

New ODP Regulation Update: Revised Effective Dates for Incident Management, Medication Administration Training, and Annual Training

ODP Announcement 19-156

AUDIENCE:

All Interested Parties

PURPOSE:

To provide revised effective dates for the implementation of new regulatory requirements in the following areas: annual training, incident management, and the modified training course for medication administration.

This communication also provides information on the development of a question and answer (Q&A) document, as well as informs as to the location of recorded webinars regarding regulatory changes.

DISCUSSION:

Annual Training Requirements

For annual training completed between now and June 30, 2020, providers can choose to train staff in accordance with current annual training requirements or the new annual training requirements contained in the ODP regulations package published on October 5, 2019. Please see the table below for a crosswalk of where current and new annual training requirements are found in each regulatory chapter. Since annual training requirements in 55 Pa. Code §51.23 do not apply to providers who render services funded through the Adult Autism Waiver, these providers can delay annual training requirements until July 1, 2020 or can choose to start implementing the annual training requirements in 55 Pa. Code §6100.143 prior to July 1, 2020. **All providers must ensure that staff trained on or after July 1, 2020, receive annual training that complies with**

55 Pa. Code §§ 2380.39, 2390.49, 6100.143, 6400.52, and/or 6500.48. A training year is a 12-month time frame.

Current Annual Training Requirements	New Annual Training Requirements
51.23 Provider Training	6100.143 Annual Training
2380.36 Staff Training	2380.39 Annual Training
2390.40 Staff Training	2390.49 Annual Training
6400.46 Staff Training	6400.52 Annual Training
6500.45 Training 6500.46 Annual Training	6500.48 Annual Training

Example 1: A staff person who renders services under the Consolidated, Community Living or Person/Family Directed Support waiver received components of annual training on November 17, 2019, December 15, 2019 and February 22, 2020, with all annual training requirements completed by February 22, 2020. The provider will be deemed compliant if the annual training complies with §§ 51.23 (a), (c) and (d) or § 6100.143. To be deemed compliant the following year, this staff person must receive annual training in compliance with § 6100.143 by February 28, 2021.

Example 2: A staff person received components of annual training on August 4, 2020 and August 5, 2020, with all annual training requirements completed by August 5, 2020. The provider will be deemed compliant if the annual training complies with §§ 2380.39, 2390.49, 6100.143, 6400.52, and/or 6500.48. To be compliant the following year, this staff person must receive annual training in compliance with §§ 2380.39, 2390.49, 6100.143, 6400.52, and/or 6500.48 by August 31, 2021.

Incident Management

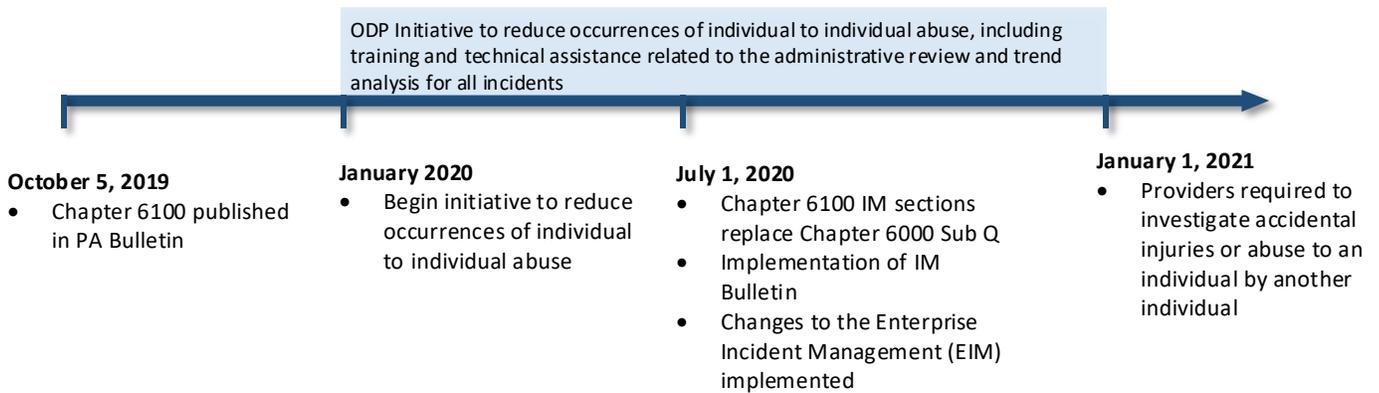
ODP will be issuing an **incident management bulletin** that further defines and operationalizes the incident management process cited in Chapter 6100. ODP anticipates that the incident management bulletin will be issued in May of 2020 with an effective date of July 1, 2020. Technology updates to the **Enterprise Incident Management (EIM) system** will be available for stakeholders on July 1, 2020 to align with the incident management bulletin effective date.

As the system transitions to comply with the Incident Management sections of 55 Pa. Code Chapter 6100, providers will continue to report and investigate incidents as outlined in the current Incident Management Statement of Policy, 55 Pa Code Chapter 6000 Subchapter Q. Effective July 1, 2020, ODP will align: (1) Chapter 6100 Incident Management sections (replacing Chapter 6000 subchapter Q), (2) implementation of the Incident Management Bulletin, and (3) implementation of technology updates to the EIM system.

As a reminder, outlined in ODP Announcement 19-127 *Investigations by an ODP-Certified Investigator Required by Chapter 6100: ODP’s Expectations and Implementation Strategy*, providers will not be required to investigate accidental injuries or abuse to an individual by another individual until January 1, 2021; however, ODP strongly recommends that providers begin to investigate these incidents as soon as possible for quality management purposes.

The requirements outlined in the Incident Management section of Chapters 2380, 2390, 6400, and 6500 are identical to what is contained in Chapter 6100.

Incident Management Implementation Timeline



Modified Training Course for Medication Administration

In accordance with § 6100.468(d), life sharers and service locations that are not licensed by the Department (DHS) will be required to successfully complete a modified medication administration course. **This requirement is being delayed until July 1, 2020.** This means that any staff required to take the course must do so by July 1, 2020, to be compliant with the regulatory requirements. It is anticipated that the modified training course for medication administration will be released by the end of December 2019.

Availability of Webinar Recordings

ODP provided live webinars following the release of the new regulatory package. The sessions were as follows:

- ODP Regulation Package Update from Deputy Secretary Ahrens
- 6100 Webinar for Professionals: General Provisions, Requirements, Enrollment and Enforcement
- Chapter 6100 Webinar for Professionals: Approved Program Capacity and Noncontiguous Locations for ID/A Waiver Providers
- Chapter 6100 Webinar for Professionals (Fiscal)

These sessions were recorded and are now available with their accompanying materials at: <https://www.myodp.org/course/view.php?id=1552>

Question and Answer Document

The Office of Developmental Programs (ODP) has started development of a Q&A document based on questions submitted through the webinars held to date as well as via its resource account at RA-PWODP6100REGS@pa.gov. While ODP is not able to provide clarification requested through most questions received at this time, the document does contain general regulation clarification requested. The Q&A document will be continually updated and is available here: <https://palms-awss3-repository.s3-us-west-2.amazonaws.com/Communications/ODP/2019/ODP+Regulation+Package+Question+and+Answer+Document+FINAL.pdf>.

All outstanding requests for clarification will be provided through communications, bulletins and regulatory compliance guides (RCG).