



Area:	Quality and Compliance	07
Topic:	Incident Reporting	07.06
Procedure Name:	Investigation of Incidents	07.06.01.03
Effective Date:	January 1, 2021	
Revised/Updated:	10/14/2024; 4/15/2026	

Scope: All associates

Purpose: This procedure defines how The Arc Allegany-Steuben will conduct and complete investigations of all incidents.

The purpose of incident management is:

- *to enhance the quality of care for the people we serve;*
- *to protect people from harm;*
- *to identify trends and causes;*
- *to ensure that administration is aware of problems and takes corrective measures to minimize the potential of recurrence; and*
- *to ensure immediate steps are taken to protect people served and to allow for the development and implementation of preventive strategies.*

The Arc Allegany-Steuben does not tolerate abuse, neglect, mistreatment, or exploitation of people that receive services at The Arc Allegany-Steuben. It is every associate's responsibility to protect people served from harm, and to recognize, stop, and report abuse.

All associates at The Arc Allegany-Steuben are MANDATED REPORTERS and must recognize, stop, and report abuse. Abuse incidents in CERTIFIED settings must be reported to the NYS Justice Center for the Protection of People with Special Needs (855-373-2122). All incidents are reported to the Quality Management team (585-808-8244) and OPWDD. All associates will be trained on abuse, abuse prevention, incident reporting, and the NYS Justice Center Code of Conduct for Custodians of People with Special Needs.

Definitions/Classifications – See Incident Reporting Definitions and Classifications procedure (Procedure 07.06.01.02).

Responsible Parties for Completing Procedure

QA/CEO Designee
Agency investigator
Associates
IRC Committee

Procedure Detail

Who	What	Details
QA/CEO Designee	Gather pertinent documentation for the investigator	The QA/CEO Designee will gather all pertinent documentation which may include but not be limited to the Life Plan, IPOP, PONS, behavior plans, staff schedules, block assignments, training records, etc., and place in the incident report folder.

QA/CEO Designee	Notification to target/subject	Will complete the notification to each target/subject of the investigation with the Letter to Target/Subject (unless notifying the target/subject of the report would impede the investigation) and ensure a copy of the letter is in the folder.
QA/CEO Designee	Determines who the lead investigator is	QA/CEO Designee will determine by looking at IRMA which entity is assigned the investigation, Justice Center, OPWDD, or the agency.
QA/CEO Designee	If the Justice Center/OPWDD is assigned to the investigation	If the Justice Center/OPWDD is assigned to investigate the incident, the QA/CEO Designee will work with the Justice Center/OPWDD investigator as requested ensuring that all requests for information are completed.
QA/CEO Designee	Arc Allegany-Steuben is assigned the investigation	If Arc Allegany-Steuben is assigned the investigation, the QA/CEO Designee will assign an agency trained investigator within 24 hours of the incident being reported. The QA/CEO Designee will ensure that there are no conflicts of interest in the assignment of the trained investigator. Conflicts of interest could include: 1. No one may conduct an investigation into an incident in which he or she was directly involved, in which his or her testimony is incorporated, or in which a spouse, domestic partner, or immediate family member was directly involved. 2. No one may conduct an investigation in which his or her spouse, domestic partner, or immediate family member provides supervision to the program where the incident took place or provides supervision to directly involved parties. Members of the Incident Review Committee (IRC) shall not routinely be assigned the responsibility of investigating incidents or occurrences. In the event that a member of the IRC committee does conduct an investigation of an incident, the IRC member will not participate in the committee's review of the investigation.
QA/CEO Designee	Determines if Law Enforcement will be investigating	The QA/CEO Designee will determine if Law Enforcement will be conducting an investigation and if the agency can begin their investigation.
QA/CEO Designee	Determine the people who receive supports that will need to be interviewed	The QA/CEO Designee will determine the people that receive services that will need to be interviewed. The QA/CEO Designee will ensure that the appropriate notifications have been made and will complete the OPWDD 163 (Form #07.06.01.01.02) for each person.
Investigator	Interviews	1. The investigator will determine the people to be interviewed based on the report, staff schedules, etc. 2. Working with the supervisor at the program (unless the supervisor is involved in the incident), make arrangements to complete interviews with all staff and people supported involved in the incident as quickly as possible, no later than 7 days after the initial report.

		3. Will ensure that staff that are interviewed complete a written statement using the Investigative Interview Form (Form #07.06.01.03.03). 4. The investigator will provide weekly updates to the AD for Quality/designee either by email or on the Incident Report Weekly update document in SharePoint. <i>If any associate involved in the incident leaves employment during the investigation, the investigation will continue until completion. Attempts may be made to contact the associate who has left employment (QA/CEO Designee will contact HR to determine if it is okay to contact the associate).</i>
Investigator	Identifies other people that we support that are also victims	If during the course of the investigation, the investigator identifies other people receiving supports who are potential victims as well, the investigator will notify the QA/CEO Designee to contact OPWDD/Justice Center and will complete all necessary paperwork/data entry into IRMA (OPWDD 148, OPWDD 163, etc.).
Investigator	Identifies other people that we support that are witnesses	If during the course of the investigation, the investigator identifies other people receiving supports who are potential witnesses, the investigator will notify the QA/CEO Designee to complete the OPWDD 163 form. Once the QA/CEO Designee has completed the OPWDD 163 form, the investigator will complete the interview with the person/witness.
Investigator	Another incident/allegation discovered during the investigation	If during the course of the investigation, the investigator discovers another incident of abuse/significant incident, the investigator will report the incident immediately and follow all steps in the Reporting and Notification of Reportable Incidents Procedure - #07.06.01.01.
Associate	Participate in investigation	All associates are required to participate in any investigation. Participation means to meet with an investigator for an interview, answer all questions, and provide any further documentation requested. <i>All investigations will continue through completion regardless of whether an associate or other custodian who is directly involved leaves employment (or contact with people receiving services) before the investigation is complete.</i>
Investigator	Complete the investigation	The investigator will complete the OPWDD 149 Investigation Report (Form #07.06.01.03.02) and submit with all supporting attachments to the Associate Director for Quality/Designee for review within 21 days of the incident report.
Associate Director for Quality and/or Director for Quality	Review investigation	The Associate Director for Quality and/or Director for Quality will review the investigation within 2 days of receipt and return to the investigator.
Investigator	After review of investigation	The investigator will complete any further investigation or make any changes per the review.
QA/CEO Designee	Submit the investigation to the IRC Committee	Once the investigation is completely completed, the QA/CEO Designee will submit the investigation to the IRC Committee via secure email for review.

QA/CEO Designee	Send recommendations to the appropriate Program Management level staff	Once the investigation (completed by the agency, the Justice Center or OPWDD) is finalized, , the QA/CEO Designee will complete the Incident Committee Review Recommendations Form (Form #07.06.01.03.04) with all of the recommendations from the investigation and submit to the appropriate Program Management level staff identified in the recommendation for completion.
Program Management	Complete recommendations	Program Management will complete the recommendations and the Incident Review committee Recommendations form within 2 weeks of receipt and return to the Incident Committee Review Recommendations form (Form #07.06.01.03.04) to the QA/CEO Designee with all supporting documentation (i.e., revised plans, revised policies, training sign in sheets, etc.).
IRC Committee	Review all investigations/- recommendations/etc.	See Incident Report Committee Procedure (#07.06.01.04).

Forms

07.06.01.03.02 OPWDD 149 – Investigation Report Form

07.06.01.03.03 Investigation Interview Form

07.06.01.03.04 Incident Review Committee Recommendations Form

Reference

Part 624 Reportable Incidents and Notable Occurrences

Justice Center Protection for People with Special Needs Act