

Ashley Carson Cottingham  
**Authorized Signature**

**Number:** APD-PT-17-028  
**Issue date:** 8/4/2017

**Topic:** Licensing

**Transmitting (check the box that best applies):**

- New policy   
  Policy change   
  Policy clarification   
  Executive letter  
 Administrative Rule   
  Manual update   
  Other: \_\_\_\_\_

**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             | <input type="checkbox"/> Health Services                                     |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input 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"/> ODDS Children’s Residential Services          | <input type="checkbox"/> Other (please specify):                             |
| <input type="checkbox"/> Child Welfare Programs                        |  |

Policy/rule title:	Definition of Harm		
Policy/rule number(s):	OAR 411-050	Release no:	
Effective date:	07/01/2017	Expiration:	
References:	APD AFH Licensing Scope and Severity Matrix for Citations		
Web address:	<a href="https://inside.dhsoha.state.or.us/dhs/aging-people-disabilities/afh-licensing-staff-tools.html">https://inside.dhsoha.state.or.us/dhs/aging-people-disabilities/afh-licensing-staff-tools.html</a>		

**Discussion/interpretation:** To ensure fair and consistent application of regulatory actions (including citations and sanctions) in APD Adult Foster Homes the following has been defined:

Harm: A negative impact to a resident’s physical, mental, financial or emotional well-being as defined by the following terms:

Serious harm includes:

- Harm resulting in long-term or permanent loss (does not have to be a complete loss) of physical, mental or emotional function;

- Extreme pain lasting more than 24 hours;
- Any injury where surgical intervention was recommended or required;
- Significant loss of dignity or significant unreasonable discomfort;
- Injury or illness resulting in death;
- Injury or illness requiring aggressive, extensive or on-going licensed professional intervention or treatment;
- Rape or sexual abuse (including sexual contact) by any person with a duty of care toward the resident;
- Rape by any person without a duty of care (including resident to resident);
- Head injury requiring hospitalization; or
- Financial exploitation resulting in the loss of monies or properties valuing more than \$1000.00;
- Financial exploitation resulting in serious emotional harm; or
- Serious violation of resident rights.

Moderate harm includes:

- Harm resulting in short-term or temporary loss of physical, mental or emotional function;
- Extreme pain lasting less than 24 hours;
- Pain (not extreme) lasting more than 24 hours;
- Repeated unreasonable discomfort;
- Injury or illness requiring licensed professional intervention or treatment including, but not limited to, stitches/sutures and staples;
- Sexual contact by any person without a duty of care (can include resident to resident);
- Head injury with concussion;
- Financial exploitation resulting in the loss of monies or properties valuing \$100.00 to \$1000.00;
- Financial exploitation resulting in moderate emotional harm; or
- Moderate violation of resident rights.

Minor harm includes:

- Harm resulting in no more than temporary physical, mental or emotional discomfort or pain without loss of function;
- Minimal unreasonable discomfort;
- Injury or illness treated with little or no intervention or treatment;
- Financial exploitation resulting in the loss of monies or properties valuing less than \$100.00;
- Financial exploitation resulting in minor emotional harm; or
- Minor violation of resident rights.

Potential harm means the possibility of harm not yet realized.

**Implementation/transition instructions:** Staff must use the above definitions when determining the severity level of citations

**Training/communication plan:** Details regarding this change will be provided in the next ASPEN Q&A Session and will be included in the Frequently Asked Questions section of the APD AFH ASPEN Manual. The APD AFH Licensing Scope and Severity Matrix for Citations has been modified to reflect this policy.

**Local/branch action required:** Distribute to all staff identified above.

**Central office action required:** Provide technical assistance as necessary

**Field/stakeholder review:**  Yes  No

**If yes, reviewed by:** Operations Committee

**Filing instructions:** Per LLA protocol.

*If you have any questions about this policy, contact:*

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