

Action Request Transmittal Aging and People with Disabilities



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Number: APD-AR-21-064

Issue date: 10/29/2021

Topic: Protective Services

Due date:

Subject: APS Internal Notifications and Referrals Tool

Applies to (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Types A and B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Action required:

If an Adult Protective Services (APS) abuse or self-neglect intake or investigation is known to involve an Aging and Person with Disabilities (APD) client/consumer or an Oregon Department of Human Services (ODHS) administered program or consumer, e.g., Medicaid services, APD Specific Needs Contracts, Child Protective Services, or the ODHS Fraud Unit, then the appropriate program must be notified in writing.

The internal programs to notify or refer are listed in, but not limited to, the attached reference tool APS **Internal Notifications and Referrals Tool**. Also included are some basic confidentiality and who investigates tips. This is a reference tool for convenience and is intended to be informative, but not authoritative. For authoritative guidance, rely upon rules, policy, and your supervisor's direction.

All notification and referral attempts must be documented in the Central Abuse Management (CAM) system as appropriate, noting the dates, method of contact, and a brief statement of the content.

In general, APS workers may internally share APS information as necessary for administrative or protective purposes with the ODHS programs that they are notifying

or referring. Whenever possible, redact the name and identity of the abuse reporter, to limit disclosure, unless legally required to provide. See APD APS 030-002-General APS Confidentiality.

Reason for action:

For the ODHS and the APD division to administer services and keep its consumers safe, the agency programs must know when APD consumers/clients or settings they oversee are reported and investigated for abuse and self-neglect.

Field/stakeholder review: Yes No
APD Operations, APS Supervisors, APS Policy Advisory Committee (initial, not final table), APS Unit, Consulted
If yes, reviewed by: with APD Long-Term Care and some AAG advice.

If you have any questions about this action request, contact:

Contact(s): Central APS Technical Assistance	
Phone:	Fax:
Email: APS.TechAssistance@dhsosha.state.or.us	

Internal ODHS Contacts for Notifications and Referrals		Inside ODHS
<p>Notify means inform. Refer means expectation of potential action. Notify or refer ASAP or as noted below. See APD-APS-060-005, <i>Entering Intakes and creating allegations in CAM</i></p>		
<p>Acronyms Aging and People with Disabilities (APD), Area Agency on Aging (AAA), Oregon Department of Human Services (ODHS), Office of Safety, Oversight, and Quality (SOQ) Adult Protective Services (APS), Community APS (C-APS), Facility APS (F-APS), alleged perpetrator (AP), alleged victim (AV),</p>		
<p>Confidentiality Tips May internally share APS information and records. When possible, redact reporter's ID to limit public exposure. Otherwise, noted below. See APD-APS-030-002 <i>General APS Confidentiality</i></p>		
Reported	Who investigates?	Who are notified or referred to?
APD service clients, not facility	C-APS	Notify APD/AAA case manager (CM) or the Oregon Project Independence (OPI) Coordinator
Self-neglect (SN)	C-APS, unless AV is an APD client, then CM	Refer to CM; Notify OPI Coordinator (they don't investigate SN). AAAs may handle SN differently
APD facility resident, AP is staff	F-APS	Notify case manager, if applicable. Facilities are ALF, RCF, AFH, not NF. SOQ is included automatically
APD facility residents, AP is not facility staff	C-APS, additionally F-APS if facility is AP1 for neglect	Notify SOQ , if the C-APS case impacts facility and no F-APS for AP1, otherwise not necessary to notify. If APD/AAA service consumer, then notify CM
Any resident in a nursing facility (NF), AP is staff	Only NFSU investigates and oversees NFs, this includes not only abuse, but licensing issues, etc.	Refer immediately to Nursing Facility Survey Unit (NFSU) . Use checkbox on CAM intake, include all info and documents. Contacts: 1-877-280-4555 or NF.Complaints@DHSoHA.state.or.us
Any resident in NF, AP is not NF staff	C-APS	Notify NFSU through checkbox on CAM intake while screening, include all information that APS receives.
Facility licensing issues- ALF or RCF	Assisted Living (ALF) & Residential Care (RCF) APD facilities-not NF nor AFH. Refer to SOQ's Licensing Care Unit (LCU) , 1-844-503-4773 licensing.complaint@dhsaha.state.or.us APS investigates abuse separately.	
AFH licensing	Refer to local Adult Foster Home (AFH) Licensor AFH Licensing Offices	
Room and Board (R&B)	C-APS	Notify AFH team apd.afhteam@dhsaha.state.or.us Note: R&B abuse definitions different- OAR 411-068
Quality of care and advocacy for facility residents	Notify/refer to Long Term Care Ombudsman Office (LTCO) e-mail ltdco.info@oregon.gov 1-800-522-2602 Share C-APS & F-APS information with volunteers, but only disclose records to Ombudsman & Deputies. Redact reporter's identity. (LTCO not part of ODHS but is a partner for resident safety and a frequent contact.)	
AV is APD client in DD settings/services overseen by Office of DD Services	C-APS if Developmental Disabilities (DD) does not investigate	Notify DDLicensing.Notifications@dhsaha.state.or.us Refer to Community DD Program (CDDP) local office, See AR-21034 APS... <i>ODDS Regulated Settings</i> . Notify APD case manager.
AV is served by the Program of All-inclusive Care (PACE)	C-APS if individual PACE providers and others; but F-APS when AV resides in PACE-operated facility and AP is staff.	Notify APD.PACE@dhsaha.state.or.us See APD-IM-20-098 or APS CM Tools, Programs and Services. PACE acts as an intermediary so not usually the AP. But when negligent in overseeing their providers or in their own facilities, PACE can be AP.
Subpoenas, Torts	ODHS Subpoenas ; TORTS to ODHS Legal Unit Provide complete unredacted records.	

Reported	Who investigates?	Who are notified or referred to?
The Governor's Advocacy Office	When a Governor's Advocacy Office (GAO) Ombud requests information or records they must be given complete unredacted records and assistance to resolve issue.	
Conflict of Interest, (COI) Sensitive cases	Neighboring APD office or Central APS; AAAs for AAA cases	Refer to neighboring office, or COI inbox for review if Central APS investigation is requested. Heightened confidentiality apd.apscoi@dhsosha.state.or.us
AP is (HCW) Home Care Worker	C-APS	Notify local office Home Care Worker Coordinator Also notify APD/AAA case manager
HCW and falsifying PTC EVV (payroll) (formerly vouchers)	Refer to CM or OPI coordinator, as Provider Time Capture (PTC) Electronic Visit Verification (EVV) violations are not treated as abuse by APD. But APS must investigate any reported abuse, e.g. neglect due to not working hours.	
Administrative Hearings-APD	When APD Hearing Representatives request records they must be given complete unredacted records which they will redact/protect as needed.	
Specialized Living Services (SLS) contracts.	C-APS. AP is often the direct care provider, but the contractor may be AP for negligent oversight	Notify APD's SLS Contract Administrator , JONATHAN.D.TILFORD@dhsosha.state.or.us SLS contractors are QUAD Inc and Shelter Inc, in Multnomah County.
Specific Needs Contracts (SNC)	Generally, C-APS, unless the AP is a facility licensee, then F-APS	Notify Specific Needs Team in APD Central Office; Specific-Needs.Contract-Team@dhsosha.state.or.us See APD CM Tools, Specific Needs Contracts for providers list and details. Also notify APD/AAA CM.
Adult Day Services (ADS) Adult Day Centers, Alternative Day Services and APD Respite Care	C-APS--if ADS is standalone (discrete door and staff) or is in-home respite care. F-APS if a respite facility bed or ADS is a part of the facility.	Notify APD's Adult Day Services (ADS) Analyst LINDSAY.R.VANDERWORKER@dhsosha.state.or.us 503-856-6931, Note: See APS Case Management Tools for more info and list of ADS providers. Also notify APD/AAA CM.
Medicaid Fraud , if the AP is a Medicaid provider (While not in ODHS, MFU is a frequent APS partner)	C-APS or F-APS depending upon AP for abuse. (AV does not have to be on Medicaid)	Refer to the Medicaid Fraud Unit (MFU) medicaid.fraud.referral@doj.state.or.us (APS only). Includes financial exploitation and serious abuse, e.g. sexual, physical, but not verbal. Provide complete unredacted requested records.
Fraud by ODHS clients & providers , e.g. SNAP, Oregon Health Plan	C-APS or F-APS depending upon AP.	Refer to ODHS Fraud Investigation Unit 1-888-372-8301 Also notify APD/AAA Case manager ASAP ODHS expects fraud by AVs to be reported.
Children: abuse to any minor plus how to handle in APS cases.	Must refer all child abuse, safety, and concerns immediately to the Oregon Child Abuse Hotline (ORCAH) 1-855-503-SAFE (7233) . Minors are never AVs or APs in APS cases. Must notify Child Welfare worker, if child has one and is an APS witness	
Background Check Unit (BCU)	No need to refer/notify. Monthly, BCU searches for substantiated APs for neglect, financial, sexual, and physical abuse to weigh employment fitness. However, for imminent threats that can't wait, notify BCU.Abuse@dhsosha.state.or.us . Example: AP in an open C-APS case actively applying to be facility staff.	
Contact APS Technical Assistance if questions or updates. APS.TechAssistance@dhsosha.state.or.us		