

POLICY QM 2.5 REPORTS OF INCIDENTS, ACCIDENTS, AND DEATHS

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- A. PURPOSE: To establish requirements for reporting incidents, accidents, and deaths of all behavioral health recipients.
- B. SCOPE: Tribal and Regional Behavioral Health Authorities (T/RBHAs) and the Arizona State Hospital. T/RBHAs must ensure that all subcontracted providers adhere to the requirements of this policy.
- C. POLICY: T/RBHAs and the Arizona State Hospital shall ensure the timely and accurate reporting of incidents, accidents, and deaths involving behavioral health recipients to the Arizona Department of Health Services/Division of Behavioral Health Services (ADHS/DBHS) Office of Human Rights and the applicable Human Rights Committee.
- D. REFERENCES: [A.R.S. § 36-661](#)  
[A.A.C. R9-6-202 \(A\), \(B\)](#)  
[A.A.C. R9-20-202](#)  
[A.A.C. R9-20-203](#)  
[9 A.A.C. 21, Article 2](#)  
[A.A.C. R9-21-203](#)  
[AHCCCS/ADHS Contract](#)  
[ADHS/RBHA Contracts](#)  
[ADHS/TRBHA IGAs](#)  
[Section 4.1, Disclosure of Behavioral Health Information](#)  
[Section 7.4, Reporting of Incidents, Accidents and Deaths](#)

E. DEFINITIONS:

1. Abuse

The infliction of, or allowing another person to inflict or cause physical pain or injury, impairment of bodily function, disfigurement or serious emotional damage which may be evidenced by severe anxiety, depression, withdrawal or untoward aggressive behavior. Such abuse may be caused by acts or omissions of an individual having responsibility for the care, custody or control of a client receiving behavioral health services or community services. Abuse shall also include sexual misconduct, assault, molestation, incest, or prostitution of, or with, a client under the care of personnel of a mental health agency.

2. ADHS, Office of Human Rights

The Office of Human Rights is established within ADHS and is responsible for the

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hiring, training, supervision, and coordination of human rights advocates. Human rights advocates assist and advocate on behalf of persons determined to have a serious mental illness in resolving appeals and grievances. Advocates coordinate and assist Human Rights Committees in performing their duties.

3. Behavioral Health Recipient

Any adult or child that receives services in/through ADHS/DBHS funded programs.

4. Enrolled Person

A Title XIX/XXI or Non-Title XIX/XXI eligible person recorded in the ADHS Information System as specified by the ADHS.

5. Incident or Accident

Include the following:

- a. Deaths;
- b. Medication error(s) requiring medical services;
- c. Adverse reaction to medications requiring medical services;
- d. Suicide attempt requiring medical services;
- e. Self-inflicted injury requiring medical services;
- f. Suspected or alleged abuse;
- g. Suspected or alleged neglect;
- h. Suspected or alleged exploitation of client;
- i. Physical injury occurring on premises or during a licensee-sponsored activity requiring medical services;
- j. Food poisoning possibly resulting from food provided at the agency or during a licensee-sponsored activity off the premises requiring medical services;
- k. Unauthorized absence from a residential agency, inpatient treatment program, Level IV transitional agency providing services to clients under the age of 18, or an adult in a therapeutic foster home;
- l. Physical injury that occurred as the result of a personal or mechanical restraint;
- m. Suspected or alleged criminal activity that occurs on the premises or during a licensee-sponsored activity off the premises
- n. Incidents or allegations of violations of the rights contained in A.A.C. R9-20-203 for all enrolled persons or in 9 A.A.C. 21, Article 2 for persons determined to have a serious mental illness; and
- o. Discovery that a client, staff member, or employee has a communicable disease listed in A.A.C. R9-6-202 (A) or (B).

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6. Human Rights Committees

Human Rights Committees are established within ADHS to provide independent oversight to ensure that the rights are protected for persons determined to have a serious mental illness and enrolled children.

7. Special Assistance

Assistance provided to a person who has been determined to need additional assistance to fully understand and participate in the Service Plan (SP) or the Inpatient Treatment and Discharge Plan (ITDP) process, the appeal process, or the grievance or request for investigation process.

F. PROCEDURE

1. T/RBHAs and the Arizona State Hospital shall submit copies of incident and accident reports as follows:
  - a. Incident and accident reports concerning all enrolled persons shall have information removed that personally identifies enrolled persons and the redacted report shall then be submitted to the appropriate Human Rights Committee.
  - b. Reports of incidents, accidents, and deaths concerning enrolled persons with a Serious Mental Illness who have been determined to need special assistance shall be submitted to the ADHS Office of Human Rights.
  - c. Reports concerning incidents or allegations of physical or sexual abuse of enrolled persons with a serious mental illness shall be provided to the ADHS/DBHS Office of Grievance and Appeals.
  - d. T/RBHAs shall notify the ADHS/DBHS Bureau of Quality Management Operations to provide periodic status reports regarding significant incidents, accidents and deaths for all enrolled persons. T/RBHAs must inform the ADHS/DBHS Bureau of Quality Management Operations within one working day of its knowledge of significant incidents accidents and deaths for all enrolled persons and provide a summary of findings and corrective actions required, if any, following investigation of the incident accident or death.
2. T/RBHAs shall ensure that subcontracted providers follow procedures for reporting incidents, accidents, and deaths, as required in [Section 7.4, Reporting of Incidents, Accidents and Deaths](#), including the use of the [PM Form 7.4.1, Incident/Accident/Deaths Report Form](#).

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3. Upon receipt of an Incident/Accident/Death Report, the T/RBHA and the Arizona State Hospital shall:
  - a. Take whatever action is necessary to ensure the safety of the enrolled persons involved in the incident.
  - b. Ensure that the information required on the report is completed as required and is legible. If the report is returned to the T/RBHA subcontracted provider for additions or legibility problems, the subcontracted provider shall return the corrected version of the report to the T/RBHA within 24 hours of receipt.
  - c. Forward written reports concerning incidents or allegations of physical or sexual abuse of enrolled persons with a serious mental illness to the ADHS Office of Grievance and Appeals as soon as possible, but no later than three working days after its receipt.
  - d. Redact any information contained in the report regarding:
    - (1) The enrolled person's receipt of a referral, diagnosis, or treatment from an alcohol or drug abuse program,
    - (2) Information concerning whether a person has had an HIV-related test or has an HIV infection, HIV related illness or acquired immune deficiency syndrome and information that identifies or reasonably permits identification of the person or the person's contacts, and
    - (3) Information disclosing that a person has a communicable disease.
  - e. Submit copies of the report as soon as possible, but no later than three working days after its receipt to:
    - (1) The ADHS/DBHS Office of Human Rights for reports concerning persons enrolled as seriously mentally ill who have been determined to need special assistance. These reports should not be redacted unless required in F.3.d.(1-3) of this policy.
    - (2) The appropriate regional Human Rights Committee for reports concerning all enrolled persons. The Arizona State Hospital or T/RBHA shall redact personally identifying information concerning the enrolled person from the report prior to forwarding to the Human Rights Committee.

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4. ADHS shall notify AHCCCS within one business day of knowledge of the following significant incidents/accidents involving Title XIX/XXI members:
  - a. Deaths;
  - b. Accidents resulting in serious injury or death;
  - c. Abuse;
  - d. Neglect;
  - e. Exploitation;
  - f. Suicide attempt requiring medical services;
  - g. Physical injury as a result of personal or mechanical restraint; and
  - h. Violation of client rights.
  
5. ADHS shall provide AHCCCS with notification of a significant incident/accident regarding Title XIX/XXI members within one business day of knowledge and shall submit a summary of findings and corrective actions required, if any, following the investigation of the incident/accident.

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6. The T/RBHA shall distribute incident reports according to the following table:

**T/RBHA Distribution of Incident/Accident/Death Reports**

Type of Report	Agency/Organization	Redact Personally Identifying Information?	Redact Information re: Substance Abuse and AIDS?
Incidents/accidents and deaths concerning persons with a serious mental illness who have been determined to be in need of special assistance	ADHS Office of Human Rights	NO	YES
Incidents/accidents and deaths concerning all enrolled persons	Appropriate Regional Human Rights Committee	YES	YES
Reports of allegations of physical abuse and/or sexual abuse concerning persons determined to have a serious mental illness	ADHS/DBHS Office of Grievance and Appeals	NO	NO
Significant incidents, accidents and deaths of all behavioral health recipients	ADHS/DBHS Bureau of Quality Management Operations	NO	NO

