



Minnesota Department of **Human Services**

An Introduction to the Behavior Intervention Report Form

10/8/13

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Objectives

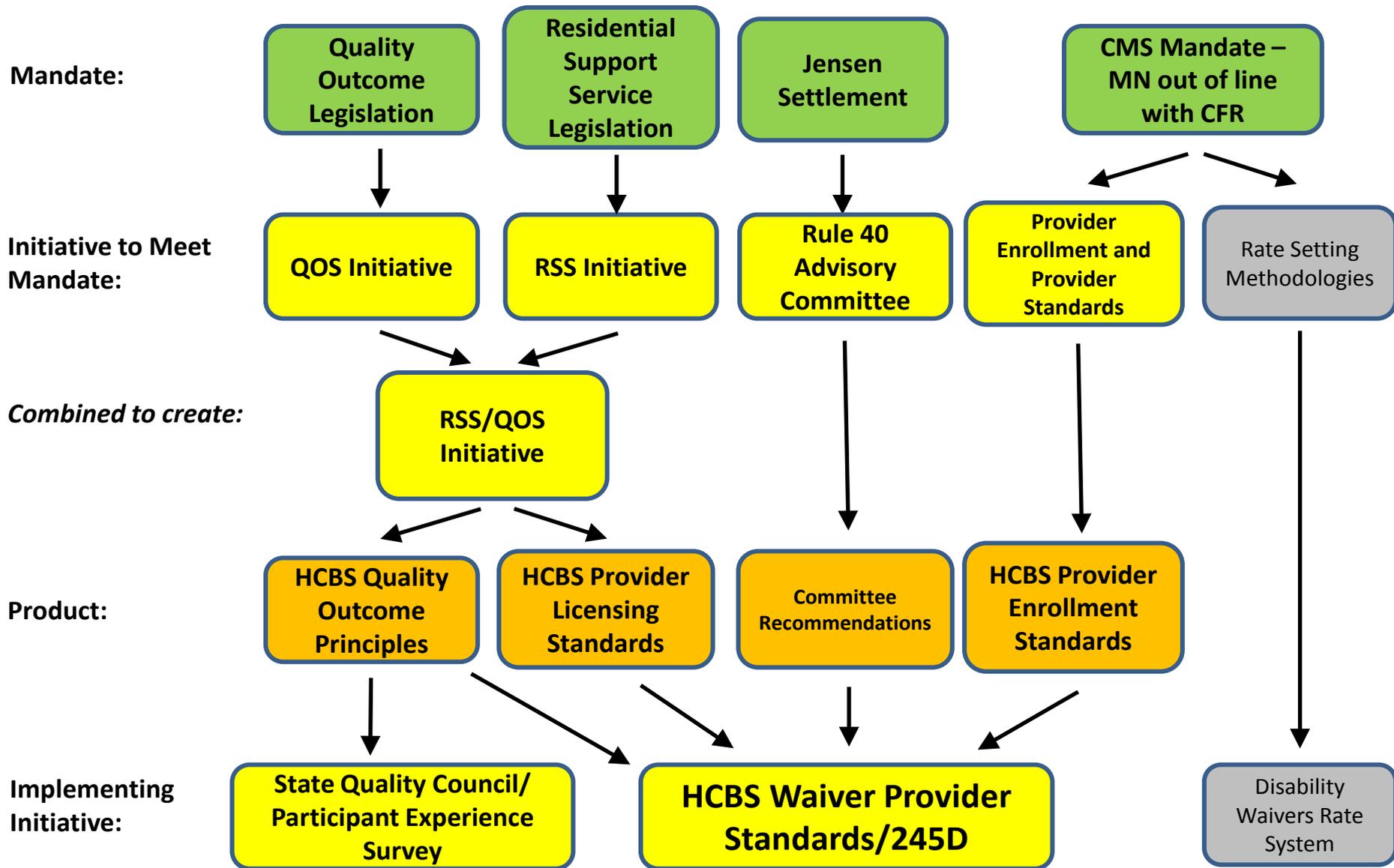
- Provide background on the Report Form
- Outline reporting requirements
 - who needs to report
 - Reporting timelines
- Walk through the Report Form
- Answer questions from the audience

How to Participate

Please hold questions until after the presentation

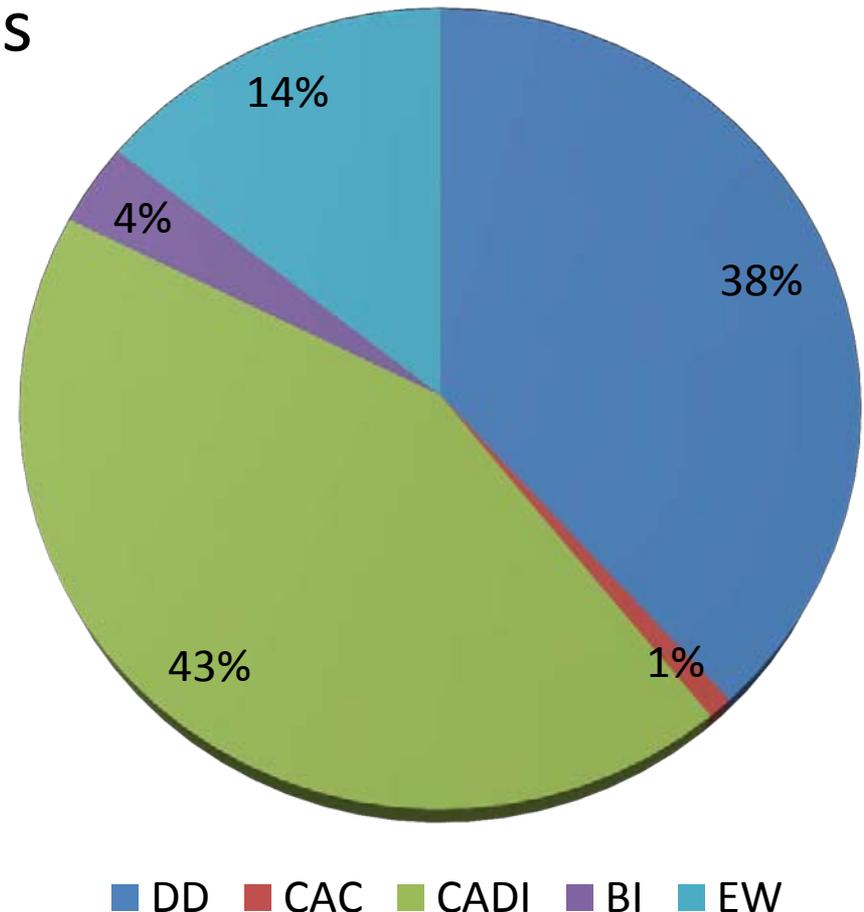
Submit questions via GoTo Webinar chat/question box

Project Flowchart

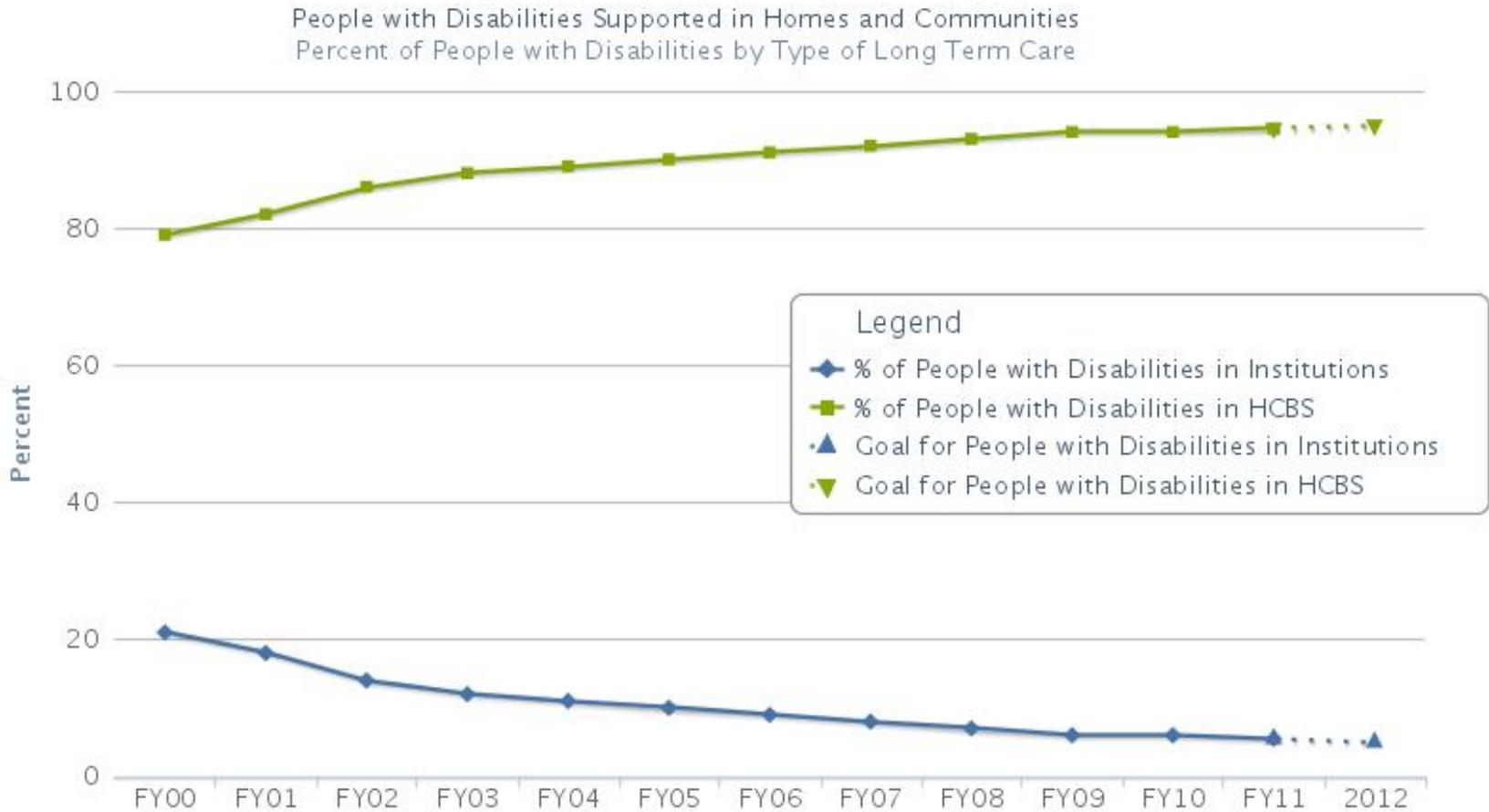


HCBS Medicaid Waivers

- Alternative to institutions
- States oversee programs
- MN has 5 Waivers
 - Elderly Waiver (EW)
 - Disability Waivers
 - Developmental Disability (DD)
 - Community Alternative Care (CAC)
 - Community Alternatives for Disabled Individuals (CADI)
 - Brain Injury (BI)



Home & Community-Based vs. Institutional Service Use



245D - Scope of Services

24-Hour Emergency Assistance

Behavioral Programming

Companion Services*

Crisis Respite

Day Training & Habilitation

Foster care service

Homemaker*

In-Home Family Support

Independent Living Skills

ICF/DD

Night Supervision

Personal Support

Prevocational Services

Respite*

Semi-Independent Living Services

Structured Day

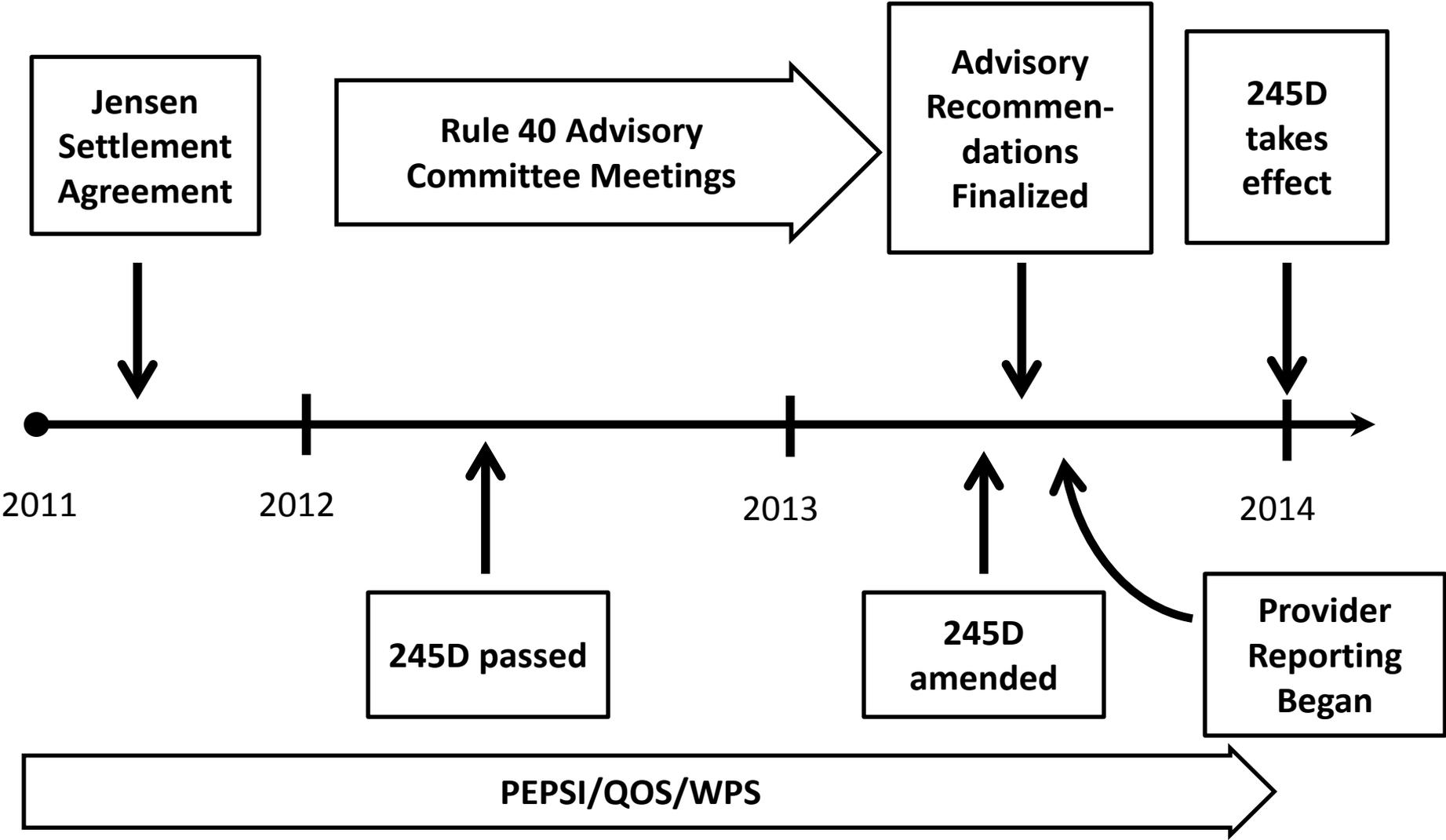
Specialist Services

Supported Employment

Supported Living Services

*includes EW

Rule 40 Modernization History



245D & Behavior Interventions

- 245D supersedes Rule 40
 - Rule 40 is in effect until Jan 1, 2014
- Defined prohibited, restricted and permitted actions
- Required reporting to DHS & Ombudsman MH/DD
- Positive support transition plans

245D Prohibited Behavior Interventions

- Chemical Restraint
- Mechanical Restraint
- Prone restraint
- Manual Restraint, other than in an emergency
- Time Out
- Seclusion
- Any aversive or deprivation procedure

245D Allowable Behavior Intervention

Emergency use of manual restraint:

- when a person poses an imminent risk of physical harm to self or others and,
- is the least restrictive intervention that would achieve safety.
- Property damage, verbal aggression, or a person's refusal to receive or participate in treatment do not constitute an emergency

Behavior Intervention Report Form

Current 245B and future 245D providers must report the following:

1. Planned use of controlled procedures
2. Emergency use of controlled procedures
3. Emergency use of manual restraint
4. Data elements from Advisory Committee

[Behavior Intervention Report Form](#)

Report meets requirements...

- Rule 40 Quarterly Report
- Emergency Use of Controlled Procedure
- Aversive procedure data elements
 - 245.8251
 - 256B.4912, subdivision 8
- Emergency Use of Manual Restraint -
245D.061 subd. 8
- Monitor form – 245D.061, subd. 4

Walkthrough of the BIRF

Behavior Intervention

Report Form

Report Timelines

245D report timelines

- 3 calendar days – written report from staff
 - 5 working days – complete internal review
 - 5 working days – expanded support team consult
 - 5 working days – external report
- 15 working days

**Rule 40 reporting timelines in effect until 12/31/13*

Positive Support Transition Plan (PSTP)

1. Eliminate the use of prohibited procedures
2. Avoid the emergency use of manual restraint
3. Prevent the person from physically harming self or others
4. Increase quality of life

PSTP replaces Rule 40 & Behavior Support Plans

Upcoming Communication/Training

- E-lists – [Instruction to subscribe](#)
- [HCBS Bulletin](#) – released 9/4
- [Behavior Intervention Report Info site](#)
- Training video
- Webinar(s)
- In-person regional meetings

Future plans...

- Report fields updated upon implementation of 245D
- Rule writing
- Positive Support Transition Plan development
- Positive Support Practice Manual

Q&A

Submit questions via the
Chat/Question Box

In conclusion...

Encore audio recording will be available in 24hrs along with this PowerPoint presentation

This will be available on the DSD training news and information page and sent to registered participants

Resources

- [Behavior Intervention Report Form - 5148](#)
- [Behavior Intervention Report Form Instructions](#)
- [Minnesota Statutes 245D](#)
- [Rule 40 Advisory Committee Recommendations](#)
- [Commissioner's Statement on Respect & Dignity](#)
- [Jensen Settlement Agreement](#)