS) will assess compliance and evaluate the frequency of incidents. The DMHSAS' Bureau of Prevention Treatment and Recovery (BPTR) will use the information gathered to identify programs in need of technical assistance, training, policy development, or other quality improvements.

The Department issued a memo March 13, 2009 on prohibited practices; engaging in a prohibited practice is not an acceptable intervention. That memo is available on-line at this address: http://dhs.wisconsin.gov/rl_dsl/MentalHealth/MHintro.htm. The contact person for further information on the memo and positive behavior intervention strategies training is Nancy Marz, BPTR. She may be contacted at Nancy.Marz@dhs.wisconsin.gov or (608) 261-6746.

With appropriate interventions based on the reporting data, the incidence of seclusion and restraint use should diminish. To protect confidentiality, we ask programs to use a client or patient identifier rather than the subject's name in this process. Follow-up calls may occur if more information is required. It will take 5 to 10 minutes to complete the short survey.

If you have questions concerning this memo or have technical difficulties accessing the survey, please contact Rick Ruecking at Richard.Ruecking@dhs.wisconsin.gov or (608) 261-0657.

Thank you for your cooperation in reporting incidents of restraint and seclusion use.