

Critical Incident Provider Help Aid

PURPOSE

This help aid was developed to support Home and Community Based Service (HCBS) providers and outlines the definition and necessary response to critical incidents pertaining to individuals receiving services and supports on State Plan Personal Care Services (PCS) or the Aged and Disabled (A&D) Waiver.

CRITICAL INCIDENT

A critical incident is any actual or alleged event, situation, or traumatic event outside normal range of experience of a waiver participant that creates an actual or potential risk of substantial or serious harm to their physical or mental health, safety, or wellbeing.

Any individual who, in good faith, reports an incident or makes an allegation of abuse, neglect, or exploitation will be free from any form of retaliation.

Reportable Critical Incidents

The following are some examples of reportable critical incidents however this list is not all-inclusive.

- Abuse
- Neglect
- Exploitation
- Rights violations
- Serious injury
- Missing person
- Environmental hazards
- Suspicious death
- Medical emergency
- Injury caused by restraints
- Medical errors
- Law enforcement contact
- Suicide attempt

Who should report a critical incident?

Any person who becomes aware of a critical incident should report the incident. All HCBS providers and Direct Care Professionals (DCPs) are mandatory reporters and must report critical incidents.

Reporting a Critical Incident

All critical incidents should be reported to the following entities:

- Adult Protection (Area Agency on Aging)
- Local law enforcement if applicable
- Bureau of Long Term Care (BLTC) via the online Medicaid Complaint Submission System located at <https://medicaidcomplaints.dhw.idaho.gov>

CRITICAL INCIDENT DEFINITIONS

Definition	Example
Abuse: The intentional or negligent infliction of physical pain, injury, or mental injury, (Idaho Code 39-5302(1)).	Denying the use of equipment or devices that may increase independence (glasses, wheelchairs, walkers, canes), sexual abuse, humiliation, intimidation, etc.
Neglect: Failure of a caretaker to provide food, clothing, shelter, or medical care reasonably necessary to sustain life and health of a vulnerable adult or child, or the failure of a vulnerable adult to provide those services to himself/herself, (Idaho Code 39-5302 (8)).	Not providing food, water, clothing, etc. Allowing the participant to live in uninhabitable or unstable living conditions.
Exploitation: An action which may include, but is not limited to, the misuse of a vulnerable adult's funds, property, or resources by another person for profit or advantage, (Idaho Code, 39-5302 (7)).	Caregiver taking money from participant, utilizing the participant's vehicle for personal travel, etc.
Rights Violations: Through omission or commission, the failure to comply with the rights to which an individual with a is entitled as established by law, rule, regulation, or policy.	Forced servitude, violation of HCBS rights, etc.
Serious Injury: Regardless of the cause or setting in which it occurred, when an individual sustains an injury that requires professional medical treatment, (e.g., hospitalizations, fractures, and wounds requiring stitches). Serious injuries are those that require treatment from a hospital or outside medical professional. Medical professionals include but are not limited to MDs, RNs, and LPNs.	Broken bones, concussion, stitches, etc.
Missing Person: A participant's whereabouts is unknown whatever the circumstances of disappearance.	Participant usually goes to the senior center 3 days a week but has not been seen there in a week.

Environmental Hazards: An unsafe condition that creates an immediate threat to the life or health of a participant such as exposure to bodily waste, unsafe housing condition, or any other hazard resulting from chemical, biological, or physical agents that poses a risk to an individual.	Participant is exposed to toxic chemicals, biological waste, etc. The participant's home is condemned or presents unsafe living conditions due to disrepair.
Medical or Psychiatric Emergency: Admission of an individual to a hospital or psychiatric facility or the provision of emergency medical services (treatment by EMS) that results in medical care which is unanticipated and/or unscheduled for the individual and which would not routinely be provided by a primary care physician. Including, but not limited to, Emergency Medical Services, Emergency Psychiatric Services, Life Saving Intervention.	Participant makes suicidal comments.
Medical Errors: Any type of medical related mistake that may negatively impact a participant's health or cause him/her serious injury.	Avoidable delays in treatment, unnecessary treatment, medication mistakes, error in the performance of an operation, a test, or procedure.
Law Enforcement Contact: A participant is charged with a crime or is the subject of a police investigation, which may lead to criminal charges (misdemeanor or felony); an individual is a victim of a crime against the person; crisis intervention involving police or law enforcement personnel.	Participant is charged with a criminal offense by law enforcement, is a suspect in a police investigation, etc. Participant is violently attacked, reports money is stolen, etc.
Injury caused by Restraints: An injury to a participant is caused by any of the following restraints:	
▪ Manual or Physical Restraint: Any hands-on technique that involuntarily restricts the movement or function of an individual or portion of an individual's body. ▪ Mechanical Restraint: Any device used to control acute, episodic behavior that involuntarily restricts the movement or function of an individual or a portion of an individual's body ▪ Chemical Restraint: Any drug used to involuntarily restrict the movement or function of an individual.	Caregiver physically touches and gains control over a participant.
	Use of handcuffs, leather restraints, rope, etc.
	Use of sedatives to calm the participant.
Suspicious Death: A death is labeled suspicious when either a crime is involved, an accident has occurred, the death is not from an expected medical prognosis, a participant dies unexpectedly under care, or when a participant's death occurs because of trauma in a medical setting.	

Suicide Attempt: The intentional attempt to take one’s own life. A suicide attempt is limited to the actual occurrence of an act and does not include verbal suicidal threats by a person receiving services.

VERSION HISTORY

Date	Version	Comments
09/2024	v1.3	Updated formatting, added version history.
02/2026	v1.4	Accessibility update

The information outlined herein is not new law but is an agency interpretation of existing law, except as authorized by law or as incorporated into a contract. To seek additional information or provide input on the agency guidance document please reach out to BLTCQA@dhw.idaho.gov.