



### DBHDS Office of Licensing Enhanced DD Inspection Protocol

- I. **Investigations:** In accordance with **12VAC35-105-70.C**, the Department may conduct announced and unannounced onsite reviews at any time as part of the investigations of complaints or incidents to determine if there is a violation of this chapter.
- II. **Imminent Danger:** When the licensing specialist identifies that conditions or practices exist that pose an immediate and substantial threat to the health, safety, and welfare of the individuals receiving services, the licensing specialist shall notify the Regional Manager who will consult with the Associate Directors and Director of Licensing **within 1 business day**.
- III. **Health and Safety CAPs:** Specialists must follow up on the implementation of approved corrective action plans related to serious incidents as detailed in SA Indicator 34.06, “the OL verifies that corrective action plans have been implemented within 45 days of their start date.” (this is 30 business day for the OL)
- IV. **Care Concerns:** Care Concerns that the Incident Management Unit determine reach the level of potential Health and Safety Concerns, a serious crisis or Imminent Danger. Examples include but are not limited to when there is an interruption in service or medical or psychiatric crisis that results in an unplanned medical or psychiatric hospitalization. This are reviewed by the IMU and the provider is contacted for more information and to ensure provider is responding appropriately. If there are concerns the incident is referred to the LS to follow-up and to determine if an investigation as appropriate. Please refer to Care Concern protocol for more information.
- V. **Deaths:** Every reported DD death will be investigated by an Investigator.(Only exception effective 9/1/20 is any deaths that are reported by day support providers in which death did not occur during provision of day support services-
  - a. Incident Management System (IMU) triages all DD Death Serious Incident reports within 1 business day and submits email notification to assigned SIU investigators based on region assignment.
  - b. The Investigator will collaborate with the Office of Human Rights (OHR) if there are any suspected abuse/neglect allegations surrounding the death investigation.
  - c. The Investigator will immediately initiate an investigation by opening an investigation in OLIS, with actions taken as appropriate, in accordance with licensing protocols for any deaths that appear to be related to abuse or neglect; or that pose an imminent and substantial threat to the health, safety, or welfare of other individuals served by that provider.
- VI. **Provisional License:** Provider will be placed on an individualized schedule beginning with monthly monitoring and extending time-frames between monitoring as appropriate
- VII. **Consent Agreement:** Provider will be placed on an individualized schedule beginning with monthly monitoring and extending time-frames between monitoring as appropriate
- VIII. **Conditional License** – A group home or community residential service provider shall be limited to providing services in a single location, serving no more than four individuals during the conditional period. A provider is reviewed prior to receiving the conditional license and at least one time during the 6 month conditional license period. After the conditional license, the provider(s) are visited at least annually.



- IX. **ICF's and All DD Group Home Providers:** At least annually.
- X. **Sponsored and Group Home Residential Settings:**
  - a. Agency: At least annually
  - b. All new homes: before opening
- XI. **Case Management:** At least annually.
- XII. **DD Day Support:** Once every six months while on a conditional license. After the conditional license, the provider(s) are visited at least annually.

#### **Collaboration**

- I. **Individual Care Concerns:** In accordance with protocol, care concerns are sent to the OHR and the Office of Integrated Health (OIH) who after reviewing care concerns will determine what follow-up is appropriate, which may include contacting provider via phone or email or conducting an onsite visit. The Office of Licensing is notified of the information and follow up activities conducted by other offices.
- II. **Potential Human Rights Violation:** If during an inspection or investigation, the LS/Investigator determines that there is a possible human rights violations, the LS/Investigator will inform the assigned human rights advocate.
- III. **External Coordination:** LS/Investigator will notify and coordinate with any other involved agencies as needed (law enforcement, DSS, DMAS, etc.).