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OQA Memo 06-030

To: Adult Family Homes  
Community-based Residential Facilities  
Residential Care Apartment Complexes

AFH 12  
CBRF 14  
RCAC 10

From: Kevin Coughlin, Chief  
Assisted Living Section

Via: Otis Woods, Director

**Self-Report/Facility Reporting Requirements**

**PURPOSE**

The purpose of this memo is to serve as a reference for Adult Family Homes (AFHs), Community-based Residential Facilities (CBRFs), and Residential Care Apartment Complexes (RCACs) on the types of incidents that need to be reported to the Office of Quality Assurance (OQA). These reports, known as self-reports, are required to be submitted to the Department under Wisconsin Statutes, ch. 50, and Wis. Administrative Code, chs. HFS 83, 88, and 13. Providers may also self-report incidents or situations not required by regulation.

**REPORTABLE INCIDENTS BY PROVIDER TYPE**

**AFH**

1. According to § HFS 88.03(5), licensees of AFHs must report to OQA the following incidents within the time specified:
  - a. Report within seven days any significant and ongoing change in the type or amount of services the licensee offers to provide, if the change adversely affects any resident who needs the service.
  - b. Report within seven days any change in household members, excluding paid staff, *i.e.*, any person who is not a resident but lives in the AFH.
  - c. Report within 48 hours that the licensee or service provider has pending, has been charged with, or convicted of any crime that is substantially related to caring for dependent persons.
  - d. Report within seven days any change in the home's structure or damages to the home that may present a hazard to the residents.

- e. (1) Report within 24 hours, any significant change in a resident's status, such as, but not limited to, an accident requiring hospitalization, elopement from the home, or a reportable death. A death shall be reported if there is reasonable cause to believe that the death was due to use of a physical restraint or psychotropic medication, was a suicide, or was accidental.
  - (2) Report within three days any death due to incident or accident not due to use of a restraint, psychotropic medication, or suicide.
2. According to § HFS 88.11, an AFH provider who knows, or has reasonable cause to suspect, that a resident has been abused or neglected as defined in Wis. Stats. §§ 46.90 or 940.285, shall immediately, *i.e.*, without delay, contact the licensing agency.

Self-reports are to be sent to the regional office that serves the facility. Providers will not receive confirmation from the Department of receipt of a self-report. Once a self-report is received, the Assisted Living Regional Director will review the report and determine what actions, if any, are required by the Department.

### **CBRF**

1. According to Wis. Stat. § 50.035(5)(b) and § HFS 83.19(2), a CBRF must report to OQA the following incidents within the time specified:
  - a. Report within 24 hours after the death of a resident, if there is reasonable cause to believe the death was related to the use of a physical restraint or psychotropic medication or was a suicide.
  - b. Report to OQC within three working days, when a resident dies as a result of an incident or accident not related to the use of a physical restraint or psychotropic medication, and the death was not a suicide.
2. According to § HFS 83.19(3), a CBRF must send a report to the Department within three (3) **working days** after any of the following incidents occurs:
  - a. A fire on the premises of the CBRF.
  - b. When the licensee, administrator, employee or a resident contract a communicable disease required to be reported under Wis. Admin. Code, ch. HFS 145.
  - c. When a resident's whereabouts is unknown and he or she is considered missing, and the resident is considered to be in danger. The local law enforcement authority shall be notified as soon as this determination is made. The CBRF shall notify OQA within three (3) calendar days after notification of the law enforcement authority. This subdivision does not apply to CBRFs serving clients of a governmental corrections agency or persons recovering from substance abuse.
  - d. At any time the police are called to the CBRF as a result of actions or incidents that seriously jeopardize the health, safety, or welfare of residents or staff. A description of the circumstances that required police intervention shall be provided to the OQA. This subdivision does not apply to CBRFs serving clients of a governmental corrections agency.

- e. When an accident occurs resulting in a serious injury requiring inpatient hospitalization of a resident.
- f. When a catastrophe occurs resulting in damage to the CBRF.

Self-reports are to be sent to the regional office that serves the facility. Providers will generally not receive confirmation from the Department of receipt of a self-report. Once a self report is received, the Assisted Living Regional Director will review the report and determine what actions, if any, are required by the Department.

### **AFHs, CBRFs, and RCACs**

1. All assisted living providers regulated by the OQA, except Adult Day Care providers, must report incidents of caregiver misconduct as defined under Wis. Admin. Code, ch. HFS 13, if the incident meets the reporting requirements.
2. Providers must conduct a complete and thorough investigation of allegations of caregiver misconduct (abuse, neglect, misappropriation of property) and injuries of unknown source. The provider must report an incident, *i.e.*, caregiver misconduct or injuries of unknown source, if both of the following conditions are true:
  - a. There is a reasonable cause to believe they have sufficient evidence, or another regulatory authority could obtain the evidence, to show the alleged incident occurred; **AND**
  - b. There is reasonable cause to believe that the incident meets, or could meet, the definition of abuse, neglect, or misappropriation.
3. If the conclusion is that you must report the incident, then complete the Incident Report of Caregiver Misconduct Form (DDE-2447). Submit reports of alleged caregiver misconduct and injuries of unknown source within seven (7) calendar days of the incident or the date the entity knew of the incident. Submit the completed DDE-2447 Incident Report for allegations involving all staff (including credentialed and non-credentialed) to:

OFFICE OF CAREGIVER QUALITY  
2917 INTERNATIONAL LN, STE 300  
MADISON WI 53704-3100

NOTE: In the past, providers were required to submit the report either to OQA or to the Department of Regulation and Licensing (DRL). This process has been streamlined to eliminate reporting to two different state agencies. All caregiver misconduct reports are now submitted to OCQ staff, who will forward those reports involving credentialed staff (*e.g.*, MDs, RNs, LPNs, Social Workers, etc.) to DRL for review.

Reference: BQA Memo 04-028

[Revised Caregiver Misconduct Reporting Requirements for BQA Entities](#)

## **ASSISTED LIVING REGIONAL OFFICES**

### **Northern Region**

Assisted Living Regional Director  
2187 N STEVENS ST STE C  
RHINELANDER WI 54501-8036  
Phone: (715) 365-2816  
Fax: (715) 365-2815

### **Northeastern Region**

Assisted Living Regional Director  
200 N JEFFERSON ST STE 211  
GREEN BAY WI 54301-5100  
Phone: (920) 448-5338  
Fax: (920) 448-5254

### **Southeastern Region**

Assisted Living Regional Director  
819 N 6TH ST RM 609-B  
MILWAUKEE WI 53203-1606  
Phone: (414) 227-4565  
Fax: (414) 227-3903

### **Southern Region**

Assisted Living Regional Director  
2917 INTERNATIONAL LN STE 300  
MADISON WI 53704-3100  
Phone: (608) 243-3868  
Fax: (608) 243-2389

### **Western Region**

Assisted Living Regional Director  
610 GIBSON ST STE 1  
EAU CLAIRE WI 54701-2626  
Phone: (715) 836-4029  
Fax: (715) 836-2535