NORTHERN NEVADA ADULT MENTAL HEALTH SERVICES (NNAMHS)

POLICY AND PROCEDURE

SUBJECT: CONSUMER ASSAULT BY OTHER CONSUMERS

NUMBER: NN-RI-02

ORIGINAL DATE: 12/16/91

REVIEW/REVISE DATE: 06/08/95, 11/17/98, 12/20/01, 04/07/05, 03/06/08, 10/21/10, 11/21/13

APPROVAL:_______Cody L. Phinney________________________, Agency Director

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I. PURPOSE

To ensure the appropriate reporting to police of any allegation of abuse or neglect of consumers, including assaults by other consumers.

II. POLICY

NNAMHS will provide a reasonably safe environment for consumers, and will ensure, to the extent possible, that no consumer is abused or neglected by any person. The NNAMHS Agency Director or designee will gather, record, and investigate matters and take corrective measures in a reasonable, timely manner.

III. REFERENCES

1. NRS 200.5092 to NRS 200.50935 Abuse, Neglect, exploitation or isolation of older persons and vulnerable persons.
2. NRS 200.366 Sexual assault: Definition; penalties.
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3. NRS 433.534 Denial of Rights prohibited; exceptions; reports; investigation and action by commission, closure of meeting in certain circumstances.
4. NRS 433.554 Abuse of consumer; failure to report abuse; possession or use of intoxicating beverage or controlled substance; transaction with consumer; aiding escape of consumer; penalties; definitions.
5. Division of Mental Health and Developmental Services (MHDS) Policy CRR-1.2 Prohibition of Abuse or Neglect of Consumers and Reporting Requirements.
6. NNAMHS Policy NN-RI-08 Reporting the Denial of Rights.
7. NNAMHS Policy NN-PI-04 Incident Report.
8. NNAMHS Policy NN-RI-01 Consumer Abuse and/or Neglect.
9. MHDS Policy CRR-1.4 Reporting of Serious Incidents.

IV. DEFINITIONS

1. Abuse - any willful and unjustified infliction of pain, injury or mental anguish upon a consumer, including, but not limited to:
   a. Sexual abuse, including but not limited to rape, sexual assault or sexual exploitation of the consumer;
   b. Physical abuse, including but not limited to striking a person.
   c. Verbal abuse, including but not limited to verbal intimidation or coercion of a person without a redeeming purpose.
   d. Use of excessive force when placing the consumer in physical restraints or chemical restraints in violation of state or federal law.
   e. Abuse/improper use of a person's social security (or other funds in the person's trust account).
   f. Any other act that would be considered exploitation.
2. Neglect – Any omission or act which cause injury to a consumer or which places the consumer at risk of injury, including but not limited to failure to:
   a. follow the policies of the facility for the care and treatment of consumers.

IV. PROCEDURE

A. Any employee seeing, suspecting or receiving a report from anyone of consumer abuse or exploitation by another consumer, shall report the incident to their supervisor immediately or in no event later than one hour. Failure to do so will be grounds for disciplinary action up to and including dismissal.

B. When a supervisor receives a verbal report of consumer abuse, neglect, or exploitation by another consumer, the supervisor will immediately, or in no event later than one hour:

1. Provide for the health and safety of the involved consumers.
2. Talk with both consumers involved.
3. Examine both the consumers for any evidence of injury.
4. Offer the victim the option of contacting Sparks Police. If the victim chooses, complete the Sparks Police FAX Notification and fax it to the Sparks Police Department. The original of this report as well as the fax confirmation piece of paper will be forwarded to NNAMHS Performance Improvement Coordinator on the next business day, attached to a NNAMHS incident report.
5. The supervisor will notify the attending physician or Officer of the Day (OD).
6. The verbal report to the attending physician or OD will be followed by a written NNAMHS incident report describing the incident, and by the filing of a Denial of Consumer's Rights. The written reports are to be completed before the end of the shift on which the incident took place.
7. A Division Serious Incident Report will be completed in keeping with the DPBH policy on Serious Incident Reporting.

h. Notify the attending physician or OD.

C. The nursing supervisor shall notify the Agency Director or designee per NNAMHS policy.