

**Policy:**

It is the policy of Mid-Missouri Supported Living to be in compliance with 9 CSR 10 5.200 as defined by the Department of Mental Health and further incorporates Mid-Missouri Supported Living's protocol for reporting and investigating complaints of abuse, neglect and misuse of funds/property in a residential facility or specialized services that are licensed, certified or funded by the Department of Mental Health. Mid-Missouri Supported Living shall have no tolerance of abuse or neglect of the individuals it supports and shall take all necessary steps to adhere to all applicable state statutes and policies in this area.

Mid-Missouri Supported Living is cognizant of the fact that persons with developmental disabilities are vulnerable to abuse and neglect as well as being taken advantage of with regard to personal assets, and all of Mid-Missouri Supported Living's employees are required Abuse and Neglect reporters. The staff and volunteers shall receive training through RELIAS, the Division free online training portal, in recognizing and reporting abuse, neglect, and misuse of funds prior to contact with individuals and annually thereafter. The online training includes a competency test and certificate. Employees who fail to report complaints of known or suspected incidents of abuse, neglect or any other misconduct are subject to discipline, criminal prosecution, or both.

**Comments:**

**Missouri Rule CSR 10-5.200 Defines types of abuse as:**

- **Misuse of funds/property:** the misappropriation or conversion for any purpose of an individual supported funds or property by an employee or employees with or without the consent of the individual supported; or the purchase of property or services from an individual supported in which the purchase price substantially varies from the market value.
- **Neglect:** Failure of an employee to provide reasonable or necessary services to maintain the physical and mental health of any individual supported when that failure presents either imminent danger to the health, safety, or welfare of an individual supported or a substantial probability that death or serious physical injury would result. This would include, but is not limited to, failure to provide adequate supervision during an event in which one individual supported causes serious injury to another individual supported.
- **Physical abuse:**
  1. An employee purposefully beating, striking, wounding or injuring any individual supported;
  2. In any manner whatsoever, an employee mistreating or maltreating an individual supported in a brutal or inhumane manner;
  3. An employee handling an individual supported with any more force than is reasonable for an individual supported's proper control, treatment or management.
- **Sexual abuse:** any touching, directly or through clothing, of an individual supported by an employee for sexual purposes or in a sexual manner. This includes but is not limited to:
  1. Kissing;
  2. Touching of the genitals, buttocks or breasts;
  3. Causing an individual supported to touch the employee for sexual purposes;
  4. Promoting or observing for sexual purpose any activity or performance involving individual supported including any play, motion picture, photography, dance, or other visual or written representation;
  5. Failing to intervene or attempt to stop or encouraging inappropriate sexual activity or performance between

individual supported.

6. Encouraging inappropriate sexual activity or performance between individual supported.

- **Verbal Abuse:** An employee making a threat of physical violence to an individual supported, when such threats are made directly to an individual supported or about an individual supported in the presence of an individual supported.

All Mid-Missouri Supported Living staff are expected to treat all individuals supported with dignity and respect. If a Mid-Missouri Supported Living staff suspects that an individual supported has experienced any abuse, neglect, exploitation, or maltreatment, the staff's first duty is to protect the health and safety of the individual supported. All injuries to an individual receiving services must receive immediate medical attention if needed. The staff will then immediately file a written or verbal complaint to their supervisor if they know, through direct or indirect means, that abuse or neglect has occurred, or if they even suspect that such activity has occurred. In cases involving an injury, Mid-Missouri Supported Living's Registered Nurse and the Program Manager will evaluate the injury and determine if immediate medical attention is needed.

When a Mid-Missouri Supported Living employee receives or discovers any information suggesting abuse, neglect or

misuse of funds/property, the employee will do the following immediately:

- Ensure the ensure the safety and well-being of the individuals supported the contact the Home Manager, who will immediately contact the Program Manager. The Program Manager will contact the Director and owner.
- Complete General Event Report (GER) on Therap thoroughly and accurately. The GER should contain a detailed account of any actions or statements made surrounding the allegation, and a list all potential witnesses.
- The Program Manager will follow the process and timelines for event direct entry (CIMOR) and notification per Directive 4.070 and will enter the information from the GER into CIMOR within 24 hours.
- In consultation with the Director/owner, the Program Manager will immediately report to local law enforcement officials if there is a reasonable suspicion that any of the following abuse or neglect has occurred:
  1. Sexual abuse;
  2. Abuse, neglect or misuse of funds/property if there is cause to believe that the acts involve criminal misconduct; or
  3. Abuse and neglect that result in physical injury.
- The Director or owner will immediately forward the complaint to the Children's Division if the alleged victim is under the age of eighteen (18);
- The Director will consult with the Regional Office and assigned Service Coordinator to determine if any additional evidence involved in the incident should be obtained. Any area where an incident has occurred in which it is believed potential evidence may exist shall not be disturbed, until after the review by authorized personnel such as the assigned investigator, law enforcement officials, or medical or emergency personnel, and only with the approval of the Regional Office Director or designee in consultation with the assigned investigator.
- All Mid-Missouri Supported Living's staff shall cooperate fully with investigative personnel in processing abuse/neglect complaints.

### Support/Supervision Levels

Employees of Mid-Missouri Supported Living, LLC, are expected to be familiar with the Individualized Support Plan of any individual in their care and are expected to follow the guidelines in each plan on support, care, and supervision. Failure to provide the proper level of support (for example, not staying awake when you are overnight staff for someone who needs awake overnight staff), could result in immediate termination or even reporting of abuse/neglect in some cases and employees need to take very seriously the responsibility to be aware of and implement the level of supervision and type of care needed.

### Information on Abuse or Neglect

Every Individual supported by Mid-Missouri Supported Living shall receive a copy of Say “NO” to Abuse and Neglect Booklet and Individual Supported Handbook, which provides them with information on how to and whom they may report concerns incidents (including Abuse and Neglect), and grievances without fear of retaliation.

The individual supported and/or their parents and guardians may file a complaint at any time if they believe that their rights have been violated, abuse or neglect has taken place, and/or to voice general concerns concerning the services Mid-Missouri Supported Living provides. Please refer to MMSL’s Procedure No. 209: Individual/Guardian Grievance Process for more information.

All complaints and grievances shall be heard promptly and investigated appropriately. No individual supported by Mid-Missouri Supported Living shall be retaliated against or be denied services for filing a complaint or grievance. Mid-Missouri Supported Living’s staff, guardians and individuals supported can also use the following phone numbers to report any complaints of known or suspected incidents of abuse and neglect:

Missouri Department of Mental Health

1-800-364-9687 M-F 8am – 5pm

Or, after hours

Missouri Department of Mental Health & Senior Services

1-800-392-0210 24 hours a day seven days a week

Missouri Children’s Division Hotline for children under 18

1-800-392-3738 24 hours a day seven days a week.

Mid-Missouri Supported Living staff, guardians and individuals supported can also make an online report of any complaints of known or suspected incidents of abuse and neglect using the link below at anytime:

[Abuse, Neglect, and Exploitation of the Elderly and Disabled | Safety | Health & Senior Services \(mo.gov\)](#).

Mid-Missouri Supported Living will also provide a copy of its policies and procedures (including the Individual Supported’s Handbook) in a binder in its homes and main building. The policies and procedures are also available on Mid-Missouri Supported Living’s website for reference at any time. “NO” to Abuse and Neglect Booklet and Individual Supported Handbook will also be available in all Mid-Missouri Supported Living’s homes and office.

The agency will maintain a written record of complaints of known or suspected incidents of abuse and neglect and misuse of funds/property, and the administration will review this information annually and address any noted trends.

