



Unity of Indiana

Family and Consumer Handbook

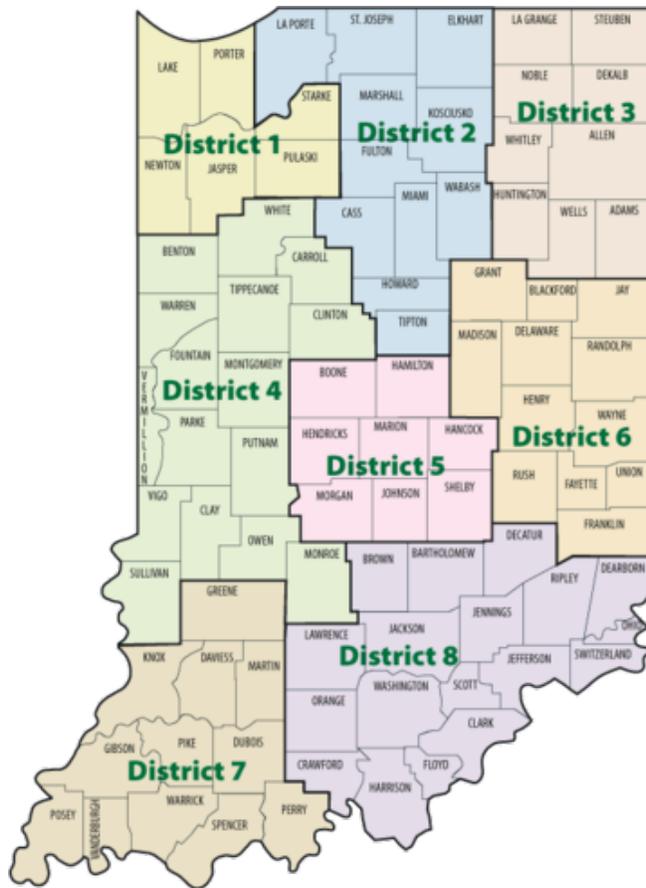


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Unity of Indiana Case Management is a family-owned and operated agency originating in 1998. The mission of Unity of Indiana is to assist individuals with special challenges by advocating, networking and resourcing services to promote quality life. Unity of Indiana's intent is to empower individuals to pursue their life goals and dreams. Unity of Indiana is an Indiana based agency; not a subsidiary of or controlled by a large out of State Corporation. As a family-owned business, the culture extends to a set of values that encourages respect ethical behavior by providing consumers/families a solid foundation of services driven by choice.

Unity of Indiana offers case management services to individuals residing in all 92 counties in Indiana.



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www.unityofindiana.com

Unity of Indiana has a combined total of over 150 years of professional experience providing an array of human services. Unity of Indiana's professional staff has been successfully providing community-based residential options and professional support to individuals and their families for nearly three decades! Unity of Indiana Case Managers have been expertly selected to serve you. Unity of Indiana employs only those who are highly qualified and knowledgeable regarding disabilities, civil rights laws, educational laws, adult services, vocational services, transitions from institutional settings, and out of state programs individuals and those responding to mental health issues. Unity of Indiana is a for profit company proudly serving the state of Indiana and all 92 counties located therein.

I. Unity of Indiana Case Management Policy Statement

Unity of Indiana staff being the Provider of Case Management Services shall adhere to the following policy of individual rights. Throughout this document the term Case Manager will mean anyone employed by or contracted with Unity of Indiana to provide Case Management services as defined in 460 IAC 6.

II. HIPAA Policy

All information, whether electronic, verbal, or hard copies, that pertain to an individual must be treated with utmost care and confidentiality. Case managers may not release any information to people who are not part of the individual's interdisciplinary team, employed by FSSA, or otherwise approved by the HIPAA Compliance Officer. Emancipated adults may also choose to object to the release of information to certain members of the interdisciplinary team, such as to a parent. That objection may be given orally, in writing, or in the individual's usual mode of communication.

Case managers will participate in a competency-based training regarding HIPAA requirements prior to providing services to individuals. It is the responsibility of case managers to become proficient in, and to comply with, all HIPAA requirements in order to protect the personal health information (PHI) of individuals served by Unity of Indiana. Unity of Indiana's Quality Assurance/Compliance Officer will also serve as the Unity of Indiana HIPAA Compliance Officer. Any questions or concerns related to HIPAA policies and procedures should be directed to that person.

Case managers are responsible to adhere to HIPAA Policy and Procedures.

HIPAA Names are developed by the following formula, using the individual's name and Medicaid number:

The first four letters of the person's last name

The first three letters of the person's first name

III. Unity of Indiana Ethics and Gifts

Unity of Indiana Case Managers will be held to the highest level of professional, ethical behavior. As such, they are prohibited from accepting any money or gifts valued over \$5.00 from consumers and their relatives or from firms with which Unity of Indiana has actual or potential relationships. Consumers and family members are kindly requested to refrain from gifting our Case Managers.

IV. Confidentiality

Unity of Indiana Case Managers must obtain a written, signed consent form authorizing them to release confidential or personal information about the consumer to outside parties prior to releasing the information, unless the recipient is authorized by law to receive such documents.

In the event of a consumer choosing to receive future case management services from an entity other than Unity of Indiana, no information will be released to the new case manager until written, signed authorization is received from the consumer or their guardian. Once the written authorization is obtained, Unity of Indiana Case Manager will release all pertinent information to the new Case Manager within 7 days.

V. Contacts and Emergency Contact

Unity of Indiana provides a 24-hour emergency contact number during non-business hours to all consumers, families and providers. This contact will orchestrate immediate response from a management level staff.

Although every Unity of Indiana Case Manager is vitally interested and concerned about each consumer and wish to be informed of events affecting that individual, consumers and their guardians need to use discretion in calling their Case Manager during "non-business" hours.

Each Unity of Indiana Case Manager will discuss with each consumer when it is appropriate to call. Unity of Indiana Case Managers will furnish contact information, office telephone numbers, cellular number, email, etc. as appropriate. Case Manager will also ensure the Unity of Indiana Emergency Contact number is provided and included on all Individual Support Plans.

In the event of an emergency, consumers and their guardians are advised to immediately contact “911” for assistance. Additional emergency supports can be obtained from Child or Adult Protective Services. Once the immediate emergency is contained, your Unity of Indiana Case Manager should be contacted.

VI. Grievance Procedure 460 IAC 6-8-3 (5) (B)

Unity of Indiana is committed to protect and promote the rights of individuals with disabilities, to ensure that they are provided with humane care and protection from harm, and to ensure that the services they receive are in accordance with established standards of practice, as well as with the provisions of the Individual Support Plan. Additionally, case managers themselves will comply with the “Case Management Code of Ethics” and any standards established by the Indiana Bureau Developmental Disability Services/BDDS for the provision of case management services.

1. Rights Violation Upon receipt of a complaint of a rights violation from an individual or a reporter acting on an individual’s behalf, the case manager will investigate, and provide the individual and reporter with a determination of findings within two weeks of the date of receipt of the complaint. That determination is to be provided in writing and in the individual’s usual mode of communication.

2. Reportable Incident If an allegation of abuse, neglect, exploitation, mistreatment of an individual, or violation of an individual’s rights is reported, the case manager will take all necessary steps to ensure the safety of the individual. He or she will ensure that incident reports are filed within 24 hours, and will file all needed follow up reports at seven-day intervals until the situation is resolved. The case manager will conduct or participate in an investigation as needed, and will let the reporter and individual know of the final resolution in the individual’s

usual mode of communication.

3. Systemic Issues Upon receipt of information regarding ongoing, systemic behaviors on the part of a provider of service that are not in accordance with established standards of practice, the case manager will: first attempt to resolve the issue verbally with the provider in question; if no resolution is made, will put the issue in writing to the provider; bring the issue to the attention of the BDDS local representative to assist, if needed; and, file an Incident Report if the issue is not resolved.

4. Conflict Resolution If the members of the Interdisciplinary Team are not able to come to a mutually satisfactory decision regarding support of an individual, and the case manager will call upon the local BDDS representative to mediate for that issue.

Individuals' rights are listed in the manual entitled "A Guide for Individuals Working with the BDDS." This manual will be provided to each individual and/or legal representative at the time of initiation of services and at least annually, by the case manager, in writing and in the individual's usual mode of communication.

VII. Unity of Indiana Complaint/Investigation Procedure

Unity of Indiana individuals are afforded certain rights and protections that are guaranteed by law and by Unity of Indiana's own policies. Unity of Indiana wants to ensure if you feel your rights are being threatened or violated it should be reported immediately.

Unity of Indiana's Complaint Procedure provides an individual or designated person to file a complaint with Unity of Indiana at any time. In order to file a complaint, one can talk with the Case Manager or the Chief Operations Officer. If you do not feel comfortable with any of these staff members, you can speak with the Quality Assurance Officer, who is independent from Operation's staff members and reports directly to the CEO.

Voice your complaint by speaking with your Case Manager or the Chief Operations Officer. If your complaint is about either of these people, you can speak with the Quality Assurance Office. During the conversation, you will be asked to put your concerns in writing on a complaint form. If you prefer, you can have your family member, guardian or another trusted person help you.

Cooperate with the Investigation. Once you have voiced your complaint, Unity of Indiana will immediately begin to investigate your concerns. Sometimes this can happen very quickly, but depending on the issues, it could take up to seven (7) days from the day the complaint is received. One of the first things Unity of Indiana will do is speak with you and ask you questions about your complaint.

Besides talking with you, Unity of Indiana will talk with staff members and other people who might know about your concerns. Unity of Indiana may review relevant documents.

If your complaint concerns a threat to your health, safety or welfare, Unity of Indiana will immediately suspend the person(s) that are involved, even before the investigation is complete. Unity of Indiana will immediately file the required Incident Report per 460IAC. The police, Adult Protective Services, Child Protective Services or other state authorities might be contacted.

For accessibility concerns, Unity of Indiana will complete an internal investigation following the procedure noted above along with providing you the appropriate information on filing a complaint under title III of the Americans with Disabilities Act.

Learn the outcome. Unity of Indiana will complete the investigation regarding your complaint. A face-to-face follow-up with you/guardian will then be scheduled.

Speak with the President/CEO. There may be times when you do not agree with the investigation steps by Unity of Indiana. If an individual disagrees with the outcome, he or she can speak directly with the Unity of Indiana President/CEO. If an individual remains unsatisfied with the resolution, BDDS can assist.

Individual/guardian agree that they have received access to the Service Overview that contains additional information about services as well as telephone numbers to contact state and federal agencies in the event of an emergency or complaint, and access to a copy of Unity of Indiana's Satisfaction Survey form. The document also provides detailed procedures for any grievance, compliant, or necessary investigation.

VIII. Division of Disability and Rehabilitative Services Home and Community Based Services Waiver Manual

The file link listed below contains all information regarding the HCBS waiver services, regulations, definitions and allowable services for the Family Support Waiver (FSW) and the Community Integration and Habilitation (CIH) waiver in Indiana. Please review for additional information.

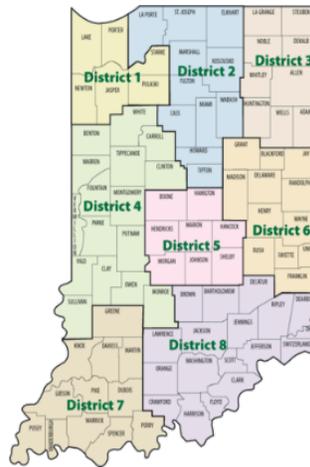
<https://www.in.gov/medicaid/files/ddrs%20hcbs%20waivers.pdf>

IX. Resources

Vocational Rehabilitation/Employment Services



Bureau of Developmental Disabilities Services



Indiana Institute on Disability and Community—The Indiana Institute is a bridge that connects the university to the broader community through the sharing of ideas and innovations to improve communities and lives.

Find more information here: <https://www.iidc.indiana.edu>

Ombudsman for Disabilities in Indiana—The Ombudsman shall receive, investigate and attempt to resolve complaints and concerns that are made by or on behalf of an individual receiving services or not receiving services with BDDS.

Contact: Matt Rodway

Email: Matt.Rodway@fssa.in.gov

Call toll free: 800-622-4484

Call: 317-503-1217

Bureau of Quality Improvement Services Complaint Line 800-545-7763

Indiana Protection & Advocacy Services Commission—The Indiana Protection and Advocacy Services (IPAS) Commission is the governing authority of Indiana Disability Rights. The Commission is responsible for assuring adequate legal and advocacy services for the protection, promotion, and empowerment of the rights and interests of individuals with disabilities throughout Indiana.

To Contact a Commission Member

Please send comments to IPAS Commission in care of Executive Director.

Melissa Keyes, Executive Director

Indiana Disability Rights

4701 N. Keystone Ave., Suite 222

Indianapolis, IN 46205

ExecutiveDirector@IndianaDisabilityRights.org

Adult Protective Services State Hotline: 800-992-6978

Child Protective Services State Hotline: 800-800-5556

For more resources in your specific area, please speak with your Case Manager or visit the Unity of Indiana Website www.unityofindiana.com

X. Indiana Administrative Code 460 Section 6

a) Oversight:

Unity of Indiana Case Managers are charged with the responsibility of overseeing all services a consumer receives. Indiana state law (460 IAC 6) requires the Case Managers to have at least one face-to-face visit with each consumer every 90 days. One visit per year must be unannounced. Consumers will be informed of this requirement and will be expected to comply with the law.

b) 460IAC6-9- Prohibiting violations of individual rights

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-11-1.1-9; IC 12-11-2.1-12

Affected: IC 12-11-1.1; IC 12-11-2.1

Sec. 3. (a) A provider shall not:

- (1) abuse, neglect, exploit, or mistreat an individual; or
- (2) violate an individual's rights.

(b) A provider who delivers services through employees or agents shall adopt policies and procedures that prohibit:

- (1) abuse, neglect, exploitation, or mistreatment of an individual; or
- (2) violation of an individual's rights.

(c) Practices prohibited under this section include the following:

(1) Corporal punishment inflicted by the application of painful stimuli to the body, which includes:

- (A) forced physical activity;
- (B) hitting;
- (C) pinching;
- (D) the application of painful or noxious stimuli;
- (E) the use of electric shock; or
- (F) the infliction of physical pain.

(2) Seclusion by placing an individual alone in a room or other area from which exit is prevented.

(3) Verbal abuse, including screaming, swearing, name-calling, belittling, or other verbal activity that may cause damage to an individual's self-respect or dignity.

(4) A practice that denies an individual any of the following without a physician's order:

- (A) Sleep.
- (B) Shelter.
- (C) Food.
- (D) Drink.
- (E) Physical movement for prolonged periods of time.
- (F) Medical care or treatment.
- (G) Use of bathroom facilities.

(5) Work or chores benefiting others without pay unless:

- (A) the provider has obtained a certificate from the United States Department of Labor

- authorizing the employment of workers with a disability at special minimum wage rates;
- (B) the services are being performed by an individual in the individual's own residence as a normal and customary part of housekeeping and maintenance duties; or
- (C) an individual desires to perform volunteer work in the community.

(Division of Disability, Aging, and Rehabilitative Services; 460 IAC 6-9-3)

Unity of Indiana staff shall adhere to the following systems for protecting individuals through monthly meetings, quarterly meetings, annual meetings, and the 90-day checklist.

460 IAC 6-9-4 Systems for protecting individuals

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-11-1.1-9; IC 12-11-2.1-12

Affected: IC 12-11-1.1; IC 12-11-2.1

Sec. 4. Except as specified in this section, this section applies to all providers of supported living services and supports.

1. A provider shall require that at regular intervals, as specified by the individual's ISP, the individual be informed of the following:
 - (1)The individual's medical condition.
 - (2)The individual's developmental and behavioral status.
 - (3)The risks of treatment.
 - (4)The individual's right to refuse treatment.
2. Except for providers of:
 - (1)occupational therapy services;
 - (2)physical therapy services;
 - (3)music therapy services; and
 - (4)speech-language therapy services;
3. A provider shall establish a protocol for ensuring that an individual is free from unnecessary medications and physical restraints.
4. Except for providers of:
 - (1)occupational therapy services;
 - (2)physical therapy services;
 - (3)music therapy services; and
 - (4)speech-language therapy services;
5. A provider shall establish a system to reduce an individual's dependence on medications and physical restraints.
6. A provider shall establish a system to ensure that an individual has the opportunity for personal privacy.
7. A provider shall establish a system to:
 - (1)ensure that an individual is not compelled to perform services for a provider; and
 - (2)provide that, if an individual works voluntarily for a provider, the individual is compensated:
 - (A)at the prevailing wage for the job; and
 - (B)commensurate with the individual's abilities;
8. Unless the provisions of section 3(c) (5) of this rule are met.
9. A provider shall establish a system that ensures that an individual has:
 - (1)the opportunity to communicate, associate, and meet privately with persons of the individual's choosing;
 - (2)the means to send and receive unopened mail; and

- (3)access to a telephone with privacy for incoming and outgoing local and long distance calls at the individual's expense.
- 10.A provider shall establish a system for providing an individual with the opportunity to participate in social, religious, and community activities.
- 11.A provider shall establish a system that ensures that an individual has the right to retain and use appropriate personal possessions and clothing.
- 12.(j) A provider shall establish a system for protecting an individual's funds and property from misuse or misappropriation.
- 13.(k) A provider shall establish a protocol specifying the responsibilities of the provider for:
- (1)conducting an investigation; or
 - (2)participating in an investigation;
- 14.A provider shall establish a system providing of an alleged violation of an individual's rights or a reportable incident. The system shall include taking all immediate necessary steps to protect an individual who has been the victim of abuse, neglect, exploitation, or mistreatment from further abuse, neglect, exploitation, or mistreatment.
- 15.A provider shall establish a system providing for:
- (1)administrative action against;
 - (2)disciplinary action against; and
 - (3)dismissal of;
- 16.An employee or agent of the provider, if the employee or agent is involved in the abuse, neglect, exploitation, or mistreatment of an individual or a violation of an individual's rights.
17. A provider shall establish a written procedure for employees or agents of the provider to report violations of the provider's policies and procedures to the provider.
- 18.A provider shall establish a written procedure for the provider or for an employee or agent of the provider for informing:
- (1)adult protective services or child protection services, as applicable;
 - (2)an individual's legal representative, if applicable;
 - (3)any person designated by the individual; and
 - (4)the provider of case management services to the individual;
- 19.A situation involving the abuse, neglect, exploitation, mistreatment of an individual, or the violation of an individual's rights.
- 20.A provider shall establish a written protocol for reporting reportable incidents to the BDDS as required by section 5 of this rule. (*Division of Disability, Aging, and Rehabilitative Services; 460 IAC 6-9-4*)

C. REPORTING: Unity of Indiana Case Managers are required to report any violations of an individual's rights as outlined in this document, to the President/CEO within 24 hours of its occurrence, or as soon as the incident becomes known to the Case Manager.

In addition, all incidents outlined above as well as those delineated below, must be reported as per regulations contained in 460 IAC 6-9-5, the state mandated process for Incident Reporting. Unity of Indiana Case Managers will file all incident reports and follow up reports via the web based reporting system, within the timelines established in state regulation.

460 IAC 6-9-5 Incident reporting

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-11-1.1-9; IC 12-11-2.1-12

Affected: IC 12-11-1.1; IC 12-11-2.1

Sec. 5. An incident described as follows shall be reported to the BDDS on the incident report form prescribed by the BDDS:

1. Incidents of suspected abuse or neglect of an adult or child who is residing in a community residential setting. All incidents falling in this category must also be reported to Adult Protective Services or Child Protective Services.
 - a. Physical, sexual, verbal or mental abuse
 - i. physical – includes willful infliction of injury, unnecessary physical or chemical restraints or isolation, and punishment with resulting physical harm or pain
 - ii. sexual - includes all allegations of rape, sexual misconduct, or sexual exploitation
 - iii. verbal – includes oral, written, and/or gestured language that includes disparaging and derogatory remarks to consumers
 - iv. mental - includes unreasonable confinement or intimidation
 - b. Neglect – includes failure to provide appropriate care, food, medical care or supervision
2. Exploitation. All incidents falling in this category must also be reported to Adult Protective Services or Child Protective Services.
 - a. Financial – any deliberate misplacement, exploitation, or wrongful temporary or permanent use of a individual's belongings or money.
 - b. Any other type of exploitation, including but not limited to sexual exploitation.
3. Death of an individual. All deaths must also be reported to Adult Protective Services or Child Protective Services.
4. A residence that compromises the health and safety of an individual due to a significant interruption of a major utility, such as electricity, heat, water, air conditioning, plumbing, fire alarm or sprinkler system.
5. Environmental/structural problems associated with a habitable residence that compromise the health and safety of an individual, including inappropriate sanitation, serious lack of cleanliness, rodents, structural damage, or damage caused by flooding, tornadoes or other acts of nature.
6. Residential fire resulting in relocation, personal injury, property loss or other issues.
7. Missing persons
8. Any suspected criminal activity by staff members or individuals, including but not limited to theft, illegal drug use, and arson.
9. Any medical or psychiatric treatments/services (including emergency room visits) that resulted from events that had a potential for causing significant harm or injury or that require medical follow-up.
10. Admission to a nursing facility, including respite stays.
11. Injuries of unknown origin.
12. Significant injuries including but not limited to:
 - a. Injuries incurred while individual was restrained
 - b. Fractures

- c. Burns greater than first degree
 - d. Choking
 - e. Large areas of contusions or lacerations
13. Medication errors. *Note: refusal to take medications does not constitute an error and does not require filing of an incident report but should be followed up by medical personnel and the interdisciplinary team to ensure that the health and safety of the individual is safeguarded. This information should also be documented in the individual's record.*
- a. Wrong medication given that places an individual's health and safety in jeopardy as determined by the personal physician.
 - b. Wrong dose given that place the individual's health and safety in jeopardy as determined by the personal physician.
 - c. Missed medication that places the individual's health and safety in jeopardy as determined by the personal physician.
 - d. Medication given outside the prescribed administrative window that jeopardizes an individual's health and safety as determined by the personal physician.
14. Inadequate staff support resulting in or having the potential to result in significant harm or injury to an individual or death of an individual. This includes inadequate supervision by staff, even when staffing levels are appropriate.
15. Inadequate medical support, including but not limited to failure to obtain needed follow up medical appointments, failure to obtain routine or special dental or physician appointments, or failure to obtain medication refills in a timely manner.
16. Use of any PRN medication related to an individual's behavior.
- 17.(b) An incident described in subsection (a) shall be reported by a provider or an employee or agent of a provider who:
- 1. is providing services to the individual at the time of the incident; or
 - 2. becomes aware of or receives information about an alleged incident.
- 18.(c) An initial report regarding an incident shall be submitted within twenty-four (24) hours of:
- 1. the occurrence of the incident; or
 - 2. the reporter becoming aware of or receiving information about an incident.
- 19.(d) The provider providing case management services to an individual shall submit a follow-up report concerning the incident on the BDDS's follow-up incident report form at the following times:
- 1. Within seven (7) days of the date of the initial report.
 - 2. Every seven (7) days thereafter until the incident is resolved.

XII. Agreement

Individual/guardian agree that they have received access to the Service Overview that contains additional information about services as well as telephone numbers to contact state and federal agencies in the event of an emergency or complaint, and access to a copy of Unity of Indiana's Satisfaction Survey form. The document also provides detailed procedures for any grievance, compliant, or necessary investigation.

As part of this document, consumers agree that they have received a copy of The Waiver Manual that contains additional information about services as well as telephone numbers to contact state agencies in the event of an emergency or complaint. As part of this document, consumers agree that they will receive a copy of Unity of Indiana's Satisfaction Survey form.

Consumer Signature _____ Date _____

Guardian Signature _____ Date _____

Case Manager Signature _____ Date _____