

# Major Unusual Incidents

## Understanding the MUI Reporting System

A Handbook for Families

Hotline Number: **(866) 313-6733**

Questions: (614) 995-3810

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County Board Contact:

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## Introduction

This handbook was developed to assist families in understanding major unusual incidents and the various activities and responsibilities that occur when one is reported. The role of the family is not discussed in the MUI Rule, as families are not required in rule to report incidents. The Department, however, recognizes the valuable role families play and the importance for families to understand why the MUI system exists, how they might be involved from time to time and the role of providers, county boards and the Department in protecting individuals with disabilities.



## I. What is an MUI?

An MUI (major unusual incident) is an alleged, suspected or actual occurrence of an incident that can reasonably be expected to result in harm to the individual. The types of MUIs are explained in the Definitions section of this guide.

## II. Why are MUIs Reported?

The MUI system is set up for the purpose of identifying the cause or factors leading up to the incident and developing prevention plans to reduce the likelihood of the incident occurring again. MUIs are always filed on the victim. The residential provider is also flagged for incidents involving individuals whom they serve. This assists the provider in looking at trends and working with the county board to address them. All incidents are required to be reported whether they occur at home, at work or in the community.

## III. Who Must Report?

1. All providers who are contracted, certified or licensed to serve persons with MR/DD are *required* to report MUIs to the county board.
2. All county board staff and department staff are also *required* to report MUIs.
3. Reports *must* be made on all individuals (children and adults) who are served or are eligible to be served by the county board when a provider, county board or Department staff become aware of an incident.
4. A basic responsibility for anyone on a Medicaid waiver is to ensure health and welfare so anyone paid to provide Medicaid waiver services *must* report MUIs.

## IV. To Whom Are MUIs Reported?

An MUI contact person has been identified at each county board of MR/DD to receive reports of possible MUIs. Incidents may be reported to that person or to any county board of MR/DD employee. The Ohio Department of MR/DD also has a hotline – **(866) 313-6733** – which may be used if there are concerns or difficulties in reporting to the county board of MR/DD.

## **V. What is the Role of the Provider?**

The Provider's role is to take immediate actions to protect individuals from further harm when incidents occur in their setting, to report possible incidents to the county board of MR/DD (immediately or) within 24-hours and to implement prevention plans to reduce the likelihood of similar incidents occurring.

## **VI. What is the Role of the County Board of MR/DD?**

When the county board provides services, they must also take immediate actions to protect the person when an MUI occurs in a county board setting. The county board of MR/DD is required to report and investigate MUIs. The Administrative Rule # 5123-2-17-02 requires that when the county board becomes aware of an incident, a report must be filed. This creates a dilemma at times, as the county board must contact the family to gather information about an incident. This can be awkward if families are unaware of these county board requirements or have not been informed of the reasons that the information is being requested. Generally, the types of incidents the county board would be calling the family about, are related to unplanned hospitalizations, medical emergencies or accidents that result in a serious injury such as a broken bone. While all MUIs require an investigation, the process for the types of incidents mentioned above is more of an information gathering process by the county board investigative agent or service specialist.

Investigations, or being asked questions, can feel intimidating. This process should be conducted as a neutral fact-finding effort. The intent of the investigation is to gather information, not to affix blame.

## **VII. What is the Role of the Department?**

The Ohio Department of MR/DD provides oversight and technical assistance. All MUI reports are reviewed by the Department of MR/DD, MUI/Registry Unit to ensure immediate action, timely reporting, good investigations and necessary implementation of prevention plans. The Department also conducts investigations where it would be a conflict of interest for the county board to complete.

## **VIII. Why are Family Members Called for Information?**

The Department's system was established to afford protections for all individuals in the MR/DD system. By looking at individual and aggregate data, we can see trends that can be addressed leading to better protections. These trends may include: lack of access to adequate health care, lack of diagnosis, and lack of assessment of symptoms, and lack of identification of new problems for people with certain syndromes. Reporting helps us to get a better picture of what is happening and enables us to make improvements in the system that benefit everyone.

**IX. MUI REPORTING FLOW CHART**  
**Incident occurs**

**Provider Role**



Immediate action to protect health and safety is completed by the provider

Notifies legal guardian (within 24-hours).  
(Parents who are not the legal guardians may only be notified with approval by the son or daughter or the legal guardian.)

Report is filed by provider to the county board by 5 p.m. of the next working day

**County Board Role**



Notifies police if possible crime  
*and/or*  
Children's Services Board if suspected abuse or neglect and the person is under 21.

Notifies county board SSA (within 24-hours).

Notifies the licensed or certified residential provider if the incident happened in the county board program.

Ensures Legal guardian is notified within 24 hours

Submits a report on Department's incident tracking system by 5 p.m. the next working day following notification.

Sends a summary letter to legal guardian and residential provider on the 25<sup>th</sup> working day from the date of incident discovery.

**Department of MR/DD**



Reviews all initial reports to ensure immediate actions have occurred and notifications were made.

Conducts investigations where it is a conflict for county boards to do so.

Notifies Ohio Legal Rights and Ohio Department of Job and Family Services via on-line incident reporting system.



## X. Definitions

**Major Unusual Incidents** are categorized as:

1. *Physical Abuse* is use of physical force that can reasonably be expected to result in physical harm.
2. *Sexual Abuse* is unlawful sexual contact/conduct.
3. *Verbal Abuse* is using words or gestures to threaten, coerce, intimidate, harass or humiliate an individual.
4. *Misappropriation* is when an individual is deprived, defrauded or incurs a loss of real or personal property.
5. *Neglect* is when there is a duty to do so, failing to provide an individual with any treatment, care, goods, and/or supervision or services necessary to maintain health and safety.
6. *Death* is due to any cause.
7. *Attempted Suicide* is when any actual physical attempt is made to end one's life regardless of whether harm resulted.
8. *Relocation* means any fire, natural disaster, or mechanical failure at any place at which the individual receives services that results in overnight relocation or the inability to provide services for at least 24 hours.
9. A *Missing Person* is an individual who cannot be located for more than eight hours unless that person's Individual Plan states differently, prior arrangements were made, the individual is in immediate danger, or law enforcement as been contacted.
10. A *Medical Emergency* is the sudden onset of a medical condition that requires emergency medical intervention.
11. An *Unplanned or Unscheduled Hospital Admission* is not expected as part of a person's medical condition and not included in the person's Individual Service Plan under specific criteria as to when a person would be admitted.

12. An Injury is:

- Of unknown or suspicious origin that requires treatment that only a physician, physician's assistant or a nurse practitioner can provide

OR

- Of a known or non-suspicious origin that has a significant impact on the individual's physical health. Such an injury would include bone fractures, dislocations, five or more sutures to close a wound, or an altered level of consciousness.

13. *Behavior Support* is any method, including restraining or giving time-out that is implemented in a manner prohibited by rules.

14. A *Rights Violation* results in an adverse affect of the health and safety of an individual.

15. *Series of Incidents* are similar, unusual incidents that may have an impact on the health and safety as determined during the weekly review of unusual incidents.

16. *Failure to Report* is when a required reporter unreasonably fails to report a situation when there is a substantial risk of harm to the individual.

17. *Prohibited Sexual Relations* occurs when an individual with MR/DD is having consensual sexual relations with the staff who is hired to care for them.

18. A *law enforcement MUI* is reported to the county board when an individual is arrested, charged or incarcerated.

## **XI. How are MUIs Different From UIs (Unusual Incidents)?**

Unusual Incidents are events involving a person with a developmental disability that are not consistent with daily operations, care or habilitation of that person.

Unusual Incidents are minor injuries, medication errors without any serious outcomes, behaviors or types of situations that do not meet the definition of an MUI. These incidents are handled at the provider level and are reviewed quarterly by the county board of MR/DD.

To Report an MUI call Your County Board MUI  
Contact Person or the Ohio Department of MRDD  
Hotline at (866) 313-6733



*The Mission of the Ohio Department of MR/DD is the continuous improvement of the quality of life for Ohio citizens with developmental disabilities and their families.*

Bob Taft, Governor

Kenneth W. Ritchey, Director

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