



Notification to the Qualified Party A qualified party is: Individual receiving services, Guardian, Parent, Spouse, Adult Child, Adult Sibling

made for all Reportable Incidents and Notable Occurrences

Report on Actions Taken (OPWDD 148)

provided within 10 working days for all Reportable Incidents and Notable Occurrences

Release of Investigative Records After Closure of the Incident All Reportable Incidents (Abuse and Neglect and Significant Incidents)

Must be requested in writing by the qualified party and disclosed to the qualified party within 21 days of the request or the closure of the incident (whichever is later)

Table with 2 columns: Closure of Reportable Abuse and Neglect for programs certified or operated by OPWDD occurs when the agency receives the letter of determination from the NYS Justice Center; Closure of Reportable Abuse and Neglect for voluntary operated non-certified services (not under the authority of the NYS Justice Center) occurs: if the agency conducts the investigation, when the IRC has ascertained that no further investigation is necessary; or if the investigation is conducted by the Central Office of OPWDD, when the Central Office of OPWDD notifies the agency of the results of the investigation

Closure of all Significant Incidents: when the IRC has ascertained that no further investigation is necessary

Responsibility for Disclosure of Investigative Records for Reportable Incidents that Occurred On or After June 30, 2013 (The disclosing entity must redact the investigative records)

Table with 3 columns: Investigated by, Records to be disclosed, Responsible for disclosure. Rows include Agency, OPWDD OIIA, and NYS Justice Center.

Note: For incidents that occurred prior to June 30, 2013, Jonathan's Law notifications were required for all allegations of abuse and neglect; reportable incidents of "injury," "medication error," or "death"; and serious reportable incidents of "injury," "medication error," "death," and "missing person." The release of investigative records was limited to allegations of abuse and neglect.