**4.10a Serious Incidents and Occurrences Table**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Serious Incident** | 1. **To Licensing?**
2. **If so, when?**
 | 1. **To OCOK?**
2. **If so, when?**
 | 1. **To Parents?**
2. **If so, when?**
 | 1. **To Law Enforcement?**
2. **If so, when?**
 |

**Foster parents must report any serious incident directly to the Child Abuse Hotline if the incident involves a child under the care of the foster parent. If there is a serious incident involving an adult resident, you do not have to report the incident to Licensing, but you must document the incident. You do have to report the incident to law enforcement, as outlined in the chart above. You also have to report the incident to the parents, if the adult resident is not capable of making decisions about his/her own care.**

**Regarding section 2, not every trip to a hospital or emergency clinic must be reported as a serious incident. Only those incidents involving a “critical injury or illness” must be reported and documented as a serious injury. The rule contains some examples of reportable serious incidents. Visits to the emergency room or emergency clinic (that did not result in hospitalization) for a common illness such as the flu, for a chronic illness such as an asthma attack, or for a routine medical exam would not warrant reporting as a serious incident. Also, it is the nature of the injury or illness that determines whether it is reportable as a serious incident, not the venue in which it is treated. Taking a child to the emergency clinic or doctor’s office for stitches is still reportable as a serious incident, even though the treatment did not occur at as emergency room or hospital.**

**Regarding children receiving treatment services for primary medical needs, planned admissions to the hospital are not reportable as serious incidents. If the child sustains a critical injury if contracts a serious illness, a serious incident report is required. However, ongoing treatment for the child’s chronic illness or conditions is not reportable as a serious incident. In addition, admission to a psychiatric hospital only warrants a serious incident report if the admission is precipitated by a reportable incident, such as a suicide attempt. The admission itself is not reportable as a serious incident. A suicide attempt is a child’s attempt to take their own life using means to methods for causing death, including any act a child commits intending to cause his death, but excluding gestures where it is clear that the act was unlikely to cause death. Suicidal thoughts are not reportable as a suicidal attempt.**

|  |
| --- |
|  |
| 1. A child dies while in your care
 | 1. YES
2. Report as soon as possible, not no later than 24 hours after the incident or occurrence

**Medium High** | 1. YES
2. Immediately
 | 1. YES
2. Immediately
 | 1. YES
2. Immediately
 |
|  |
| 1. A critical injury or illness that warrants treatment by a medical professional or hospitalization, including dislocated, fractured, or broken bones; concussions; lacerations requiring stitches; second and third degree burns; and damage to internal organs.
 | 1. YES
2. Report as soon as possible, nut no later than 24 hours after the incident or occurrence

**Medium High** | 1. YES
2. Report as soon as possible, but no later than 24 hours after the incident or occurrence.
 | 1. YES
2. Report as soon as possible, but no later than 24 hours after the incident or occurrence.
 | 1. NO
2. Not Applicable
 |
|  |
| 1. Allegations of abuse, neglect, or exploitation of a child; or any incident where there are indications that a child in care may have been abused, neglected, or exploited
 | 1. YES, including whether you plan to move the child until the investigation is complete.
2. As soon as you become aware of it.

**Medium High** | 1. YES, including whether you plan to move the child until the investigation is complete.
2. As soon as you become aware of it.
 | 1. YES, including whether you plan to move the child until the investigation is complete.
2. As soon as you become aware of it.
 | 1. NO
2. Not Applicable
 |
|  |
| 1. Physical abuse committed by a child against another child. For the purpose of this subsection, physical abuse is: Physical injury that results in substantial bodily harm and requiring emergency medical treatment, excluding any accident; or failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial bodily harm to a child.
 | 1. YES
2. As soon as possible, but no later than 24 hours after the occurrence or incident

**Medium High** | 1. YES
2. As soon as possible, but no later than 24 hours after the occurrence or incident.
 | 1. YES
2. As soon as possible, but no later than 24 hours after the occurrence or incident.
 | 1. NO
2. Not Applicable
 |
|  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Serious Incident** | 1. **To Licensing?**
2. **If so, when?**
 | 1. **To OCOK?**
2. **If so, when?**
 | 1. **To Parents?**
2. **If so, when?**
 | 1. **To Law Enforcement?**
2. **If so, when?**
 |
| 1. Sexual abuse committed by a child against another child. For the purpose of this subsection, sexual abuse is: Conduct harmful to a child’s mental, emotional or physical welfare, including nonconsensual sexual activity between children of any age, and consensual sexual activity between children with more than 24 months difference in age or when there is a significant difference in the developmental level of the child; or failure to make a reasonable effort to prevent sexual conduct harmful to a child.
 | 1. YES
2. As soon as possible, but no later than 24 hours after the occurrence or incident.

**Medium High** | 1. YES
2. As soon as possible, but no later than 24 hours after the occurrence or incident.
 | 1. YES
2. As soon as possible, but no later than 24 hours after the occurrence or incident.
 | 1. NO
2. Not Applicable
 |
|  |
| 1. A child is indicted, charged, or arrested for a crime, not including being issued a ticket at school by law enforcement or any other citation that does not result in the child being detained.
 | 1. YES
2. As soon as possible, but no later than 24 hours after you become aware of it.

**Medium** | 1. YES
2. As soon as you become aware of it.
 | 1. YES
2. As soon as you become aware of it.
 | 1. NO
2. Not Applicable
 |
|  |
| 1. A child developmentally or chronologically under 6 years old is absent from a foster home and cannot be located, including the removal of a child by an unauthorized person.
 | 1. YES
2. Within 2 hours of notifying law enforcement.

**Medium High** | 1. YES
2. Within 2 hours of notifying law enforcement.
 | 1. YES
2. Within 2 hours of notifying law enforcement
 | 1. YES
2. Immediately upon determining the child is not on the premises and the child is still missing.
 |
|  |
| 1. A child developmentally or chronologically 6 to 12 years old is absent from a foster home and cannot be located, including the removal of a child by an unauthorized person.
 | 1. YES
2. Within 2 hours of notifying law enforcement, if the child is still missing.

**Medium High** | 1. YES
2. Within 2 hours of notifying law enforcement, if the child is still missing.
 | 1. YES
2. Within 2 hours of determining the child is not on the premises, if the child is still missing.
 | 1. YES
2. Within 2 hours of determining the child is not on the premises, if the child is still missing.
 |
|  |
| 1. A child 13 years old or older is absent from a foster home and cannot be located, including the removal of a child by an unauthorized person.
 | 1. YES
2. No later than 24 hours from when the child’s absence is discovered and the child is still missing.

**Medium** | 1. YES
2. No later than 24 hours from when the child’s absence is discovered and the child is still missing, sooner than the time frame is encouraged.
 | 1. YES
2. No later than 24 hours from when the child’s absence is discovered and the child is still missing.
 | 1. YES
2. No later than 24 hours from when the child’s absence is discovered and the child is still missing.
 |
|  |
| 1. A child in your care contracts a communicable disease that the law required you to report to the Department of State Health Services (DSHS) as specified in 25 TAC Chapter 97, Subchapter A, (relating to Control of Communicable Diseases)
 | 1. YES, unless the information is confidential.
2. As soon as possible, but no later than 24 hours after you become aware of the communicable disease.

**Medium** | 1. YES, unless the information is confidential.
2. As soon as possible, but no later than 24 hours after you become aware of the communicable disease.
 | 1. YES, if their child has contracted the communicable disease or has been exposed to it.
2. As soon as possible, but no later than 24 hours after you become aware of the communicable disease.
 | 1. NO
2. Not Applicable.
 |
| **Serious Incident** | 1. **To Licensing?**
2. **If so, when?**
 | 1. **To OCOK?**
2. **If so, when?**
 | 1. **To Parents?**
2. **If so, when?**
 | 1. **To Law Enforcement?**
2. **If so, when?**
 |
| 1. A suicide attempt by a child.
 | 1. YES
2. As soon as you become aware of the incident.

**Medium High** | 1. YES
2. As soon as you become aware of the incident.
 | 1. YES
2. As soon as you become aware of the incident.
 | 1. NO
2. Not Applicable.
 |
|  |

**You must report and document the following types of serious incidents involving your agency, one of you foster homes, an employee, contract staff, or a volunteer to the following entities within the specified time frame:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Any incident that renders all of part of y our operation unsafe or unsanitary for a child, such as a fire or a flood.
 | 1. YES
2. As soon as possible, but no later than 24 hours after the incident.

**Medium** | 1. YES
2. As soon as possible, but no later than 24 hours after the incident.
 | 1. YES
2. As soon as possible, but no later than 24 hours after the incident.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. A disaster or emergency that requires your operation to close.
 | 1. YES
2. As soon as possible, not no later than 24 hours after the incident.

**Medium** | 1. YES
2. As soon as possible, but no later than 24 hours after the incident.
 | 1. YES
2. As soon as possible, but no later than 24 hours after the incident.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. An adult who has contact with a child in care contracts a communicable disease noted in 25 TAC 97, Subchapter A, (relating to Control of Communicable Diseases).
 | 1. YES, unless the information is confidential.
2. As soon as possible, but no later than 24 hours after you become aware of the communicable disease.

**Medium** | 1. YES, unless the information is confidential
2. As soon as possible, but no later than 24 hours after you become aware of the communicable disease.
 | 1. YES, if their child has contracted the communicable disease or has been exposed to it.
2. As soon as possible, but no later than 24 hours after you become aware of the communicable disease.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. An allegation that a person under the auspices of your operation who directly cares for or has access to a child in the operation has abused drugs within the past seven days.
 | 1. YES
2. Within 24 hours after learning of the allegation.

**Medium** | 1. YES
2. Within 24 hours after learning of the allegation.
 | 1. NO
2. Not Applicable.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. An investigation of abuse or neglect by an entity (other than Licensing) of an employee, professional level service provider, volunteer, or other adult at the operation.
 | 1. YES
2. As soon as possible, but not later than 24 hours after you become aware of the investigation.

**Medium** | 1. YES
2. As soon as possible, but no later than 24 hours after you become aware of the investigation.
 | 1. NO
2. Not Applicable
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. An arrest, indictment, or a county or district attorney accepts an “Information” regarding an official complaint against an employee, professional level service provider, or volunteer alleging commission of any crime as provided in 745.651 of this title (relating to what types of criminal convictions may affect a person’s ability to be present at an operation).
 | 1. YES
2. As soon as possible, but not later than 24 hours after you become aware of the situation.

**Medium** | 1. YES
2. As soon as possible, but no later than 24 hours after you become aware of the situation.
 | 1. NO
2. Not Applicable.
 | 1. NO
2. Not Applicable.
 |
| **Serious Incident** | 1. **To Licensing?**
2. **If so, when?**
 | 1. **To OCOK?**
2. **If so, when?**
 | 1. **To Parents?**
2. **If so, when?**
 | 1. **To Law Enforcement?**
2. **If so, when?**
 |
| 1. Emergency Behavior Intervention of any kind with a client
 | 1. YES
2. Quarterly on RCCL’s Emergency Behavior Intervention
 | 1. YES
2. Within 24 hours it if is a physical restraint.
 | 1. NO
2. Not Applicable
 | 1. NO
2. Not Applicable.
 |
|  |
| **Occurrences** | 1. **To Licensing?**
2. **If so, when?**
 | 1. **To OCOK?**
2. **If so, when?**
 | 1. **To Parents?**
2. **If so, when?**
 | 1. **To Law Enforcement?**
2. **If so, when?**
 |
| 1. Medically pertinent incidents, such as seizures, that do not rise to the level of a serious incident.
 | 1. NO
2. Not Applicable; however, you must document that type of incident including the date, time, action take and the child’s name.

**Medium High** | 1. YES
2. Within 24 hours of the incident occurring – documented on the incident report.
 | 1. YES
2. Within seven days.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. Changing your child-placing agency administrator
 | 1. YES, in writing.
2. Within seven days after the action is taken

**Medium High** | 1. YES, in writing
2. Within seven days after the action is taken.
 | 1. NO
2. Not Applicable.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. CPA Notification of Licensing Visit.
 | 1. NO
2. Not Applicable.
 | 1. YES
2. Within 1 business day of the visit occurring (if unannounced) and/or prior to licensing visit occurring (if scheduled).
 | 1. NO
2. Not Applicable.
 | 1. No
2. Not Applicable.
 |
|  |
| 1. CPA Notification of Licensing Inspection/Visit Results.
 | 1. NO
2. Not Applicable.
 | 1. YES
2. Within 1 business day of being notified of the results. \*\*Note: Provider is required to forward the RCCL Monitoring Report electronically upon receipt to OCOK. Additionally, if inspection results in a CAP being warranted, OCOK requires the ability to collaborate with the Provider in developing the CAP response.\*\*
 | 1. NO
2. Not Applicable.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. Foster Home Licensing Inspection.
 | 1. NO
2. Not Applicable.
 | 1. YES
2. Within 1 business day of being notified of the results. \*\*Note: Provider is required to forward the RCCL Monitoring Report electronically upon receipt to OCOK. Additionally, if inspection results in a CAP being warranted, OCOK requires the ability to collaborate with the Provider in developing the CAP response.\*\*
 | 1. NO
2. Not Applicable.
 | 1. NO
2. Not Applicable.
 |
| **Occurrences** | 1. **To Licensing?**
2. **If so, when?**
 | 1. **To OCOK?**
2. **If so, when?**
 | 1. **To Parents?**
2. **If so, when?**
 | 1. **To Law Enforcement?**
2. **If so, when?**
 |
| 1. Licensing Investigation
 | 1. NO
2. Not Applicable.
 | 1. YES
2. Within 1 business day of being notified of the results. \*\*Note: Provider is required to forward the RCCL Monitoring Report electronically upon receipt to OCOK. Additionally, if inspection results in a CAP being warranted, OCOK requires the ability to collaborate with the Provider in developing the CAP response.\*\*
 | 1. NO
2. Not Applicable.
 | 1. NO
2. Not Applicable.
 |
|  |
| 1. Licensing Investigation Results
 | 1. NO
2. Not Applicable.
 | 1. YES
2. Within 1 business day of being notified of the results. \*\*Note: Provider is required to forward the RCCL Monitoring Report electronically upon receipt to OCOK. Additionally, if inspection results in a CAP being warranted, OCOK requires the ability to collaborate with the Provider in developing the CAP response.\*\*
 | 1. NO
2. Not Applicable.
 | 1. NO
2. Not Applicable.
 |