



October 9, 2013

Dear Colleagues,

Please see the following updated information regarding the New York Justice Center:

New Justice Center FAQ's are available

Please read them. Here is the link <http://www.justicecenter.ny.gov/about/faq/pdf>

OMH is in the process of reviewing and updating our agency specific FAQ's and will re-issue when that process is completed.

Extension of OMH Emergency Regulations

The Emergency regulations which modify OMH regulations at 14 NYCRR Part 524 to make it compatible with the Protection of Persons with Special Needs Act (PPSNA) expired on September 25, 2013. A new Emergency regulation was filed. It is effective immediately and will expire on December 24, 2013. The current Emergency adoption closely mirrors the original emergency filing but makes minor technical changes as follows: (1) the new Emergency clarifies that the Incident Review Committee is not limited to quarterly meetings, but can meet as often as necessary; and (2) the criminal background check regulation amendments (Part 550) now reflect Chapter 83 of the Laws of 2013, which fixed a technical error in Chapter 501 of the Laws of 2012.

More Uniform Regulations and Incident Reporting System

OMH and the other agencies covered by the Justice Center are in the process of developing more uniform definitions to assist with reporting requirements. It is anticipated that this process will be completed prior to the expiration of the OMH Emergency Regulations in December 2013. We are also supporting the Justice Center in its efforts to develop a single incident reporting system. We are optimistic that more consistent regulations and one reporting system that all state oversight agencies can embrace, will help to reduce the reporting burden over time. We will keep you posted as these activities progress. In the meantime, if you have suggestions for efficiencies in either of these areas, please feel free to send them to me at Marcia.Fazio@omh.ny.gov

Completing Investigations

As soon as you become aware of an allegation of abuse /neglect or a death, regardless of whether the Justice Center accepts it or not, you need to begin the investigation. If and when the Justice Center becomes involved, you need to share whatever preliminary information you have obtained with them. Do not wait until the Justice Center arrives (in some cases this can be weeks) to initiate your investigation. Valuable information is lost during this period.

When reporting incidents to the Justice Center—Use the 4 Digit OMH Facility Code

In order to improve the timeliness and accuracy related to incident assignment and follow-up, OMH licensed providers should instruct their staff to include the 4-digit OMH Facility Code when reporting incidents via the Call Center and Web Form. For most programs, the OMH Facility Code is the first 4 digits of the Operating Certificate # and it is also your facility identifier when completing the OMH PCS Survey. To facilitate this change, providers are encouraged to take the necessary steps to ensure that



staff are aware of this expectation and able to provide this information when reporting (e.g. write the code on Justice Center posters, labels near phones, incident reporting procedures etc.). This small step will do wonders to lessen the inaccuracies we currently face with information being called into the Justice Center.

NIMRS Updates

The following updates to NIMRS are scheduled for release in mid-October:

- NIMRS will send out an email notification to provider designated staff when incidents are reported to the Justice Center and transferred into your facility's NIMRS "Justice Center Import" queue. NIMRS users with Risk Management and Administration security rights will be able to input the email addresses of staff that should receive these notifications in NIMRS. Each facility should have at least 2 staff receive these notifications. The notification will include information about the incident (no PHI) and required action.
- The NIMRS incident "Linking" function will be modified to reduce the likelihood of duplicate incident entry. When creating an incident from the "Justice Center Import" page, NIMRS will provide a list of previously entered incidents involving the patient that occurred within a day before and a day after the incident date reported to the Justice Center. Prior to this change, an exact date match was required to successfully link incidents. Another modification to the "Linking" function will enable Justice Center incidents to be linked to existing incidents that have been "Re-opened".
- The transfer of incident information from the VPCR to your facility's "Justice Center Import" queue could take up to several days. If a report has been made to the VPCR and you don't see the corresponding report in NIMRS, you can send an email to JCNIMRSHELP@omh.ny.gov and OMH staff will resolve the issue. Also, if you find an incident in your queue that appears to have been assigned to your facility in error (i.e. the report doesn't involve your facility's patients and/or staff), please notify OMH by sending an email to the same address. For all emails to this address, please include the VPCR ID# in the subject line and a brief description of the issue. Any other questions can be directed to the OMH Bureau of Quality Improvement at 518-474-3619.

Thank you for your attention to this matter. Please continue to direct any questions to Keith.McCarthy@omh.ny.gov.

Sincerely,

Marcia L. Fazio
Deputy Commissioner