

#14-540- (65)

Kroh, Karen # 3160

From: Mochon, Julie
Sent: Friday, December 16, 2016 10:17 AM
To: Kroh, Karen
Subject: Fw: Comments on REgulation No. 14-540
Attachments: Comments on Ch 2390 Prevocational Services.docx

From: shawn lyons <srslyons@yahoo.com>
Sent: Friday, December 16, 2016 10:08 AM
To: Mochon, Julie
Subject: Comments on REgulation No. 14-540

Attached please find my comments on the above reference regulations.

Thank you.

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Lyons-Comments on Regulation No. 14-540

Chapter 2390 – Prevocational Services

Citation: 2390.5. Definitions

Discussion: I don't like the term "disabled adult" – should rather be an adult with disabilities. No need to list characteristics of a "disabled adult". All definitions for these regulations should be included in Ch. 2390.5 and should be the same across Chap. 6100 and all licensing regulations. Deleting definitions from the program regulations and including them within Chap. 6100 promotes clarity, consistency, and reduces administrative burden across applicable services and programs.

Citation: 2390.18 Incident Report and Investigation

Discussion: USE THE TERM "PROVIDER" INSTEAD OF "FACILITY." THE USE OF WORD "WILL" OR "MUST", INSTEAD OF SHALL SHOULD BE USED THROUGHOUT THE CHAPTER. NOT ALL INCIDENTS NEED AN INVESTIGATION. THE WORDING "CERTAIN INCIDENTS" COULD BE USED.

Citation: 2390.19 Incident Procedures to Protect the Individual

Discussion: Delete the initial a-d. Wording for the next a. could read: "In reviewing a serious incident" instead of investigating an incident. A trend analysis is not necessary. A review should suffice. G under f is repetitive in its wording. Monitoring incidents instead of analyze.

2390.21 INDIVIDUAL RIGHTS.

Discussion: A lot of repetition in line items. Keep it concise and simple allowing all rights that all people have to be the right of someone who has need for supports.

Citation: 2390.24. Application laws and regulations

Discussion: no comments

Citation: 2390.33. Program specialist

Recommendation: Program Specialist.....delete from 1-19; leave in i-5 under #19 which delineates the jobs for the PS. A wide range of qualifications for prog. Spec. esp when it comes to a pay scale.

Citation: 2390.49. Annual training

Recommendation: The purpose for training is defeated by the idea that specific subjects or number of hours will address the needs of the clients or organization. Based on the assessment, a training plan can be completed, and customized for individuals and staff. Agencies should analyze the needs of the clients they serve.. Volunteers should not be included in training hours nor those working in the facility who do not have direct contact with individuals

Citation: 2390.124. Content of records

Recommendation: Delete # 8-12. re-number13 as 9 and continue. Having the PSP should contain all the ablyve mentioned items

Citation: 2390.172. PSP

Recommendation: It is recommended that this section be deleted and the content put into 2390.73

Citation: 2390.173. Prohibition of restraints

Recommendation: Remove the words defined as. # 6 reworded ; a PHYSICAL RESTRAINT MAY NOT BE USED FOR A PERIOD OF MORE THAN 15 MIN. WITHIN A 2 HOUR PERIOD WITHOUT DOCUMENTED EMERGENCY APPROVAL BY PROVIDER, ADMINISTRATIVE OR CLINICAL STAFF

Citation: 2390.176. Rights team

Recommendation: The rights team seems to be an unnecessary addition to the teams already in existence to protect the individual. The regulations are also unclear as to whether this team would be for each individual or a standing team for each provider.

Citation: 2390.191. Self-administration

1. **Recommendation:** Codifying content that requires modifications over time into regulations will lock a crucial component of service provision into temporal practices which will become obsolete as new information, prevailing practices and technologies emerge. Duplicating content which is as detail-specific as the proposed five-and-a-half pages of regulation across 5 sets of regulations when the state already has an externally -accepted training module invites discrepancy between the regulations and the training manual and prohibits the training module from staying current as new information, prevailing practices and technology emerge.
2. Requiring 6500 LifeSharing providers to complete and adhere to ODP's Medication Administration Module is a new and counterproductive requirement which is in direct contract to Everyday Lives principals and the Department's stated intent to develop more integrated and natural life opportunities for individuals.

These points as further described in Discussion for 6100.461 persuade us to recommend that 6100 regulations pertaining to Medication Administration should refer to the Departments Approved Medication Training for the 2380, 2390 and 6400 services and should cite existing 6500 regulations for the 6500 services. The 6100.470 Exception for Family Members should be retained.

Prescription Medications shall be stored and disposed of according to the Office of Developmental Programs' Approved Medication Administration Training.

