



Putting People First

Memorandum

To: Provider Associations
 Voluntary Provider Agency Executive Directors
 Developmental Disabilities State Operations Office Directors
 Developmental Disabilities Regional Office Directors
 IBR Director
 Commissioner's Advisory Council
 DDPC Consumer Caucus
 OPWDD Required Regulations Mailing List

From: Barbara Brundage, Director BB
 OPWDD Regulatory Affairs Unit

Date: April 15, 2014

Re: *Learning about Incidents* brochure

Suggested distribution:

Administrators and Management Staff
 Incident Coordinators and Investigators
 Quality Assurance/Quality Improvement Staff
 Qualified Intellectual Disabilities Professionals
 Medicaid Service Coordination Staff

Background:

OPWDD regulations contain a requirement that agencies make “written information” about incidents available to individuals, parents, guardians, correspondents or advocates. (See **OPWDD regulation** below for the full requirement.)

Purpose:

OPWDD has issued an updated version of its *Learning about Incidents* brochure. OPWDD has designated the April 2014 version of the *Learning about Incidents* brochure to be the “written information” that is required to be made available as noted above.

OPWDD expects that translations of the brochure in various languages will be available in the near future. The translated versions can also be used to satisfy this requirement.

The *Learning about Incidents* brochure can be found on the OPWDD website at:

<http://www.opwdd.ny.gov/node/395>

OPWDD Regulation:

14 NYCRR 624.5(a)(3)(i) states:

- (i) Upon commencement of service provision, and annually thereafter, an agency shall offer to make available written information developed by OPWDD in collaboration with the Justice Center for the Protection of People with Special Needs (Justice Center), and a copy of the agency's policies and procedures, to persons receiving services who have the capacity to understand the information and to their parents, guardians, correspondents (see glossary, section 624.20 of this Part) or advocates (see glossary, section 624.20 of this Part), unless a person is a capable adult who objects to their notification. The agency shall also offer to make available a copy of OPWDD's Part 624 regulations. In order to satisfy this requirement the agency shall:
 - (a) provide instructions on how to access such information in electronic format; and
 - (b) upon written request, provide paper copies of such information.

If you have any questions about complying with this requirement or other aspects of incident management, contact the OPWDD Incident Management Unit at:

Incident.Management@OPWDD.ny.gov.

Thank you.