



ZERO TOLERANCE POLICY REGARDING ABUSE OR NEGLECT OF INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

Purpose: The San Gabriel/Pomona Regional Center (SG/PRC) is committed to promoting and assuring the health, safety and security of our clients. Therefore, SG/PRC has adopted a “zero tolerance” policy regarding abuse or neglect of individuals with developmental disabilities, also known as regional center clients, as well as failure to report suspected abuse or neglect.

Definition: Abuse includes physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment which results in physical harm, pain or mental suffering or deprivation, by a person providing care and supervision, of goods and services which are necessary to avoid physical harm or mental suffering.

- **Physical Abuse:** The use or attempt to use force on the person of another, unreasonable physical constraint, sexual abuse, or prolonged or continual deprivation of food and water. It also means the use of isolation, physical or chemical restraint, or psychotropic medications without medical authorization, for the purpose of punishment.
- **Mental Suffering:** Fear, agitation, confusion, severe depression or other forms of emotional distress that is brought about by threats, harassment or other forms of intimidating behavior.
- **Neglect:** Negligent failure of a person(s) having care or custody of an individual to exercise a reasonable degree of care including, but not limited to, a failure to assist in personal hygiene and the provision of food, clothing, and shelter, or failure to provide medical care or protection from health and safety hazards.

Responsibility: All vendors providing services to SG/PRC clients (aka service providers) and those vendors’ staff, including employees, volunteers or other agents; all long-term care facilities utilized by SG/PRC clients; and all SG/PRC staff, including employees, contractors, consultants or other agents of SG/PRC.

Policy: Client abuse committed by SG/PRC employees or employees of vendors or of long-term care facilities shall not be tolerated. All such abuse or allegations of such abuse shall be reported immediately to the proper authorities. Failure to report shall not be tolerated.

SG/PRC Employees. Any abuse or allegations of abuse involving an SG/PRC employee shall be reported to the appropriate governmental authorities. Any SG/PRC employee found to have engaged in abuse against a client shall be subject to severe discipline, up to and including immediate termination. Any SG/PRC employee who fails to report abuse or allegations of abuse shall be subject to disciplinary action, up to and including immediate termination.

Staff of Vendor/Service Provider/Long-Term Care Facilities. Any abuse found to have been committed by a staff member of a vendor/service provider or long-term care facility, or allegation of such abuse, shall be reported to the appropriate authorities by the vendor or long-term care facility.

If the allegation is substantiated, the service provider – may also be subject to sanctions up to and including termination of vendorization and removal from the list of those authorized to provide services for regional center clients. In addition, in cases of all substantiated abuse committed by employees of vendored programs, including actions that were not willful or malicious but rather resulted from a certain set of benign and/or unforeseen circumstances, the vendor shall take swift corrective action which may lead to and include termination. In cases of substantiated abuse involving willful, malicious and deliberate acts of abuse, SGPRC shall request that the perpetrator have no further contact with any SGPRC client. SGPRC may make such a request in any other case of substantiated abuse. Service providers/vendors who fail to report abuse or allegations of abuse shall be subject to corrective actions, including sanctions and potential termination of vendorization.

Procedures:

Notice upon Hire. SG/PRC and all of SG/PRC’s vendors/service providers and the long-term health care facilities serving SG/PRC clients shall ensure that their employees are fully informed upon hire regarding this Policy and the mandatory abuse and neglect reporting laws.

SG/PRC’s Annual Notice. SG/PRC shall notify its employees, service providers and long-term health care facilities of this Policy on an annual basis.

SG/PRC’s Posting of this Policy on its Website. SG/PRC shall promptly post and maintain this Policy on its website, but no later than October 1, 2013.

Incorporation of this Policy into Vendor Contracts. This Policy shall be attached as an exhibit and/or incorporated by reference into all SG/PRC contracts and contract amendments that are entered into after the effective date of this Policy with SG/PRC’s service providers and long-term health care facilities.

Vendor’s Distribution of Policies to its Employees and Contractors. Each service provider and long-term health care facility shall (i) provide a copy of this Policy and its own Provider Compliance Policy to each of its respective employees and contractors upon hire/engagement, as well as annually thereafter, and (ii) retain documentation of its compliance with this requirement (such as signed and dated receipts from its employees). Each service provider or long-term health care facility shall provide such compliance documentation to SG/PRC upon request.

Immediate Action Required. If SG/PRC staff or staff of a SG/PRC vendor or long-term health care facility becomes aware of client abuse or neglect, that agency and/or person shall take immediate action, to the extent permitted by law, to ensure the health and safety of the affected client and all other clients receiving services and supports from SG/PRC.

Inconsistencies:

If any inconsistency exists between this Policy and the reporting laws, the provisions in the reporting laws shall prevail.

This policy was reviewed and approved by Board of Directors on September 26, 2013 and is effective immediately:

Original signed by Board President on file

Denis McGrath, Board President, FY 13/14

Date