

DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVING

Division of Licensing and Protection
Survey and Certification
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Memorandum

To: Therapeutic Community Residences
From: Suzanne Leavitt, RN, MS 
State Survey Agency Director
Date: October 1, 2015
Subject: Reporting Requirements

This memorandum is intended to provide clarification to Therapeutic Community Residences (TCR) on the reporting requirements under Vermont state regulations pertaining to TCRs. **This memorandum does NOT include specific guidance about Adult Protective Services reporting requirements.**

(1) When a fire occurs in the residence, regardless of size or damage, the licensing agency and the Department of Public Safety's Division of Fire Safety must be notified within twenty-four (24) hours. A written report must be submitted to both departments within seventy-two (72) hours. A copy of the report shall be kept on file. [5.10(d)(1)]

(2) A written report of any reports or incidents of abuse, neglect or exploitation reported to the licensing agency. [5.10(d)(2)]

(3) A written report of any deaths. When a resident dies, in addition to notifying the medical examiner, the licensee shall send a report to the licensing agency and to the designated Vermont protection and advocacy organization with the following information:

- i.* The name of resident;
- ii.* The circumstances of the death;



- iii. The circumstances of any recent injuries or falls;
- iv. A list of all medications and treatments received by the resident during the two (2) weeks prior to the death; and
- v. When and by whom the police were notified. [5.10(d)(3)]

(4) Death of a Resident: The manager shall report any death of a resident to the licensing agency, the regional medical examiner and the appropriate law enforcement agency, including the state's attorney's office. [5.15(a)]

(5) The licensee and staff shall report any case of suspected abuse, neglect or exploitation to Adult Protective Services (APS) as required by 33 V.S.A. §6903. APS may be contacted by calling toll-free 1-800-564-1612. Reports must be made to APS within forty-eight (48) hours of learning of the suspected, reported or alleged incident. [5.16(a)]

(6) The licensee and staff are required to report suspected or reported incidents of abuse, neglect or exploitation. It is not the licensee's or staff's responsibility to determine if the alleged incident did occur or not; that is the responsibility of the licensing agency. A residence may, and should, conduct its own investigation. However, that must not delay reporting of the alleged or suspected incident to APS. [5.16(b)]

(7) Incidents involving resident-to-resident abuse must be reported to the licensing agency if a resident alleges abuse, sexual abuse, or if an injury requiring medical intervention results, or if there is a pattern of abusive behavior. All resident-to-resident incidents, even minor ones, must be recorded in the resident's record. Families or legal representatives must be notified and a plan must be developed to deal with the behaviors. [5.16(c)]