



DBHDS:::::

Virginia Department of Behavioral Health and Developmental Services

Reporting in CHRIS

Abuse, Neglect, Exploitation & Human Rights Complaints

Office of Human Rights 2024







01

Develop an understanding of entering a complaint in CHRIS. 02

Identify and distinguish different types of complaints and reporting requirements.

03

Review reportable and non-reportable human rights complaints.







Regulatory Information "Handout"

Determining Abuse

CHRIS Demo (Allegation)

CHRIS Demo (Complaint)

Considerations in Reporting



Regulatory Information Handout



Reporting in CHRIS Training Handout

	Relevant Re	gulatory Information
Human Rights Complaint Process	12VAC35-115-175 (C)(1)	 Complaints that do not involve abuse or neglect must be reported to the department (i.e., in CHRIS) as soon as possible, but no later than the next business day. Complaints involving allegations of abuse or neglect must be reported to the department, in CHRIS, within 24 hours of receipt of the complaint [12VAC35-115-175 (F)(3)].
	12VAC35-115-175 (C)(2)	 The individual must be contacted regarding the complaint within 24 hours. If the individual has an authorized representative (AR), that person must also be contacted within 24 hours regarding the complaint [12VAC35-115-175 (F)(3)].
	12VAC35-115-175 (C)(3)	 An impartial investigation must begin as soon as possible, but no later than the next business day. Those investigating abuse, neglect, or exploitation must be trained to do so and must not be involved in the complaint [12VAC35-115-175 (F)(4)]. Special Note: Given that investigations must be impartial, it is important that each organization have internal policies and procedures for conducting investigations. Below are a couple of questions to consider: What is the process for reassigning investigators when the assigned investigator is involved in the complaint under investigation? What is the process for assigning an investigator when the director or owner is the accused staff person? Because the investigation must be impartial, it needs to be considered how impartial the investigation will be if an employee is responsible for investigating their manager, supervisor, director, owner.

Regulatory Information Handout

	12VAC35-115-175 (C)(B)	 The results of the investigation, including any applicable action plan, must be reported to the individual and authorized representative (if applicable) within 10 working days, and entered into CHRIS. Results of abuse, neglect, or exploitation investigations must be provided to the director and human rights advocate, in a written report, within 10 working days of the date the investigation began, unless an extension was granted [12VAC35-115-175 (F)(S)]. Extensions may be requested through the assigned advocate no later than the 6th day of the investigation. Be prepared to explain the reason for the request and the anticipated completion date. It is up to the advocate to approve the request and set the extended due date. The director must submit the final decision and action plan to the
		individual, authorized representative (if applicable), in writing, within 10 working days from completion. o The date of notification must be documented in CHRIS on the Investigation tab. o The written notification is typically provided in the form of a director's decision letter and must include [12VAC35-115-175 (E)(7)(b)]: The individual's right to appeal. The process to appeal.
Provider Requirements for Reporting	12VAC35-115-230 (A)(1)	name and phone number. The director of a facility operated by the department shall report allegations of abuse and neglect via the department's web-based reporting application in accordance with all applicable operating instructions issued by the commissioner or his designee.
	12VAC35-115-230 (B)(1)	Any death or serious injury that is suspected or known to be the result of abuse or neglect must be reported to the Office of Human Rights in CHRIS.
	12VAC35-115-230 (C)(1)	The director of a facility operated by the department shall report each instance of seclusion or restraint or both in accordance with all applicable operating instructions issued by the commissioner or his designee.









Any act, or failure to act, that was or was not performed knowingly, recklessly, or intentionally

Any action, or failure to act, that caused or might have caused physical or psychological harm, injury, or death







Coercion is not officially defined in the regulations; however, it is important to understand how it is related to abuse.

The use of expressed or implied threats of violence or reprisal or other intimidating behavior that puts a person in immediate fear of the consequences in order to compel that person to act against his or her will, or subtle language or actions intended to persuade or otherwise influence someone to do something that they might typically be unwilling to do, using tactics such as emotions, psychology, imagination, or indoctrination.

Exploitation

This type of abuse, is the misuse or misappropriation of the individual's assets, goods, or property. Exploitation also includes the use of a position of authority to extract personal gain from an individual.

Using an individual's belongings without permission · Withholding an individual's belongings to ensure compliance · Accepting gifts · Financial misconducts · Stealing or borrowing an individual's medications · Offering an individual additional medication in exchange for sexual favors (this would also be coded as sexual abuse)

Neglect

Failure by an employee or program responsible for providing services to do so, including: nourishment, treatment, care, goods or services necessary to the health, safety and welfare of an individual receiving services.

Failure to take actions that would have prevented an injury • Failure to stop or try to stop an individual from an activity that could lead to harm • Allowing two individuals to fight without intervening (e.g., peer on peer aggression) • Failure to provide adequate supervision • Certain medication errors • Elopement (based on the provider's internal policies & procedures)







First - determine whether the act, or failure to act by the employee was done knowingly, recklessly, or intentionally.

- o Knowingly: with a sense of consciousness or awareness.
- o Recklessly: with a sense of carelessness, inattention, or deviation from policy and procedure.
- o Intentionally: done deliberately or willfully.

Second - determine whether the act, or failure to act by an employee either caused, or may have caused:

- Physical or psychological harm
- Injury
- Death

Peer-to-Peer (P2P) Guidance - Facilities



Entries should be made using the CHRIS allegation category "Neglect Peer-to-Peer." These incidents must be investigated in full accordance with DI 201 and the Human Rights regulations. Peer-to-Peer Incidents requiring entry into CHRIS and a DI 201 Investigation should meet at least one of the following criteria:

- An Incident that clearly or allegedly occurred because staff were not engaged in appropriate supervision (e.g., staff not monitoring a room they are supposed to monitor; staff willfully ignoring bullying or aggression of one peer to another, staff intervene in peer aggression but not in accordance with policy)
- ☐ An Incident involving an allegation or suspicion of sexual assault, and or other non-consensual sexual acting out (touching of another peer's private areas)
- ☐ An Incident involving an allegation or suspicion of consensual and non-consensual sexual acts between minors
- ☐ An Incident involving an allegation or suspicion of sexual activity between adult peers in which at least one individual is deemed to lack capacity to make informed decisions
- ☐ Three or more Incidents involving one or more of the same peers within a 72 hour timeframe
- ☐ An Incident with a DI 401 outcome severity level of 04 or 05
- ☐ Any Incident the Facility Director or Advocate determines needs further investigation.



Improbable Allegations



Allegations that are made by an individual which are improbable to have happened

- i.e. an individual claims that they are beat-up nightly in their room. However, in review of video footage no one enters or exits the room from the time the individual goes to bed or awakens; nor are there marks or injury to support the allegation.
- It is important to note that <u>all allegations of abuse or neglect must be investigated</u>. Also, all allegations of abuse or neglect must be treated independently of any other abuse/neglect investigation.

For an allegation to be identified as improbable:

- ✓ There must be consultation with the individual's treatment team to determine whether the inaccurate information is symptomatic of the individual's illness or disability.
- ✓ There must also be a thorough clinical assessment which concludes that the allegation is improbable.
- The **Director, Investigator**, and **Advocate** must agree on improbability. If the Facility Director, Investigator, or Facility Advocate believe further investigation is warranted, the investigation must continue.
- If the allegation is determined to be improbable, no further investigation is needed, and the case closed as unsubstantiated; however:
 - The investigator must submit a report explaining the rationale for the improbable finding
 - The Facility Director must maintain the supporting documentation
 - The allegation DOES need to be entered into CHRIS, as any other investigation.
 - ✓ "Unsubstantiated" Finding on Investigation tab
 - ✓ Noting "Improbable Allegation" in remarks



CHRIS Technical Assistance



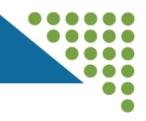
CHRIS Accounts & Access

- All requests for DELTA accounts, to include obtaining access to CHRIS, must be made through the DELTA Helpdesk Microsoft Form:
 DELTA Account Request Form
- Each Facility is encouraged to have at least two representatives assigned DELTA oversight. The Facility may have dedicated administration staff who enter the complaints. These representatives will oversee CHRIS operations and the roles assigned to the Facilities representatives.
- > There should always be staff available to enter complaints, and available to access the report, when needed.

Technical Assistance and Reminders

- For general questions about what should be reported, contact your assigned Human Rights Advocate.
 - If you receive an error while you are entering the report within your 24-hour timeframe, take a screenshot and send to your Advocate.
- For issues with CHRIS login or DELTA access, email deltaprod@dbhds.virginia.gov.
- CHRIS is designed to time out after 15 minutes.
 - Save information while you are working.
 - Keep a Word document and copy/paste the information into CHRIS.
 - When you click Save, look for "RECORD IS SAVED" at the top and bottom of the CHRIS page. If you do not see this message, your record was not saved. Review the error message and fix the error.
- Be clear, concise in describing the complaint (only provide the relevant information for the allegation)
- Enter complaints for the victim (one victim per report)
- Be mindful of mandated reporter responsibility
- > Contact your Advocate if there is something preventing you from reporting on time
- Ensure your report is complete and thorough

Entering ALLEGATIONS







Entering ALLEGATIONS

IS

- Select a "search type":
 - ✓ Name
 - ✓ Abuse Case Number
- Individual is found via AVATAR, entered by HIM staff
- If Individual not found:
 - May not show on same day of admission
 - Ensure name is spelled correctly
- If individual requires entering or Individual name is incorrect, this must be fixed in AVATAR by HIM staff



> You must select a record search type to access ability to enter existing case numbers or name



Example:

Search:

"by Name"

Enter name:

(FIRST, then last)

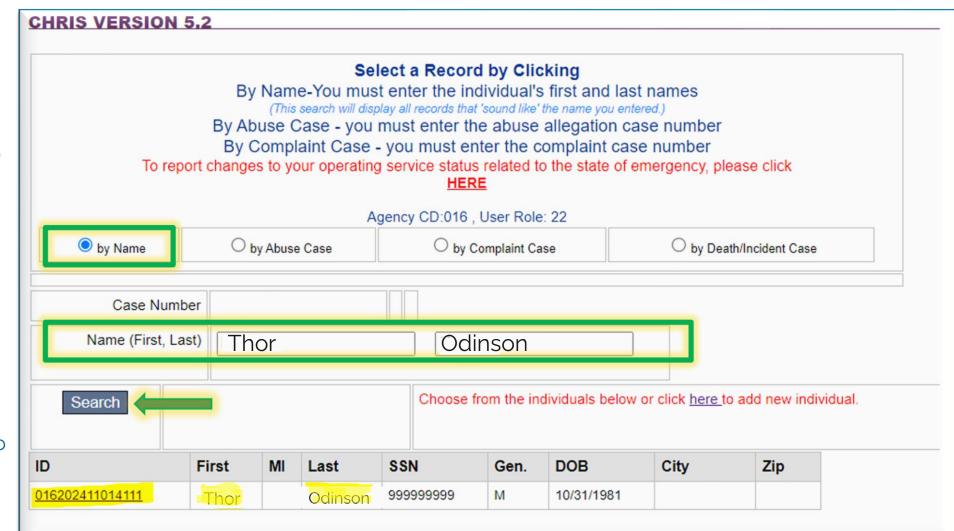
Click "Search"

Individual is found

Click "ID" link

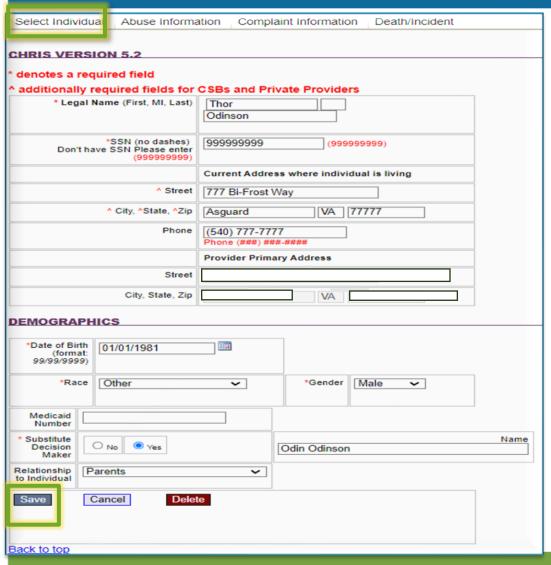
Note:

If this is a newly
entered individual,
you may use the
hyperlink in CHRIS to
begin entering in
demographics to
create new case



Entering ALLEGATIONS





Select Individual tab:

- Verify correct individual
- Provider address will auto populate from location selected previously
- ➤ In the "Demographics" section of this tab, the Substitute Decision Maker field is now required. When "Yes" is selected, the "Name" and "Relationship to Individual" fields must be completed.
- Save record This completes the Select Individual Tab

Allegation Tab

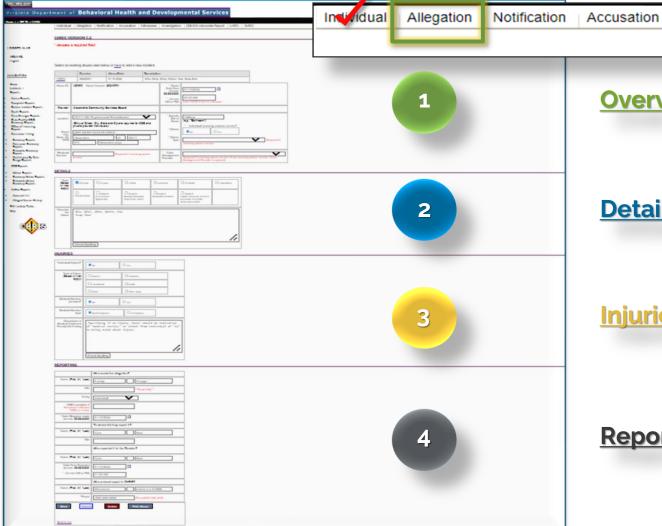


On the "Allegation" tab, any existing cases for the individual will be shown

- Add updates by clicking the hyperlink to the case in CHRIS (i.e. 129903 in this example)
- New incidents can also be added at this time by clicking the hyperlink stating "here" to add new incidents

Allegation Tab

DBHDS Advocate Report | LHRC



Overview: Time/Date, Service type/location, etc.

Investigation

Witnesses

Details: Who, What, Where, When, How - Snapshot

Injuries: Specific Injury/injuries reported or observed

Reporting: Persons reporting / Report "Trail"

SHRC

Allegation Tab: Overview section



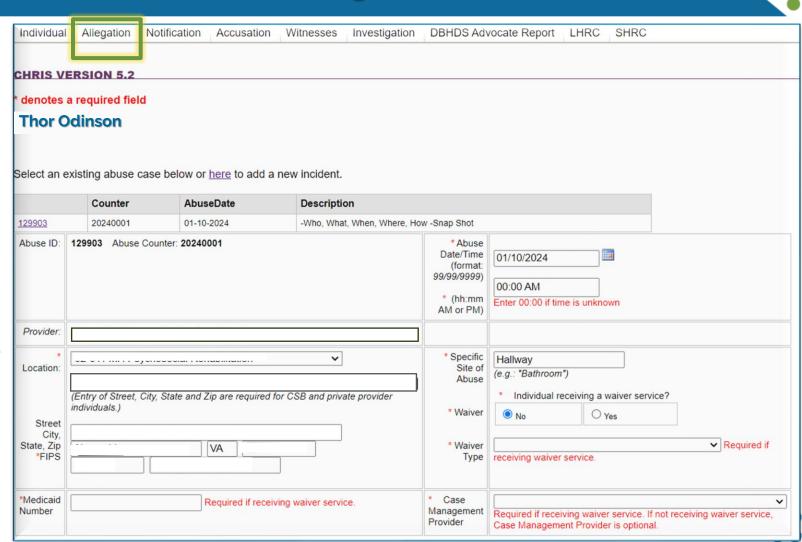
Overview

*"Abuse Counter" = Case Number i.e. 202400001 seen here

- Provider will be auto-populated
- Service Type/Location will be auto-populated

Enter the following information:

- ✓ Abuse Date/Time Reported
- ✓ Specific area where alleged abuse occurred during the service



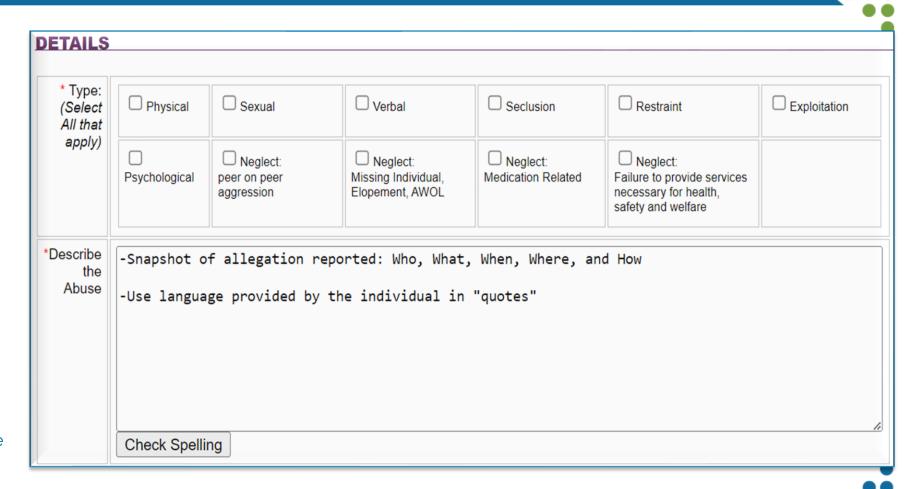
Allegation tab: Details section



Select type(s) of abuse alleged. More than one selection can be chosen.

Describe:

- "Who" is the alleged assaulter /victim
- ✓ "What" type of alleged abuse is reported/denied, and by whom
- "When" did the alleged abuse occur
- ✓ "Where" specifically in the service area did the alleged abuse occur
- "How" was the alleged abuse perpetrated or happened.



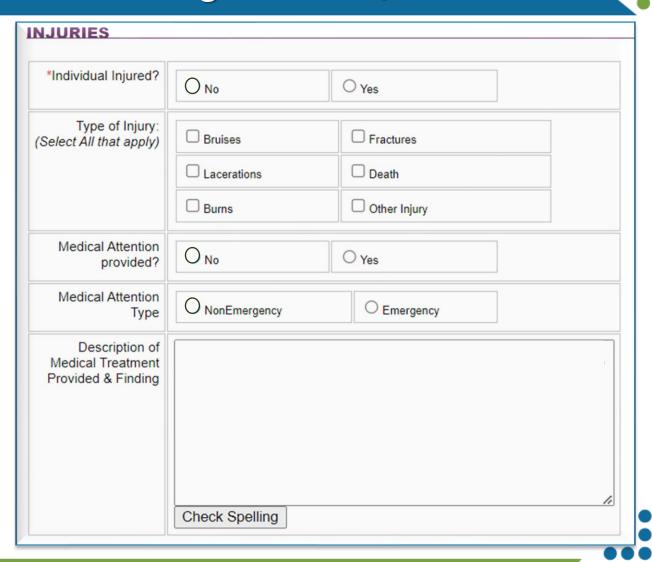
Allegation Tab: Injuries section



<u>Injuries</u>

- Indicate injuries that are observed, that meet the definition of serious injury (section 30) - by selecting yes or no
- Specify the type of injury more than one type of injury can be selected
- Select yes or no if the individual receive medical attention, and the type of care provided
 - *Emergency (i.e., ambulance or taken out of the facility) / Non-emergency (i.e., appointment made)
- Lastly describe the treatment provided and findings.

 *If taken out of the facility use hospital records to report the treatment received / diagnosis or cause.
- If specifying "NO" to injury, a notation of a "medical review" and/or verbal denial of injury noted from individual.



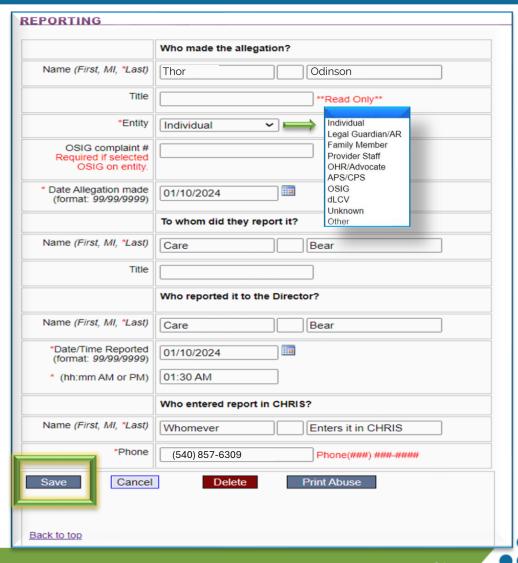
Allegation Tab: Reporting section



Reporting: Persons reporting / Report "Trail"

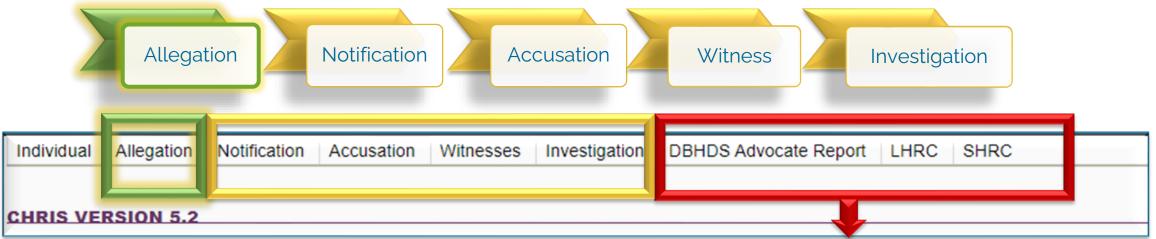
- Begin by noting the person making the allegation, followed by their title (if applicable) and "Entity" (i.e. is the person reporting the individual, the parent or the AR, staff, etc.)
- Allegations from the Office of the State Inspector General (OSIG) will have a 'complaint number" associated with the allegation, which must be listed next.
- The person to whom and when the allegation was reported is noted next, as well as their title.
- Next is noting whom reported the allegation to the Facility Director (FD) and date/time when the FD was notified.
- Lastly, enter the name and the telephone number for the person entering the information into CHRIS *allegations of ANE must be entered in CHRIS as soon as possible, but no later than *24 hrs.

SAVE record – This completes the Allegation Tab





After clicking "Save" for the individual on the <u>Allegation</u> tab, a series of **additional tabs** will become visible (*or will already be visible if accessing a previously entered case.)



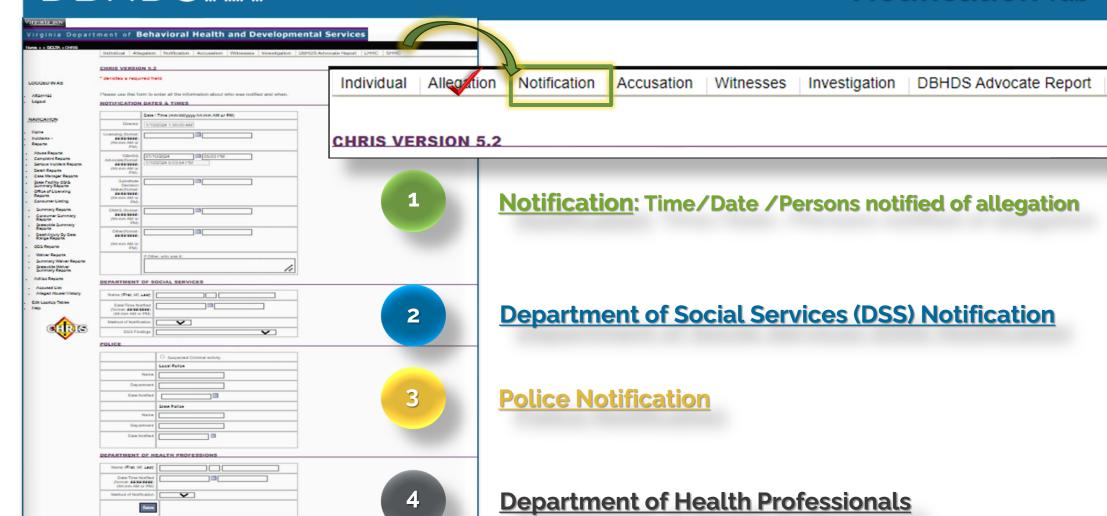
The remaining tabs are for the Advocate to complete. However, Providers may observe entries on these tabs.

- ➤ DBHDS Advocate Report: progress of the Advocate review of information entered by the provider.
- LHRC: Will be completed when appeals to the director decision are made/requested
- > SHRC: Will be completed when appeals of the LHRC are made/requested.

Notification Tab



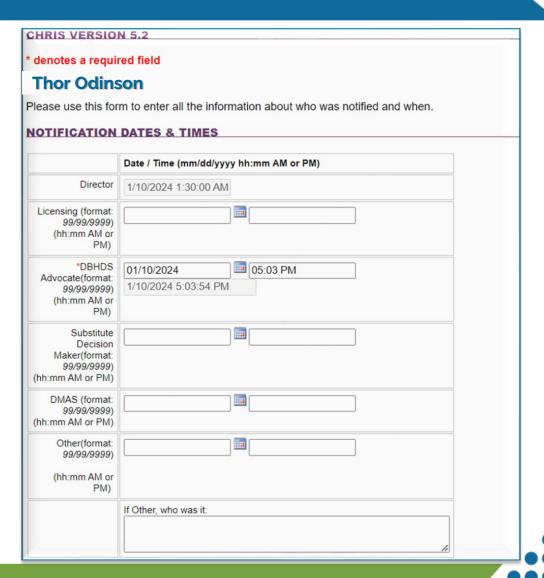
SHRC



Notification tab: **Notification** Dates & Times section

Notification: Time/Date/Persons notified of allegation

- Director notification date and time autopopulates from previous entry on allegation tab.
- Note the date and times of additional notification to appropriate additional parties:
 - ✓ Advocate
 - ✓ Substitute Decision Maker: Authorized Representative (AR) Legal Guardian (LG) Power of Attorney (POA)
- Other: Any other person notified. Use the text field to note who was notified.

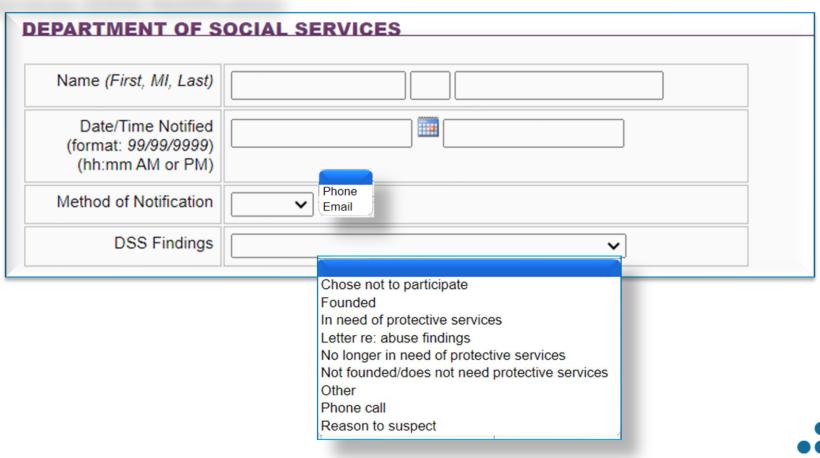


Notification tab: **DSS** Notification section



Department of Social Services (DSS) Notification

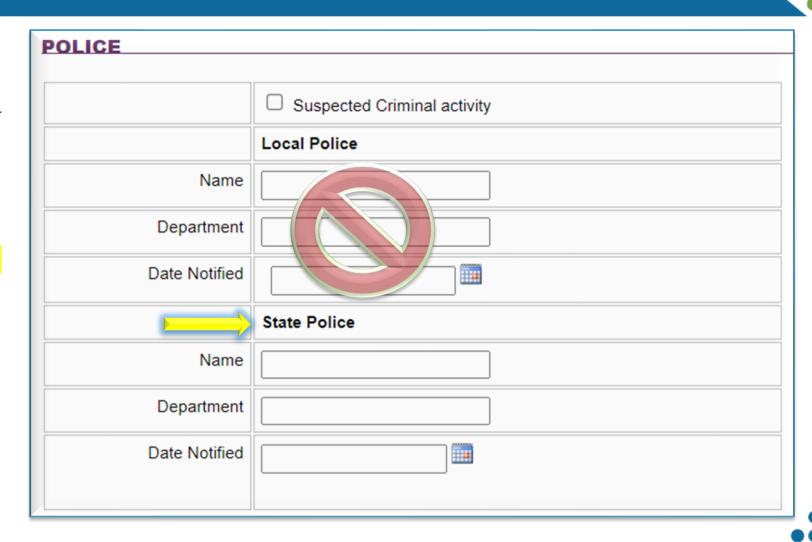
- ➤ Note any communications with DSS in this section:
- Name, Date, and Time of person notified
- Method of Communication via drop down Menu: Phone or Email (*for faxes, use email as well)
- Any participation, communication, or finding by DSS can be identified/updated via drop down menu



Notification tab: **Police** Notification section

3 Police Notification

- When there is suspected or reported criminal activity, note this by checking the box indicating this concern.
- When contacting the **State Police**, provide:
 - ✓ Name of person contacted
 - ✓ Department
 - ✓ Date Contacted



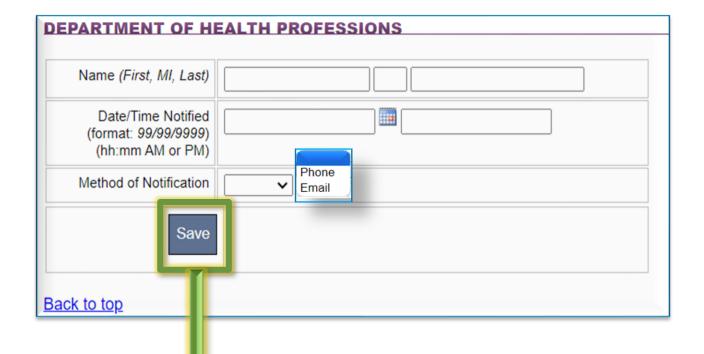
Notification tab: **DHP** Notification section



4

Department of Health Professionals (DHP)

- Complete the section only when an alleged assaulter who is licensed by the DHP has been determined in the investigation findings and Director's decision as having conducted abuse.
- > Name, Date, and Time of person notified
- Identify the method of Communication via drop down Menu: (Phone or Email)
 - *if faxed, use email as notification type



"Save" record - This completes the Notification Tab

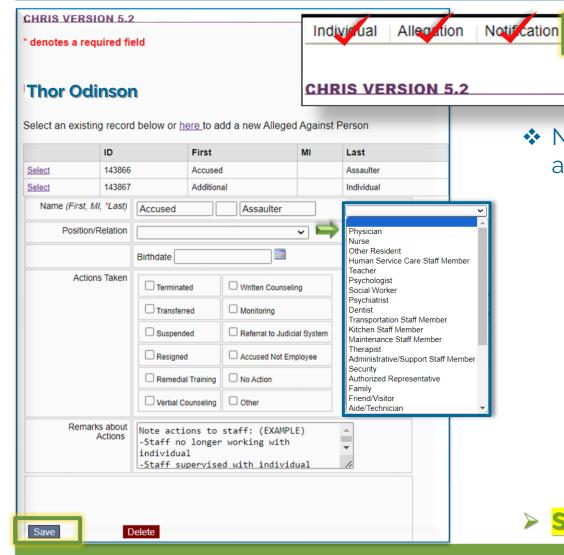
DBHDS

2024

Accusation Tab

SHRC

DBHDS Advocate Report | LHRC



Note the alleged employee(s) accused of abuse; and additional individuals involved or accused.

Investigation

Accusation

Witnesses

- ✓ Name: List the employee's/individuals name(s) (if name us unknown list "staff" until discovered.
- ✓ <u>Position/Relation</u>: Note the title or relationship to the accused if known (*will appear in drop down menu).
- ✓ <u>Action Taken</u>: indicate what steps are taken regarding the accused employee
- <u>Remarks</u>: describe what the "actions taken" (from above) included
- Save record This completes the Accusation tab

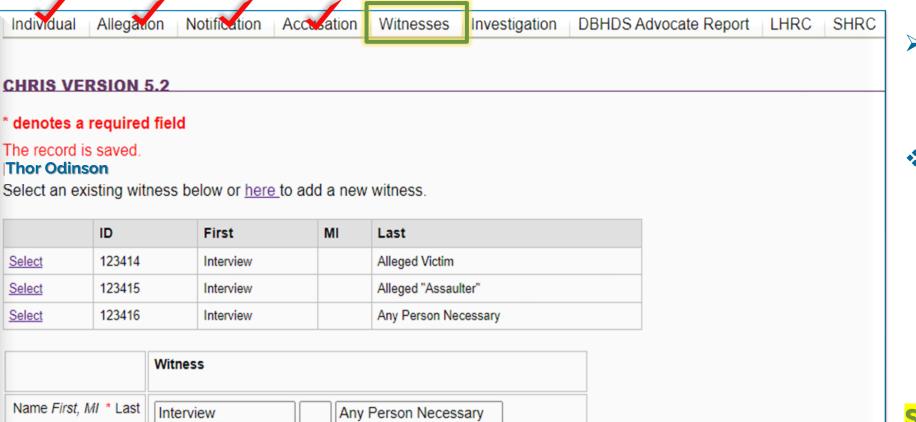
Save

2024

Delete

Witness Tab



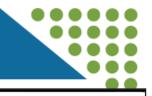


- > Note the individuals who were interviewed as part of the investigation.
- Include the alleged victim on this tab. as they should also be interviewed as part of the investigative process.

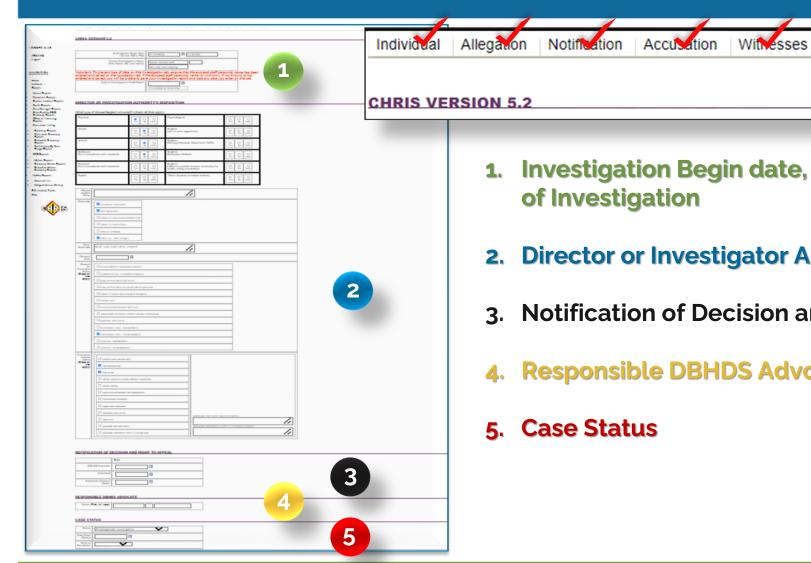
Save record -This completes the Witness tab

Investigation Tab

DBHDS Advocate Report | LHRC



SHRC



Investigation Begin date, Trained Investigator, Final Date of Investigation

Investigation

- **Director or Investigator Authority Disposition**
- 3. Notification of Decision and Right to Appeal
- **Responsible DBHDS Advocate**
- **Case Status**

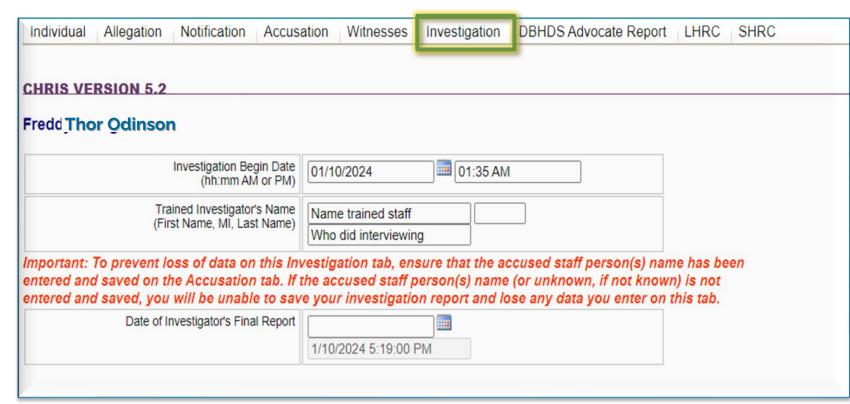


Investigation tab: Section 1



Notification: Time/Date / Persons notified of allegation

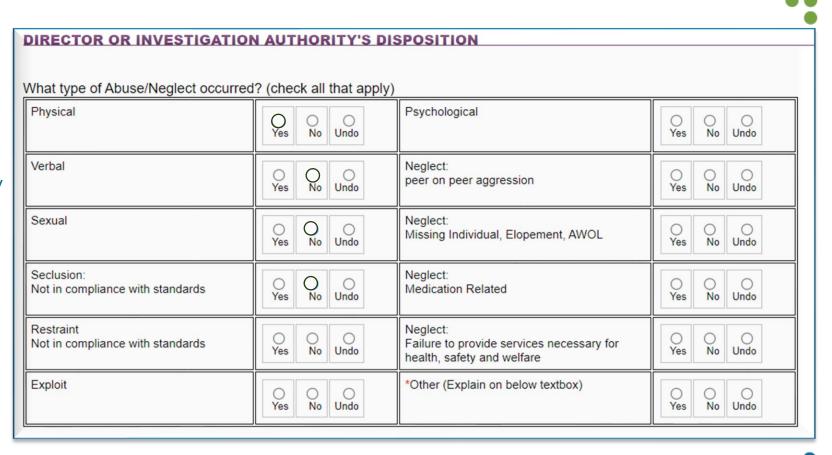
- Note when the investigation began – Date and Time
- Note the *trained* investigator assigned to the case
- Note the date of the close of the investigation.
 - 10 days, unless an extension has been granted





Investigation tab: Section 2

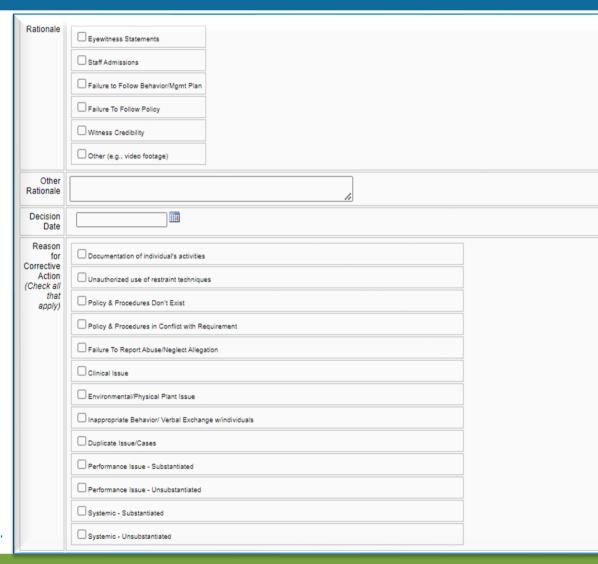
- 2 Director or Investigator Authority Disposition
- Use this section to identify the type of ANE determined via the investigation findings – you may select as many that may apply.
- If attempting to select "Other," reach out to the Advocate for guidance regarding a selection.





Investigation tab: Section 2 - continued

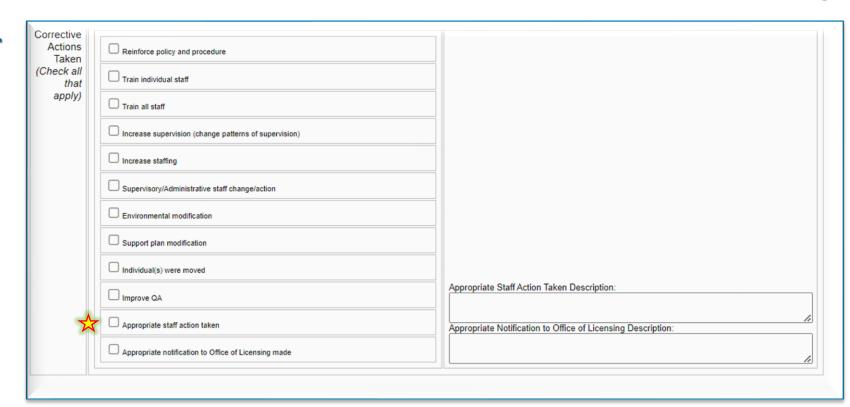
- Director or InvestigatorAuthority Disposition cont.
- Rationale: identify how information in the investigation finds were obtained.
 - Improbable Allegation can be noted here
 - other rationale pertains to video footage: Note time, date, location, and actions observed on the footage in text field.
- <u>Decision Date</u>: Note the date the Director made decision regarding if ANE occurred.
- Reason for Corrective Actions: In the investigation findings, select what was the identified concern/why corrective action is necessary (*select all that are found to apply).





Investigation tab: Section 2 - continued

- Director or InvestigatorAuthority Disposition cont.
 - Identify all actions taken as result of the findings of the investigation (*select all that apply)
- ★ Should "Appropriate staff action taken" be selected, use the corresponding text field to specify what the actions taken included
 - * Appropriate staff action taken signifies corrective actions taken against staff appropriately; not if accused staff acted appropriately.







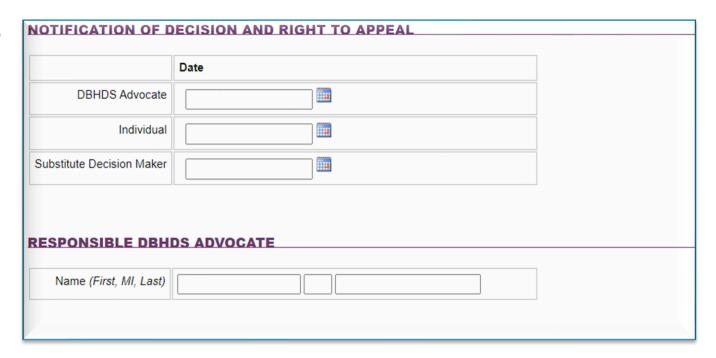


3 Notification of Decision & Right to Appeal

- Note the date the Advocate, individual, and Substitute Decision Maker (if applicable) were notified of the Director's decision and appeals information provided
 - Date Investigation Tab is completed.
 - Date decision letter provided

4 Responsible DBHDS Advocate

Note the name of the assigned Advocate





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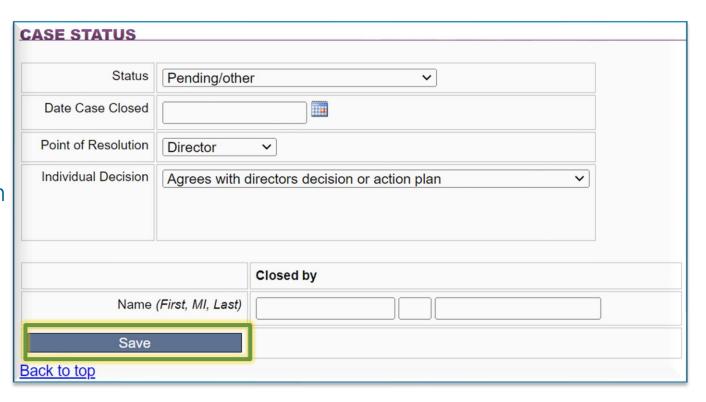
- 5 Case Status
- Complete this section <u>as shown</u>:

From the drop-down menu(s), only select the following:

- ✓ "Pending Other" as Status
- ✓ "Director" as Point of Resolution
- ✓ "Agrees with..." as Individual Decision

The Advocate completes the remainder of the fields; and closes the case or updates case statuses drop-down menus.

Closed by: Should always be completed by the Advocate only

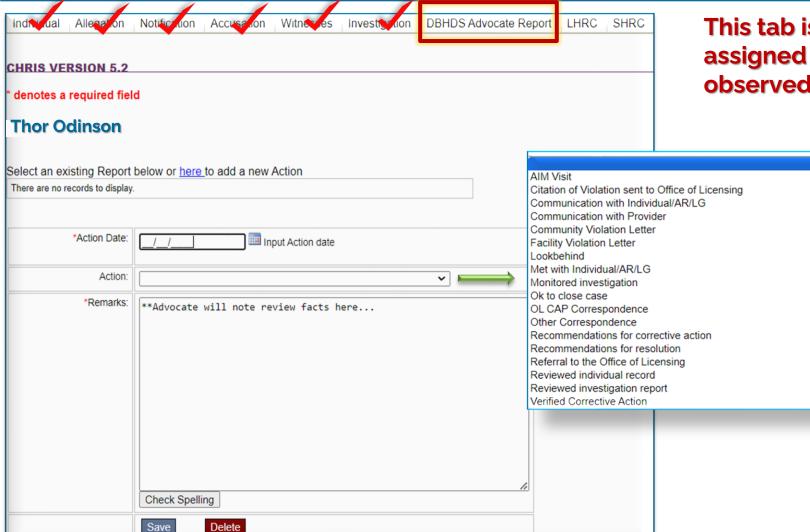


Save record – This completes the Investigations Tab



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DBHDS Advocate Report Tab

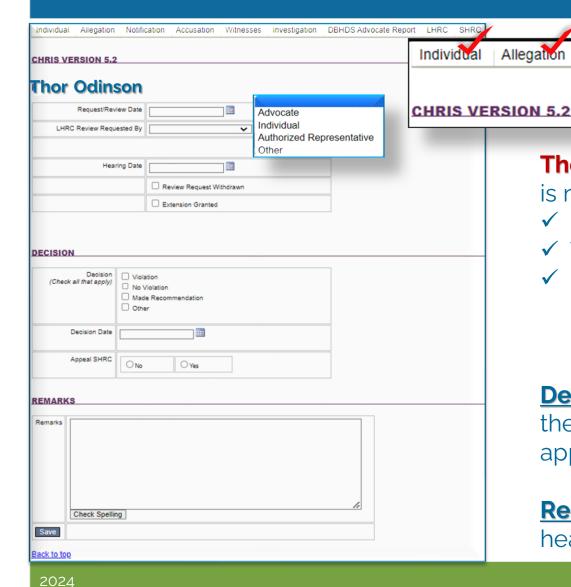


This tab is only completed by the assigned Advocate; however, may be observed by the provider.

The Advocate will **Date** and select **Actions** or participation taken during the investigation; and describe the actions and participation in the **Remarks** field.



Local Human Rights Committee (LHRC) Tab



The Advocate completes this tab when a LHRC Hearing is needed or requested, noting the following:

- ✓ Date LHRC hearing was requested or reviewed
- ✓ Whom requested the LHRC Hearing
- ✓ Date of the hearing (or indicating if the hearing request was withdrawn; or an extension for the investigation was granted)

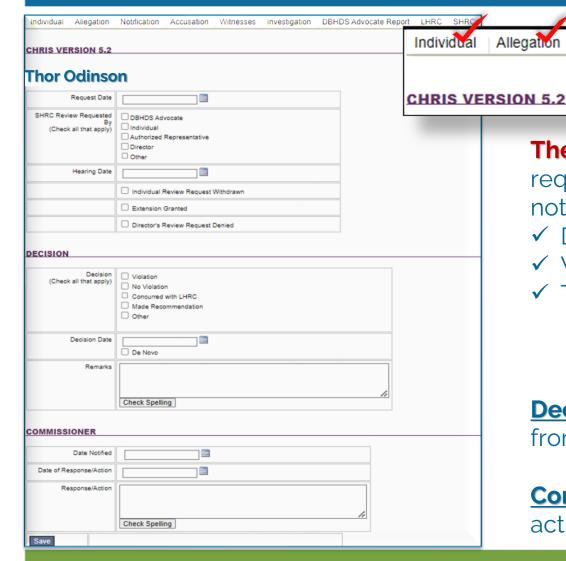
Decision: The decision of the LHRC will noted, the date the decision was made by the LHRC, and if there is an appeal of the LHRC decision

Remarks: The Advocate will note remark pertaining to the hearing/Recommendations from the hearing

LHRC

SHRC

State Human Rights Committee (SHRC) Tab



The Advocate completes this tab when an SHRC request/review is requested (via appeal of LHRC decision), noting the following:

- ✓ Date the SHRC review/hearing was made
- ✓ Whom made the SRCH review/hearing request
- ✓ The date of the hearing
 *Or if the review/hearing request was withdrawn, denied, or an extension granted it will be selected

<u>Decision:</u> The SHRC decision, the decision date, and remarks from the hearing will be noted here.

Commissioner: notification, date of response, or actions/remarks will be noted here.

Entering Complaints

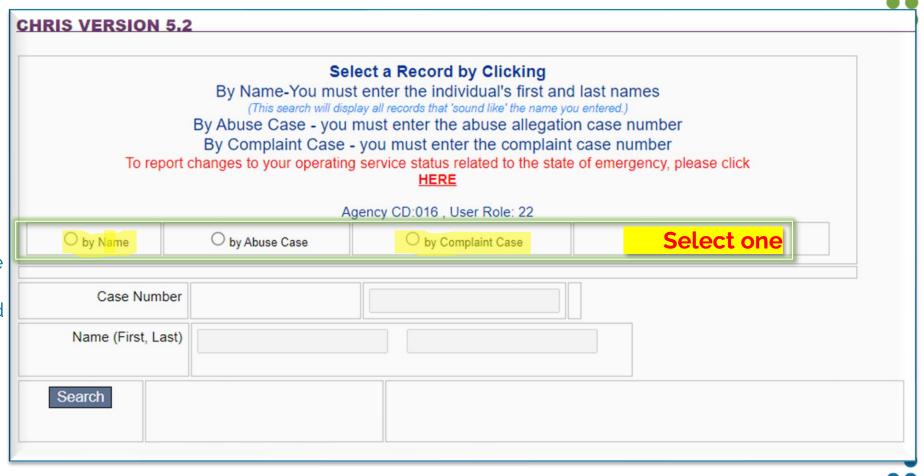






Entering Complaints

- Select a "search type":
 - ✓ Name
 - ✓ Complaint Case Number
- Individual is found via AVATAR, entered by HIM staff
- If Individual not found:
 - May not show on same day of admission
 - Ensure name is spelled correctly
- If individual requires entering or if Individual name incorrect, this must be fixed in AVATAR by HIM staff



You must select a record search type to access ability to enter existing case numbers or name

Complaint tab

Next: Click the "Complaint Information" Tab: Select Individual Abuse Information Complaint Information Death/Incident

CHRIS VERSION 5.2

* denotes a required field

Thor Odinson

Select an existing complaint case below or here to add a new incident.

Counter ComplaintDate Description

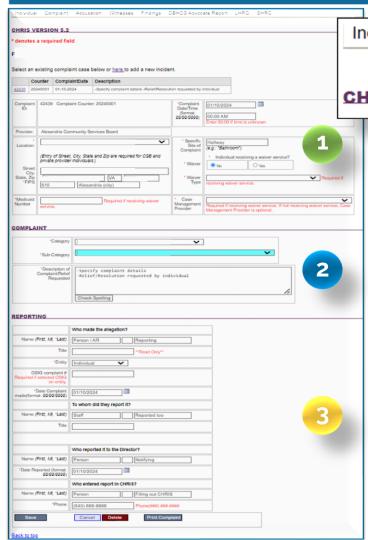
42439 20240001 01-10-2024 -Specify complaint details -Relief/Resolution requested by individual

Next: Click the "Complaint" Tab:

On the "Complaint" tab, any existing cases for the individual will be shown

- Add updates by clicking the hyperlink to the case in CHRIS
- New incidents can also be added at this time by clicking the hyperlink stating "here" to add new incidents





Individual Complaint Accusation

Witnesses Findings DBHDS Advocate Report

SHRC

CHRIS VERSION 5.2

Complaint overview

Complaint type

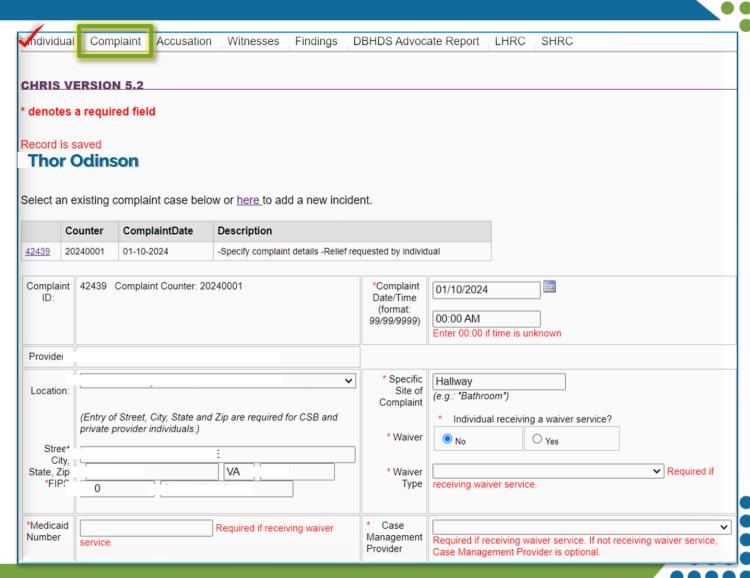
Persons Reporting / Reporting "trail"



Complaint tab

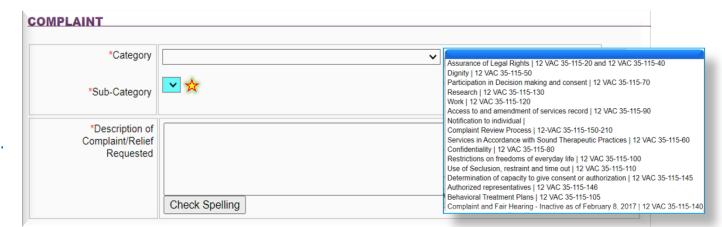
Complaint overview

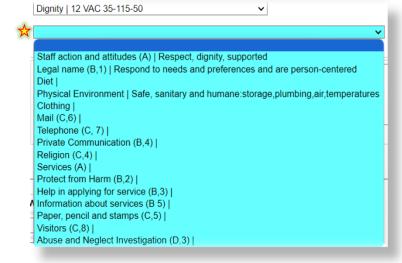
- Cases previously entered will appear at the beginning, along with the ability to enter a new complaint
- To access a previously entered case, click the complaint ID hyper link
- To add a new complaint, enter the complaint Date/Time
 - If time is unknown enter 00:00
- The Provider will auto populate from location selected previously.
- Specify where the complaint was alleged to occur in the facility.



Complaint tab: Complaint Section

- 2 Complaint type
- Category: Select the complaint type. The corresponding regulation accompanies the complaint category.
- Sub-Category: sub-category is only able to be accessed based on the category above. The selections will be specified to the category selected.
- Description:
 - ✓ Specify complaint details
 - ✓ Note relief/resolution requested by individual (i.e. what is the individual asking to be done)



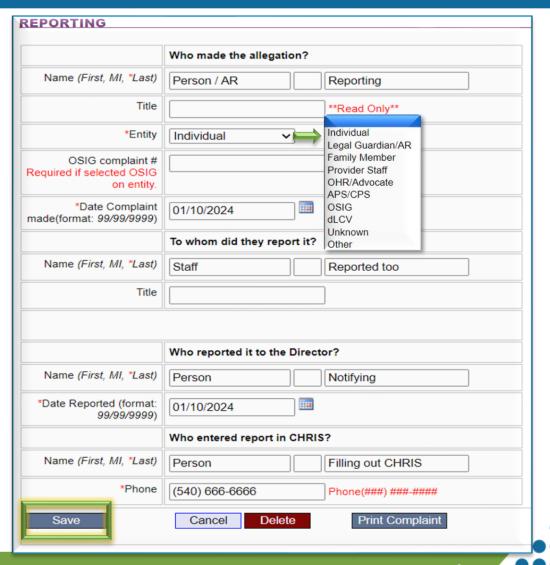


Complaint Tab: Reporting section

Reporting: Persons reporting /Report "Trail"

- ➤ Begin by noting the person making the allegation, followed by their title (if applicable) and "Entity" (i.e. is the person reporting the individual, the parent or the AR, staff, etc.)
- Allegations from the Office of the State Inspector General (OSIG) will have a 'complaint number" associated with the allegation, which must be listed next.
- The person to whom and when the allegation was reported is noted next, as well as their title.
- Next is noting whom reported the allegation to the Facility Director (FD) and date/time when the FD was notified.
- Lastly, enter the name and the telephone number for the person entering the information into CHRIS

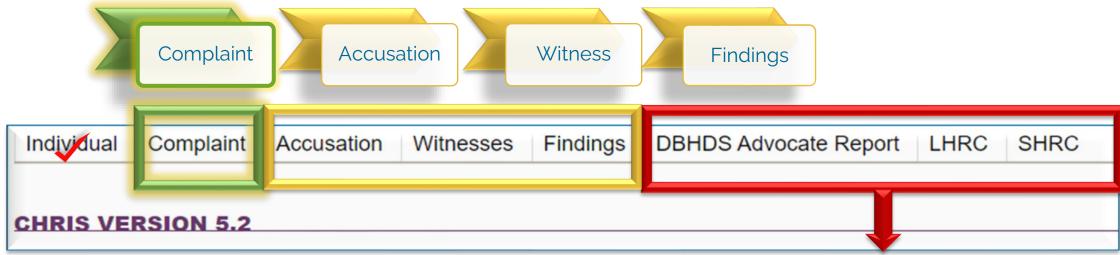
SAVE record – This completes the Accusation Tab





Proceeding with entering Complaint

After clicking "Save" for the individual on the **Complaint** tab, a series of **additional tabs** will become visible *or will already be visible if accessing a previously entered case.

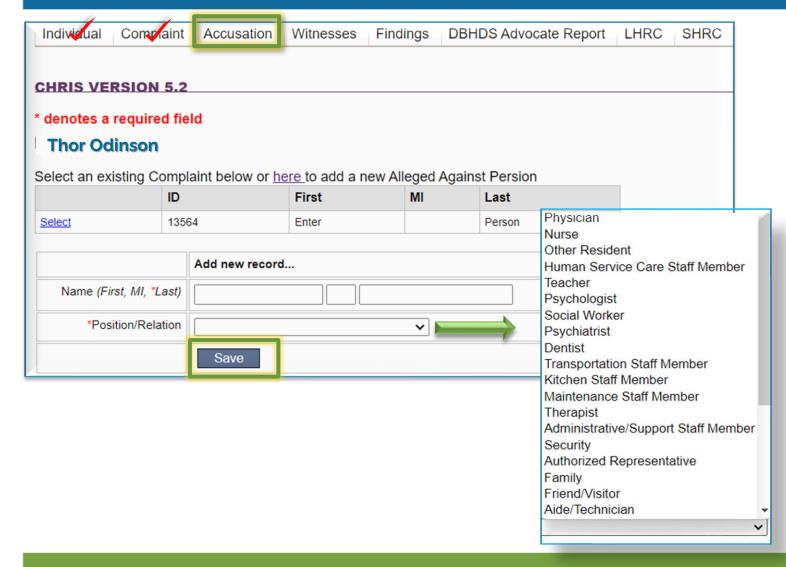


The remaining tabs are for the Advocate to complete. However, Providers may observe entries on these tabs.

- ▶ DBHDS Advocate Report: progress of the Advocate review of information entered by the provider.
- LHRC: Will be completed when appeals to the director decision are made/requested.
- SHRC: Will be completed when appeals of the LHRC are made/requested.

Accusation tab





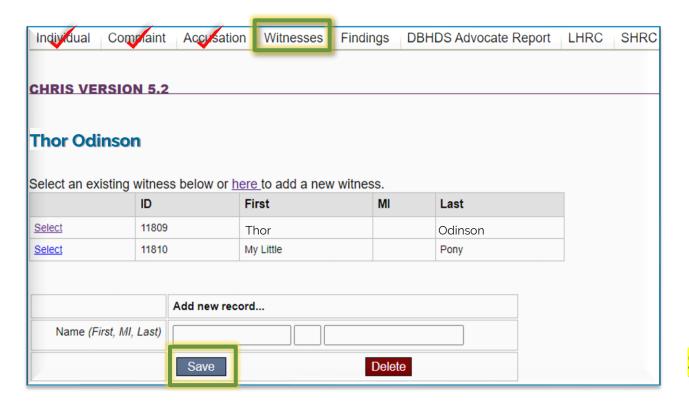
- Enter the name of the person(s) accused and their title/relation to the individual. If unknown, enter "staff"
- Select the title/relation from the drop-down menu.
- You may enter multiple alleged individuals. Save after each entry

This completes the Accusation tab









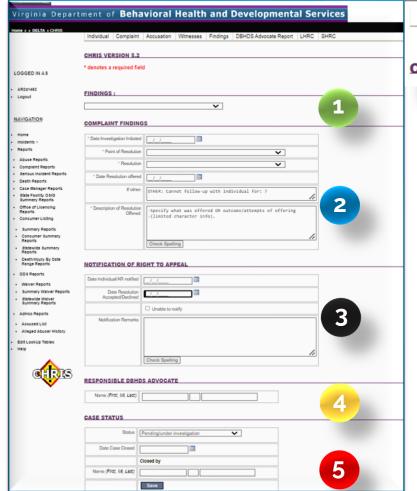
- Note the individuals who were interviewed as part of the investigation.
- ❖ Include the *alleged victim* on this tab, as they should also be interviewed as part of the investigative process.

Save record - This completes the Witness tab





Findings tab



Individual Compaint Accusation Witnesses Findings DBHDS Advocate Report LHRC SHRC

CHRIS VERSION 5.2

Findings

Complaint Findings

Notification of Right to Appeal

Responsible DBHDS Advocate

Case Status



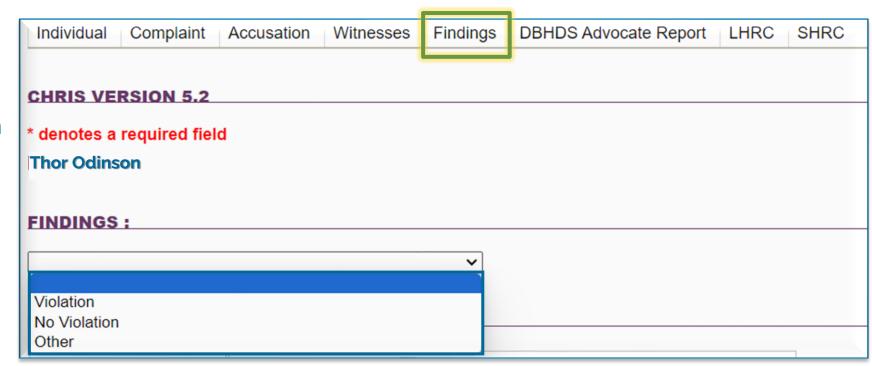




Findings

Using the drop-down menu, select:

- Violation –
 Facts support a violation
- No Violation –
 Facts do not support a violation
- Other –
 Talk with Advocate if
 "Other" is felt to need to
 be chosen



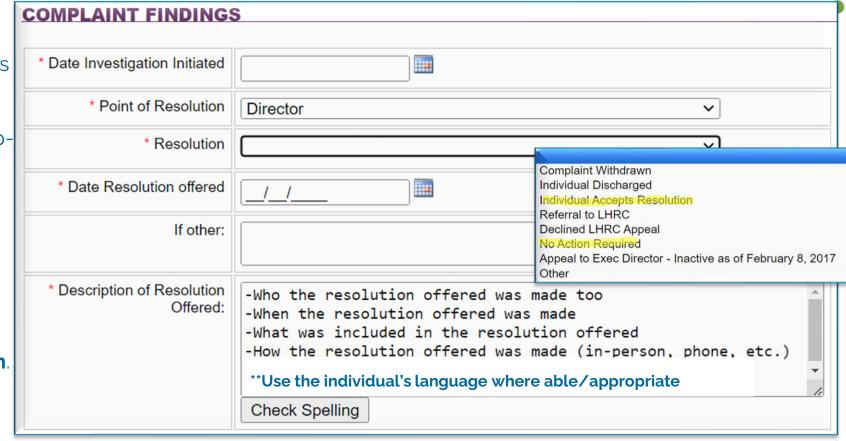
Even when the complaint is able to be resolved, that doesn't mean that there isn't still a violation initially.



Findings tab: Section 2

2 Complaint Findings

- Note the date the investigation was initiated.
- Point of Resolution: from the dropdown menu, select "Director" as level complaint was offered (*as shown).
- > **Resolution**: from the drop-down menu, select either:
 - ✓ No Action required (for unsubstantiated complaints)
 - ✓ Individual accepts resolution.
- Use the text field as indicated. The field has limited text capacity – be concise.



A complaint doesn't end when someone's discharged. Complaints can be made post discharge

Findings tab: Sections 3, 4, & 5

3 Notification of Right to Appeal

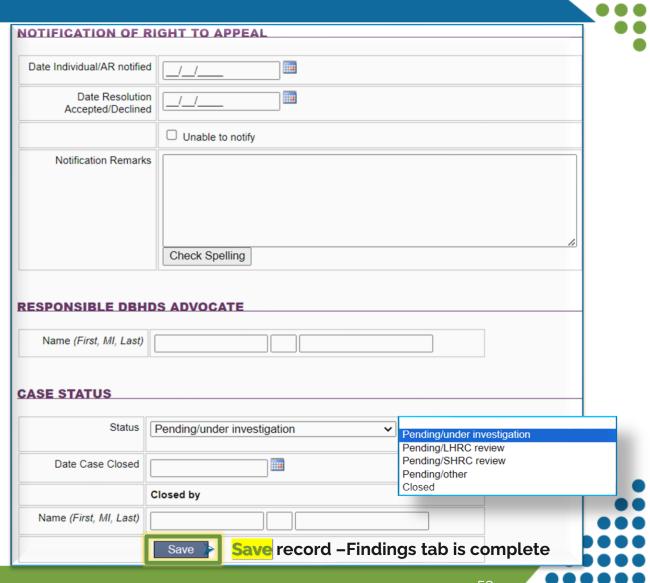
- Identify the date the individual or AR (if applicable) was notified of their right to appeal
- Identify the date that the resolution offered was accepted
- Unable to be notified if no address or phone number select the field to indicate this.
- Use the "Notification Remarks" field to indicate how the notification occurred or efforts toward notification if unable to do so.

4 Responsible DBHDS Advocate

➤ Enter the assigned Advocates name, consulted on the investigation.

5 Case Status

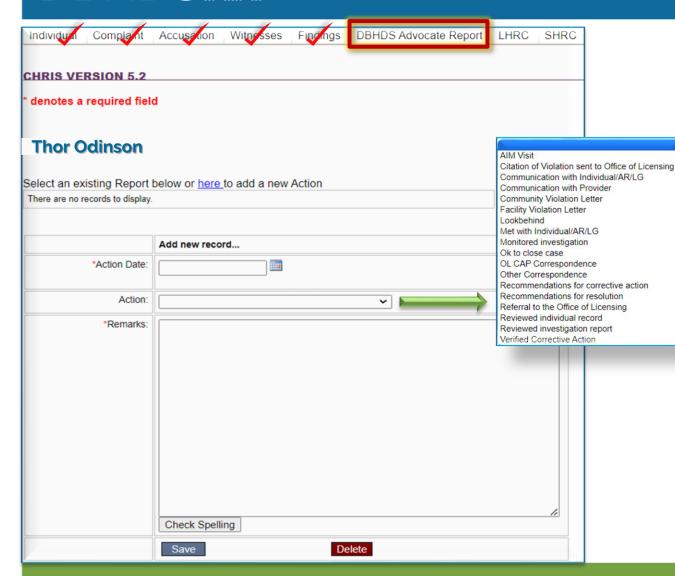
- From drop-down, Select:
 Pending/Under investigation or Pending/other
- Only the Advocate will identify if LHRC/SHRC review is needed in the drop-down menu, or close the case

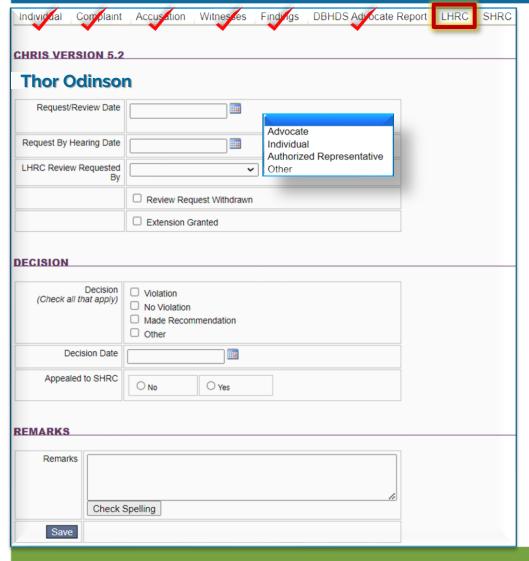


DBHDS Advocate Report tab



The Advocate will date and select actions or participation taken during the investigation; and describe the actions and participation in the remarks field.

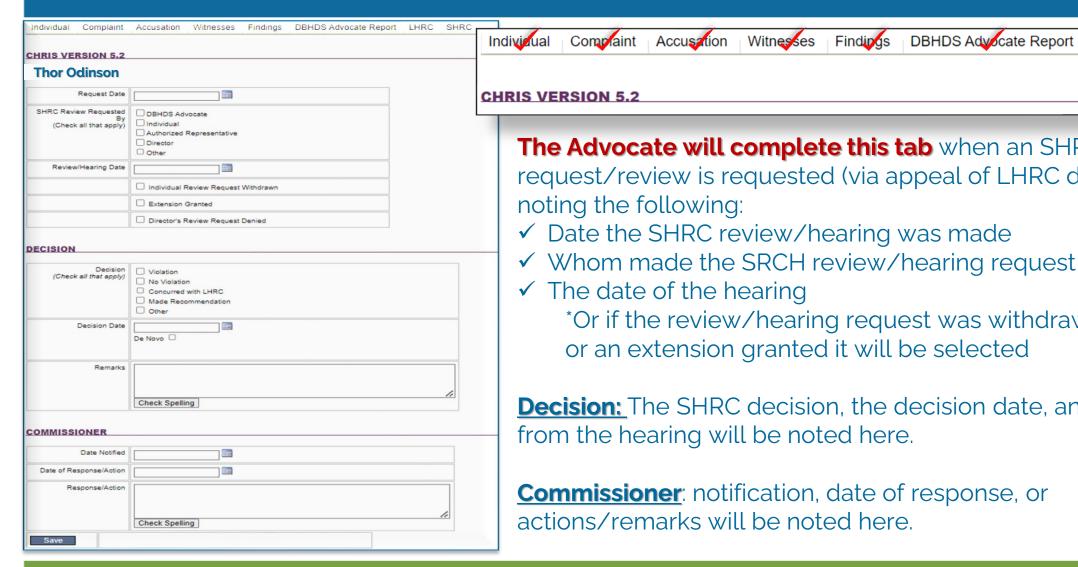




- ➤ The Advocate will complete this tab when a LHRC Hearing is needed or requested, noting the following:
 - ✓ Date LHRC hearing was requested or reviewed
 - ✓ Select whom requested the LHRC Hearing from the drop-down menu
 - ✓ Date of the hearing

 (or indicating if the hearing request was withdrawn; or an extension for the investigation was granted)
- <u>Decision</u>: The decision of the LHRC will be noted, the date the decision was made by the LHRC; and should there be an appeal of the LHRC decision it will be selected here.
- <u>Remarks</u>: The Advocate will note remarks pertaining to the hearing or recommendations from the hearing

SHRC tab



The Advocate will complete this tab when an SHRC request/review is requested (via appeal of LHRC decision), noting the following:

- ✓ Date the SHRC review/hearing was made
- ✓ Whom made the SRCH review/hearing request.
- ✓ The date of the hearing. *Or if the review/hearing request was withdrawn, denied, or an extension granted it will be selected

Decision: The SHRC decision, the decision date, and remarks from the hearing will be noted here.

Commissioner: notification, date of response, or actions/remarks will be noted here.

Considerations in Reporting

DO report the following:

- Only report incidents in CHRIS that are alleged to have resulted in a human rights violation 12VAC35-115, when that complaint is made by an individual receiving services, their surrogate decision maker, or their chosen representative. Individuals can file complaints with or without ANE *post* discharge for the time during provision of services when hospitalized. There is no statue of limitations on reporting.
- Complaints with or without ANE that does not occur during the provision of the provider's service and the alleged abuser is not an employee, contractor or volunteer of the
- Allegations of Abuse, Neglect, and/or Exploitation (ANE) "Improbable Allegations"

- Falls that are a result of alleged ANE
- Injuries that are a result of alleged ANE
 - Improper use of restraints
 - Injury sustained during restraints
- Deaths which are a result (known or suspected) of ANE
 - Deaths that occur unexpectedly
 - Deaths with "suspicious" circumstances

DO NOT report the following:

X A review of an incident where there is no complaint, identified pattern, or determination that a human rights violation may have occurred is not reportable to the Office of Human Rights (OHR) in CHRIS

- provider is not reportable to the OHR.
- Falls that are not result of ANE
- X Injuries that are not a result of ANE
- X Deaths that do not involve ANE or are "suspicious" in nature
 - **Expected Deaths**
 - Terminal Illnesses
 - Individuals on hospice care



