

# Children's Long-Term Support Waiver Provider Bulletin

## *Program Information for Children's Waiver Providers*

As a waiver provider, you serve an essential role in supporting the lives of children and families. This Bulletin is part of DHS' commitment to support you by communicating important children's waiver information directly to you.



## **INCIDENT REPORTING FOR CHILDREN'S PROGRAMS**

The information provided in this Bulletin is published in accordance with Social Security Act § 1915(c) and 42 C.F.R. § 440.180.

The purpose of this Children's Long-Term Support Waiver Provider Bulletin is to review your responsibility to report incidents and to inform you of a new provider information sheet developed by the Wisconsin Department of Health Services.

The Centers for Medicare & Medicaid Services requires the identification, remediation, and reporting of incidents to assure the safety and well-being of children and youth enrolled in the Children's Long-Term Support (CLTS) Waiver Program.

Providers who meet the definition of a caregiver (those who have regular, direct contact with a child or youth participating in the

program) must report incidents to the county waiver agency (CWA) as soon as possible. Refer to Chapter 4 of the [Medicaid Home and Community-Based Services \(HCBS\) Waiver Manual for the CLTS Waiver Program, P-02256](#), for more information on the caregiver definition.

To help you understand what incidents are and what must be reported, the Wisconsin Department of Health Services has created the [Children's Incident Reporting for Providers](#) information sheet, P-02613, which the CWA is required to share with service providers. Information from this publication is also summarized in this Bulletin.

## What is an incident?

An incident is any actual or alleged event or situation that creates a significant risk or serious harm to the physical or mental health, safety, or well-being of a child or youth.

## What must be reported?

You must report **all** alleged or actual events or situations to the CWA.

Examples of reportable incidents include, but are not limited to, the following:

- Any known or suspected abuse, neglect, or exploitation of the child or youth
- Errors in medical or medication management that result in an adverse reaction requiring medical attention
- Initiation of an investigation by law enforcement of an event or allegation regarding a child or youth as either a perpetrator or victim
- Significant and substantial damage to the residence of a child or youth or a service provider
- Use of isolation, seclusion, or restraint by a provider that is not part of an approved behavior support plan
- An event or behavior that causes serious injury or risk to the child or youth, which may include running away, setting a fire, violence, unplanned hospitalization, or a suspected or confirmed suicide attempt
- A child's or youth's death

## FYI

Reporting incidents to a CWA does not relieve the provider of any other health and safety responsibility or of reporting obligations to appropriate regulatory or enforcement agencies.

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## What is my responsibility?

The CWA will give you a copy of the Children's Incident Reporting for Providers information sheet for you to review. The CWA will also inform you of its specific incident reporting requirements, including contact information for reporting an incident. After reviewing this information, you are encouraged to keep it available in case of an incident.

If an incident should occur, you must report the incident using the process outlined by the CWA.

## What happens after an incident is reported?

Once you have reported an incident, the CWA is required to:

- Refer allegations of child abuse and neglect to the county child protective services agency or the local law enforcement agency for further investigation, if applicable.
- Work closely with you and the family to reduce further risk to the child and prevent other children from being harmed.
- Review the child's service plan to identify possible changes to supports, services, or assigned providers to help prevent further incidents.
- Implement changes identified in the service plan review.
- Report incidents to the Department of Health Services.
- Any instances of substantiated findings or criminal conviction of a paid caregiver (provider) for abuse, neglect, or exploitation of a child or youth will result in barring the provider from working as a caregiver and having direct access to children enrolled in the CLTS Waiver Program.

# CALL TO ACTION

Before an incident occurs, providers need to:

- Review the requirements found on the Children's Incident Reporting for Providers information sheet.
- Discuss with the CWA its specific incident reporting requirements, including contact information for submitting a report.
- Provide your staff with incident reporting requirements and contact information, if you are an agency that employs direct caregiving staff.

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The CLTS Waiver Program is a home and community-based services waiver. It provides services funded by Wisconsin Medicaid for children who have substantial limitations in their daily activities and need support to live full and inclusive lives in their home or community. Eligible children include those with developmental disabilities, severe emotional disturbances, or physical disabilities. Funding can be used for a range of services and supports based on the goals and identified outcomes for each child and their family.

For more information, visit the [Services for Children With Delays or Disabilities](#) webpage.

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