An Introduction to the Behavior Intervention Report Form

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Objectives

• Provide background on the Report Form
• Outline reporting requirements
  – who needs to report
  – Reporting timelines
• Walk through the Report Form
• Answer questions from the audience
How to Participate

Please hold questions until after the presentation

Submit questions via GoTo Webinar chat/question box
Mandate: Combined to create: Product: Implementing Initiative to Meet Mandate: RSS/QOS Initiative HCBS Quality Outcome Principles HCBS Waiver Provider Standards/245D State Quality Council/Participant Experience Survey HCBS Provider Licensing Standards Committee Recommendations HCBS Provider Enrollment Standards Rate Setting Methodologies
HCBS Medicaid Waivers

• Alternative to institutions
• States oversee programs
• MN has 5 Waivers
  – Elderly Waiver (EW)
  – Disability Waivers
    – Developmental Disability (DD)
    – Community Alternative Care (CAC)
    – Community Alternatives for Disabled Individuals (CADI)
    – Brain Injury (BI)
Home & Community-Based vs. Institutional Service Use

Legend
- % of People with Disabilities in Institutions
- % of People with Disabilities in HCBS
- Goal for People with Disabilities in Institutions
- Goal for People with Disabilities in HCBS
245D - Scope of Services

24-Hour Emergency Assistance
Behavioral Programming
Companion Services*
Crisis Respite
Day Training & Habilitation
Foster care service
Homemaker*
In-Home Family Support
Independent Living Skills
ICF/DD
Night Supervision

Personal Support
Prevocational Services
Respite*
Semi-Independent Living Services
Structured Day
Specialist Services
Supported Employment
Supported Living Services

*includes EW
Rule 40 Modernization History

- Jensen Settlement Agreement
- Rule 40 Advisory Committee Meetings
- Advisory Recommendations Finalized
- 245D takes effect

- 2011
- 245D passed
- 2012
- 2013
- 245D amended
- 2014
- Provider Reporting Began
245D & Behavior Interventions

- 245D supersedes Rule 40
  - Rule 40 is in effect until Jan 1, 2014

- Defined prohibited, restricted and permitted actions

- Required reporting to DHS & Ombudsman MH/DD

- Positive support transition plans
245D Prohibited Behavior Interventions

- Chemical Restraint
- Mechanical Restraint
- Prone restraint
- Manual Restraint, other than in an emergency
- Time Out
- Seclusion
- Any aversive or deprivation procedure
Emergency use of manual restraint:
- when a person poses an imminent risk of physical harm to self or others and,
- is the least restrictive intervention that would achieve safety.
- Property damage, verbal aggression, or a person’s refusal to receive or participate in treatment do not constitute an emergency.
Behavior Intervention Report Form

Current 245B and future 245D providers must report the following:
1. Planned use of controlled procedures
2. Emergency use of controlled procedures
3. Emergency use of manual restraint
4. Data elements from Advisory Committee
Report meets requirements...

- Rule 40 Quarterly Report
- Emergency Use of Controlled Procedure
- Aversive procedure data elements
  - 245.8251
  - 256B.4912, subdivision 8
- Emergency Use of Manual Restraint - 245D.061 subd. 8
- Monitor form – 245D.061, subd. 4
Report Timelines

245D report timelines

• 3 calendar days – written report from staff
• 5 working days – complete internal review
• 5 working days – expanded support team consult
• 5 working days – external report
  15 working days

*Rule 40 reporting timelines in effect until 12/31/13
Positive Support Transition Plan (PSTP)

1. Eliminate the use of prohibited procedures
2. Avoid the emergency use of manual restraint
3. Prevent the person from physically harming self or others
4. Increase quality of life

PSTP replaces Rule 40 & Behavior Support Plans
Upcoming Communication/Training

- E-lists — Instruction to subscribe
- HCBS Bulletin — released 9/4
- Behavior Intervention Report Info site
- Training video
- Webinar(s)
- In-person regional meetings
Future plans...

- Report fields updated upon implementation of 245D
- Rule writing
- Positive Support Transition Plan development
- Positive Support Practice Manual
Q&A

Submit questions via the Chat/Question Box
In conclusion...

Encore audio recording will be available in 24hrs along with this PowerPoint presentation.

This will be available on the DSD training news and information page and sent to registered participants.
Resources

- Behavior Intervention Report Form - 5148
- Behavior Intervention Report Form Instructions
- Minnesota Statutes 245D
- Rule 40 Advisory Committee Recommendations
- Commissioner's Statement on Respect & Dignity
- Jensen Settlement Agreement