



COMMISSIONER
Adelaide Horn

November 6, 2008

To: Home and Community-based Services (HCS) Providers and
Texas Home Living (TxHmL) Program Providers

Subject: Information Letter No. 08-156
Follow-up to IL No. 08-48, Regarding Critical Incident Reporting

As you know, the HCS and TxHmL Provider Agreements require you to report critical incident data to the Texas Department of Aging and Disability Services (DADS). Specifically, *Section II, DD*, of the HCS Provider Agreement and *Section II, R*, of the TxHmL Provider Agreement require providers to do the following:

“Report to DADS, through DADS’ Automated Enrollment and Billing System, within 30 days following the end of each calendar month, the reportable data, by type of that calendar month.” The types of reportable data are described in Attachment B.

For your information, Attachment B is enclosed with this memo.

In addition, DADS rules regarding the HCS and TxHmL Programs require providers to enter critical incident data in the client assignment and registration system (CARE). Specifically, *Texas Administrative Code (TAC) Title 40, §9.178 (y)* requires an HCS program provider to enter critical incident data in CARE no later than 30 days after the last day of the month being reported. DADS rule at *40 TAC §9.580(r)* has a similar requirement for TxHmL Program providers. In *40 TAC §9.153 (8)* and *§9.553 (6)*, “critical incident data” is defined as, “*information a program provider enters in CARE that includes the number of behavior intervention plans authorizing restraint, the number of restraints used, the number of medication errors, the number of serious physical injuries, and the number of deaths.*”

If you have no critical incidents to report during a month, you must still report this data in CARE by entering a zero in the CARE screen for each critical incident category for that month. Providers can use the CARE inquiry screen 286 to ensure they have successfully entered critical incident data. CARE data entry instructions are described in Attachment A of the HCS and TxHmL Provider Agreements. Attachment A is enclosed with this memo for your information.

If you have not submitted critical incident data as required by the HCS and TxHmL Provider Agreements or DADS rules, you must enter such data **by November 14, 2008**. Failure to enter the critical incident data in accordance with the HCS and TxHmL Provider Agreements or DADS rules may result in your Medicaid payments being placed on vendor hold as permitted by *Section V. G.* of the HCS Provider Agreement and *Section V. H.* of the TxHmL Provider Agreement. Such failure may also result in a determination by DADS that you are out of compliance with the HCS or TxHmL certification principles.

Information Letter No. 08-156
November 6, 2008
Page 2

If you have any questions about this reporting requirement, please contact the HCS and TxHmL Policy Specialist at (512) 438-3015.

Sincerely,

[signature on file]

Michelle Dionne-Vahalik
Director
Community Services

[signature on file]

Chris Adams
Director
Survey Operations

MDV:ss

Attachment

ATTACHMENT B
TYPES OF REPORTABLE DATA

1. **Medication Error** - A medication error is reported when there is a discrepancy between what a physician prescribes and what an individual actually takes and the individual self-administers medication under supervision of the Program Provider or has medication administered by the Program Provider. A medication error occurs in one of three ways:

- Wrong medication - an individual takes medication that is not prescribed for that individual. This includes taking medication after it has been discontinued or taking the incorrect medication because it was inappropriately labeled.
- Wrong dose - an individual takes a dose of medication other than the dose prescribed.
- Omitted dose - an individual does not take a prescribed dose of medication within one hour before or one hour after the prescribed time, except an omitted dose does not include an individual's refusal to take medication.

2. **Serious Physical Injury** - A serious physical injury is reported, regardless of the cause or setting in which it occurred, when an individual sustains:

- a fracture;
- a dislocation of any joint;
- an internal injury;
- a contusion larger than 2½ inches in diameter;
- a concussion;
- a second or third degree burn;
- a laceration requiring sutures; or
- an injury determined serious by a physician, physician assistant, registered nurse, or a vocational nurse.

3. **Death**- The death of an individual is reported, regardless of the cause or setting in which it occurred.

4. **Behavior Intervention Plan Authorizing Restraint**- A behavior intervention plan is reported if it authorizes a personal, mechanical or chemical restraint, as defined below, for an individual.

- Personal restraint - the application of pressure, except physical guidance or prompting of brief duration, that restricts the free movement of part or all of an individual's body.
- Mechanical restraint - the use of a device that restricts the free movement of part or all of an individual's body. Such a device includes an anklet, a wristlet, a camisole, a helmet with fasteners, a mitt with fasteners, a posey, a waist strap, a head strap, and a restraining sheet. Such a device does not include one used to provide support for functional body position or proper balance, such as a wheelchair belt, or one used for medical treatment, such as a helmet to prevent injury during a seizure.
- Chemical restraint - the use of a chemical, including a pharmaceutical, through topical application, oral administration, injection, or other means, to control an individual's activity and which is not a standard treatment for the individual's medical or psychiatric condition.

5. **Emergency Personal Restraint**- An emergency personal restraint is reported when the Program Provider uses a personal restraint, as defined above, and such restraint is not authorized in a written behavior intervention plan approved by the individual's IDT.

6. **Emergency Mechanical Restraint**- An emergency mechanical restraint is reported when the Program Provider uses a mechanical restraint, as defined above, and such restraint is not authorized in a written behavior intervention plan approved by the individual's IDT.

7. **Emergency Chemical Restraint** - An emergency chemical restraint is reported when the Program Provider uses a chemical restraint, as defined above and such restraint is not authorized in a written behavior intervention plan approved by the individual's IDT.

8. **Individual Requiring Emergency Restraint**- An individual is reported as requiring emergency restraint if the individual is restrained (by either a personal, mechanical, or chemical restraint) at least once during a calendar month. If an individual is restrained more than once during a calendar month, the individual is reported only once for that month.

ATTACHMENT A

Critical Incident Data (686)

Introduction

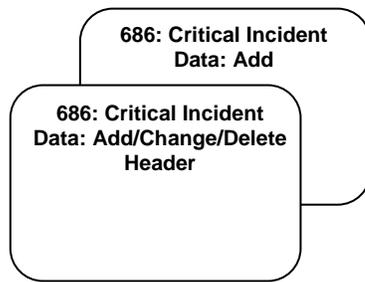
The *Critical Incident Data* process allows a provider to add, change, or delete critical incident data.

The entry of critical incident data is required on a monthly basis for *all* of the contracts administered by a provider, including contracts for waiver programs and ICF/MR. Critical incident data must be entered *no later than* 30 days from the end of the month being reported.

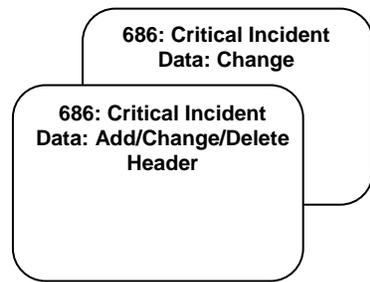
When adding critical incident data, the fields on the **686: Critical Incident Data: Add** screen will clear to allow for multiple entry of the contracts for your component, and the number of contracts entered is displayed.

Diagram

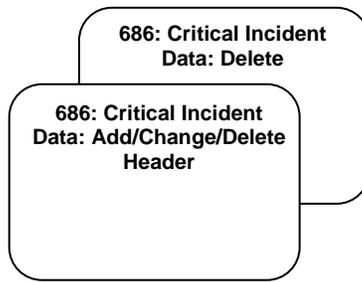
The following diagrams display the screens used in the process.



Add Critical Incident Data



Change Critical Incident Data



Delete Critical Incident Data

Critical Incident Data (686): Add

Procedure

The following table describes the steps a provider will use to enter critical incident data for a specified reporting month.

Step	View	Action
1	--	<ul style="list-style-type: none"> • Key 686 in the ACT: field of any screen. • Press Enter. <p><u>Result:</u> The 686: Critical Incident Data: Add/Change/Delete header screen is displayed.</p>
2	<p>A sample 686: Critical Incident Data: Add/Change/Delete header screen is shown below.</p> <div data-bbox="298 674 902 1094" style="border: 1px solid black; padding: 10px;"> <pre> 01-15-08 686:CRITICAL INCIDENT DATA : ADD/CHANGE/DELETE UC026510 PLEASE ENTER THE FOLLOWING: COMPONENT CODE : ___ MONTH AND YEAR (MMYYYY) : ____ CONTRACT NUMBER : _____ TYPE OF ENTRY : _ (A/ADD,C/CHANGE,D/DELETE) *** PRESS ENTER *** ACT: ____ (680/COMPONENT DATA ENTRY, H/MENU) </pre> </div>	<p>Your component code is displayed based on your logon account number.</p> <ul style="list-style-type: none"> • Key the month and year being reported in the MONTH AND YEAR (MMYYYY) field. • Key A (Add) in the TYPE OF ENTRY field. • Press Enter. <p><u>Result:</u> The 686: Critical Incident Data: Add screen is displayed.</p>

3

A sample **686: Critical Incident Data: Add** screen is shown below.

```
01-15-08          686:CRITICAL INCIDENT DATA:ADD          UC026512
COMPONENT CODE/NAME: 020 / TEXAS PANHANDLE IHMR
INCIDENT MONTH/YEAR: 12 / 2007          0 OF 8 CONTRACTS ENTERED
CONTRACT NUMBER: _____

BEHAVIOR INTERVENTION PLANS AUTHORIZING RESTRAINT: _____

NUMBER OF EMERGENCY RESTRAINTS USED - MECHANICAL RESTRAINTS: _____
                                         CHEMICAL RESTRAINTS: _____
                                         PERSONAL RESTRAINTS: _____

NUMBER OF INDIVIDUALS REQUIRING EMERGENCY RESTRAINT: _____

NUMBER OF MEDICATION ERRORS: _____
NUMBER OF SERIOUS PHYSICAL INJURIES: _____
NUMBER OF DEATHS: _____

READY TO ADD?  _ (Y/N)
ACT: _____ (600/COMPONENT DATA ENTRY, M/MENU)
```

In this example, *0 of 11 Contracts Entered* is displayed at the top of the screen. As data is entered for each contract, the screen displays the total number of contracts for the component and the number of that total that has been entered.

Note: Zeroes *must* be entered in the fields on this screen if there are no behavior intervention plans or critical incident data to be reported during the report month.

- Key the contract number in the CONTRACT NUMBER field.
- Key the number of behavior intervention plans authorizing personal, mechanical, or chemical restraint for an individual during the report month in the BEHAVIOR INTERVENTION PLANS AUTHORIZING RESTRAINT field.
- Key the number of emergency restraints used by category during the report month in the MECHANICAL RESTRAINTS, CHEMICAL RESTRAINTS, and PERSONAL RESTRAINTS fields.
- Key the number of individuals requiring emergency restraint during the report month.
- Key the number of medication errors during the report month.
- Key the number of serious physical injuries during the report month.
- Key the number of deaths during the report month.
- Key **Y** in the READY TO ADD? field.
- Press **Enter**.

Result: The message, *"Previous Information Added"* is displayed, and the screen is redisplayed with cleared fields to allow for the entry of data for additional contracts.

When all contracts have been entered, key **N** in the READY TO ADD? field and press **Enter** to return to the header screen.

Critical Incident Data (686): Delete

Procedure

The following table describes the steps a provider will use to delete critical incident data that has been entered in error.

Step	View	Action
1	--	<ul style="list-style-type: none"> Key 686 in the ACT: field of any screen. Press Enter. <p>Result: The 686: Critical Incident Data: Add/Change/Delete header screen is displayed.</p>
2	<p>A sample 686: Critical Incident Data: Add/Change/Delete header screen is shown below.</p> <div data-bbox="297 680 899 1108" style="border: 1px solid black; padding: 5px;"> <pre> 01-15-08 686:CRITICAL INCIDENT DATA : ADD/CHANGE/DELETE UC026510 PLEASE ENTER THE FOLLOWING: COMPONENT CODE : ___ MONTH AND YEAR (MMYYYY) : ____ CONTRACT NUMBER : _____ TYPE OF ENTRY : _ (A/ADD,C/CHANGE,D/DELETE) *** PRESS ENTER *** ACT: ___ (600/COMPONENT DATA ENTRY, H/MENU) </pre> </div>	<p>Your component code is displayed based on your logon account number.</p> <ul style="list-style-type: none"> Key the month and year being reported in the MONTH AND YEAR (MMYYYY) field. Key the contract number in the CONTRACT NUMBER field. Key D (Delete) in the TYPE OF ENTRY field. Press Enter. <p>Result: The 686: Critical Incident Data: Delete screen is displayed.</p>
3	<p>A sample 686: Critical Incident Data: Delete screen is shown below.</p> <div data-bbox="297 1199 899 1627" style="border: 1px solid black; padding: 5px;"> <pre> 01-15-08 686:CRITICAL INCIDENT DATA:DELETE UC026512 COMPONENT CODE/NAME: 020 / TEXAS PANHANDLE MHHR INCIDENT MONTH/YEAR: 01 / 2008 1 OF 8 CONTRACTS ENTERED CONTRACT NUMBER: 001007025 BEHAVIOR INTERVENTION PLANS AUTHORIZING RESTRAINT: 1 ___ NUMBER OF EMERGENCY RESTRAINTS USED - MECHANICAL RESTRAINTS: 0 ___ CHEMICAL RESTRAINTS: 0 ___ PERSONAL RESTRAINTS: 1 ___ NUMBER OF INDIVIDUALS REQUIRING EMERGENCY RESTRAINT: 1 ___ NUMBER OF MEDICATION ERRORS: 0 ___ NUMBER OF SERIOUS PHYSICAL INJURIES: 0 ___ NUMBER OF DEATHS: 0 ___ READY TO DELETE? _ (Y/N) ACT: ___ (600/COMPONENT DATA ENTRY, H/MENU) </pre> </div>	<ul style="list-style-type: none"> Key Y in the READY TO DELETE? field to submit the data to the system. Press Enter. <p>Result: The header screen is displayed with the message, <i>"Previous Information Deleted"</i>.</p>