

Policy:

All employees/contractors of Palmer's Home Care, LLC are expected to participate in annual abuse and neglect training and are mandated reporters of any suspicion of abuse or neglect. Per Department of Mental Health standards, it is expected that Palmer's Administration will be contacted IMMEDIATELY with any suspicions of abuse or neglect occurring on any level so that the health and safety of the individuals in our care can be assured, and the incident can be reported following DMH protocol.

All staff are expected to fully cooperate with any inquiry or investigation, by DMH, law enforcement, or DHSS, of abuse or neglect.

Any suspicion of involvement in any form of abuse or neglect will absolutely not be tolerated by Palmer's Home Care, LLC and is grounds for immediate termination. Knowledge of and failure to report any suspicion of any abuse or neglect is also grounds for corrective action including immediate termination of employment.

Comments:

9 CSR 10-5 Definitions of Abuse and Neglect Follow

Misuse of Funds/Property

The misappropriation or conversion for any purpose of an individual's funds or property by an employee or employees with or without the consent of the individual or the purchase of property or services from an individual 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 when that failure presents either imminent danger to the health, safety, or welfare of an individual 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 cause serious injury to another.

Physical Abuse

1. An employee purposefully beating, striking, wounding, or injuring any individual.
2. In any manner whatsoever, an employee mistreating or maltreating an individual in a brutal or inhumane manner; or
3. An employee handling an individual with any more force than is reasonable for an individual's proper control, treatment, or management.

Sexual Abuse

Any touching, directly or through clothing, of an individual 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 to touch the employee for sexual purposes.
4. Promoting or observing for sexual purpose any activity or performance involving individuals including any play, motion picture, photography, dance, or other visual or written representation.
5. Failing to intervene or attempting to stop inappropriate sexual activity or performance between individuals; and/or
6. Encouraging inappropriate sexual activity or performance between individuals.

Verbal Abuse

An employee making a threat of physical violence to an individual, when such threats are made directly to an individual or about an individual in the presence of an individual (even in joking, this will not be tolerated, there is a power differential between staff and individuals that makes this type of joking inappropriate no matter the situation.)

Support/Supervision Levels

Employees of Palmer's Home Care, LLC are expected to be familiar with the Individualized Support Plan (ISP) 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 (i.e. not staying awake as an 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.

Concerns of Abuse or Neglect

If an individual receiving services has complaints of abuse, neglect, or a violation or limitation of rights, the person, the person's parents, guardian or authorized representative have the right to contact their service coordinator, Regional Office, Habilitation Center representative, or they may contact the Department's Individual Rights Monitor (Constituent Services) at 800-364-9687 or TT 573-526-1201 for assistance. Palmer's Administration should be made aware immediately of any concern regarding abuse, neglect, or rights and failure to report could result in termination of employment. Individuals in the care of Palmer's Home Care, LLC will be supported in advocating for themselves and will be advocated for when needed.

All employees of Palmer's Home Care, LLC will be screened utilizing the DHSS Family Care & Safety Registry prior to contact with the individuals we support, and employment is always contingent on a successful screening that shows employee eligibility. Any event post-employment that leads to discontinuation of eligibility will result in immediate termination of employment.

All employees of Palmer's Home Care, LLC are mandated reporters of suspected abuse or neglect. Our standards of care are high, and if there is any question of maltreatment, etc. it should immediately be reported to Palmer's Administration. Suspicion of anything approaching abuse or neglect will be managed swiftly and will absolutely not be tolerated. Palmer's has an open-door policy regarding communication with administration and employees are trained and expected to follow through with seeking support when needed so that abuse and neglect are never approached as possible outcomes.

All Palmer's Home Care staff are trained on Event Reporting at new hire orientation, and will review the Event Reporting policy annually thereafter.

Any employee shall immediately file a complaint if they have reason to suspect that individual has subjected to abuse and neglect. The failure to report any suspicion shall be cause for disciplinary action, criminal action prosecution or both. It is the individual's right to report any violation of one's rights without fear without retaliation. No administrative staff, supervisor, or employee of Palmer's Home Care, LLC, shall evict, harass, dismiss, or retaliate against an individual or employee because they or any member of his/her family has made a report of any violation or suspected violation of consumer abuse, neglect, or misuse of funds or property. Penalties for retaliation may be imposed up to and including cancellation agency contracts and/or agency dismissal of such person.

All complaints and grievances shall be heard promptly and investigated appropriately.

Please refer to PHC-209 for Individual/Guardian Grievance Process.