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| SUBJECT: REPORTING AND PROCESSING ABUSE, NEGLECT, AND MISAPPROPRIATION OF PROPERTY (EXPLOITATION) | PAGE: 1 TO: 5 |
| DEPARTMENT: NURSING | EFFECTIVE: 12/01/2016 |
| APPROVED BY:SCCCSHD BOARD OF DIRECTORS | REVISED: 12/01/2016 |

SCOPE:

- CGLTC- Colfax General Long Term Care

POLICY:

- Ensuring the safety of the person involved is first and foremost. This includes separating the victim from the alleged perpetrator and providing needed first aid and medical care.
- All suspected abuse, neglect, or misappropriation of property (i.e. exploitation) identified by or reported to CGLTC personnel must be reported immediately to the Adult Protective Services (APS) Statewide Intake.
- All suspected abuse, neglect, or misappropriation of property and injuries of unknown sources must be reported to the New Mexico Division of Health Improvement Incident Management Bureau **within 24 hours**.
- CGLTC will ensure that the reporter with direct knowledge of an incident has immediate access to the Division of Health Improvement incident report form.
- Any consumer, resident, family member or legal guardian may report an incident either independently or through the Division of Health Improvement by telephone call, written correspondence or other forms of communication utilizing the Division of Health Improvement incident report form.
- Notification of the reporting process will be made to residents and/or their representatives in the admission/registration packet.
- CGLTC will maintain an incident reporting system and investigate all complaints of resident abuse, neglect, misappropriation of property, or injuries of unknown sources.
- Any individual who, without false intent, reports an incident or makes an allegation of abuse, neglect or exploitation will be free of any form of retaliation.

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PURPOSE:

To define the policy and procedure for maintaining an incident management system and quality improvement system for reporting and investigating suspected abuse, neglect or misappropriation of property.

This policy applies to suspected abuse, neglect, misappropriation of property or unexpected death of residents who are in the care of Colfax General Long Term Care.

Reports are to be made to Adult Protective Services (APS) Statewide Intake and to the New Mexico Department of Health Division of Health Improvement.

PROCEDURE:

Incident Reporting Process for CGLTC Employees, Contractors and Volunteers

Any CGLTC Employee, Contractor or Volunteer who identifies or is made aware of any complaint of abuse, neglect, misappropriation of property or injuries of unknown sources should immediately report the issue to the (Charge Nurse):

This includes incidents that may have been committed by the member of the CGLTC Workforce or other suspected abuse that occurred prior to the individual becoming a resident of CGLTC. Individuals involved should take immediate action if the resident is in danger. The Charge Nurse will:

1. Report to the location of the incident and make sure that persons involved are safe.
 2. Initiate an investigation of the incident including Security if necessary.
 3. Ensure that the appropriate entities, as defined below, are notified within the appropriate timeframes. The person with the most direct knowledge should complete the Division of Health Improvement incident report form (IR) report; however, the Responsible Party is responsible for ensuring that this form is completed within the appropriate timeframes. A link to the IR form for the state is located on page 3 of this policy.
- The DON/ADON will be responsible for reporting to the DOH within the 24-hour requirement.

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PROCEDURE:

Allegations of abuse, neglect, exploitation or injuries of an unknown source must immediately be reported to:

Adult Protective Services (APS) Statewide Intake

- Phone 1-866-654-3219 or 505-476-4912 in Santa Fe (all reports must be made via phone)

and to

The New Mexico Department of Health Improvement within 24-hours of knowledge (next business day if on a weekend or holiday) via one of the following:

- Fax 1-800-584-6057
- E-mail incident.management@state.nm.us
- Online Form at <https://ane.health.state.nm.us/welcome.aspx>
- NMDHI Hotline 1-800-445-6242

If the incident involves a criminal act, also contact local Law Enforcement.

Incident Reporting Process for Consumers, Residents, Family Members and Legal Guardians

Any consumer, resident, family member or legal guardian may report an incident either independently or through the licensed health care facility to the New Mexico Department of Health Improvement by telephone call, written correspondence or utilizing the New Mexico Department of Health Improvement incident report form. They have the right to report such incidents without fear of retaliation. If an employee receives a call, letter or any other communication from a consumer, another employee, family member or legal guardian indicating that they have reported an incident directly to the state, the employee receiving the information should treat it as a report of suspected abuse, neglect or misappropriation of property and initiate the procedure identified in this policy.

New Mexico Department of Health Improvement incident report forms are available at the Nurses' Station. Additionally, a copy of the form is attached to this policy. Reports can also be made by calling, faxing or e-mail per information provided above.

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Quality Improvement Process

1. Colfax General has a committee to investigate all incidents of alleged abuse.
2. If an employee of Colfax General LTC is being investigated they will be suspended during the investigation process.
3. The Director of Social Services will advise residents and/or family of the results of the investigation and the action taken. Personnel actions cannot be revealed other than to advise we have taken appropriate steps to assure it will not occur again.
4. Human Resources will be charged with notifying any licensing agency if the results reflect abuse, neglect or misappropriation occurred and the individual involved. This is accordance with CGLTC policy.
5. The committee will report all incidents to the Administrator with their determination if this was Abuse, Neglect or Misappropriation. Administrator will assure appropriate action is taken. If it is not Abuse, Neglect or Misappropriation, the Administrator will work with the department manager on what steps should be taken.

Notification to Consumers, Residents, Family Members and Legal Guardians

Inpatient

- Written notification is included on the Consent Form. The resident and/or representative must acknowledge receipt of the notification with a signature indicating the date, time and place received.
- New Mexico Department of Health Improvement incident report forms are available in the Nurses' Station.

DEFINITIONS:

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Abuse: The willful infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical harm, pain or mental anguish.

Misappropriation of property: The deliberate misplacement of a resident's property, or wrongful, temporary, or permanent use of a resident's belongings or money without the resident's consent.

Neglect: The failure to provide goods and services necessary to avoid physical harm, mental anguish or mental illness.