

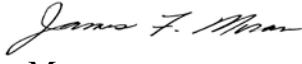
Executive Office

44 Holland Avenue
Albany, NY 12229-0001

TEL: 518-473-1997
FAX: 518-473-1271
TTY: 866-933-4889

www.opwdd.ny.gov

TO: Executive Directors of Voluntary Agencies
DDSO Directors

FROM: James F. Moran 
Division of Quality Management

DATE: August 3, 2011

SUBJECT: Accounting for Individuals in the Care of Day Program

The safety and well-being of individuals receiving services from the Office for People With Developmental Disabilities (OPWDD) and provider agencies is of paramount importance. Providers must have procedures that ensure that individuals in their care receive the appropriate level of supervision to safely meet their protective oversight needs, and, in accordance with OPWDD regulations at 14 NYCRR § 633.8(a)(1), must ensure that all staff responsible for their care are trained in these procedures. In order to effectuate these responsibilities, DDSOs and provider agencies must comply with the following:

Accounting for Individuals in the Care of Day Program Operators

- There must be clearly stated staff assignment of responsibility for the protective oversight of each individual in their care;
- Individuals should be accounted for at the beginning and end of programming activities, and specific staff are to be assigned responsibility for protective oversight of the individuals throughout the program day;
- Agencies must have policies in place to determine when an individual is absent from a scheduled program or activity, procedures on how to verify that individual's whereabouts in the event of an unscheduled absence and a requirement that day programs designate an individual to perform van checks to ensure that individuals have exited the van;
- Such policies must include the verification at the beginning of the scheduled activity of the individual's presence or absence and a requirement that the individual's residence be contacted if an individual has an unscheduled absence and when appropriate law enforcement authorities will be contacted in an effort to locate the individual;
- Agencies must have emergency contact information for all individuals receiving services in their programs, such contact information should be used in an attempt to locate a missing individual, and emergency contacts must be made if an individual's whereabouts cannot be established by the individual's place of residence;

- Once it is determined that an individual's whereabouts are unknown, the provider must comply with the reporting requirements of Part 624 procedures for missing persons.

Transportation Safety

- Individuals must not be left unattended in a vehicle;
- In addition to compliance with all State licensing and traffic laws, drivers and all staff accompanying individuals during transportation, should be familiar with the individuals being transported and their individual protective oversight needs and take appropriate precautions when transporting these individuals;
- All drivers must check each vehicle at the end of every trip to ensure that all individuals have exited the vehicle and must verify that all individuals have safely arrived at their intended destination;
- DDSOs and agencies must have policies in place to ensure that vehicle checks are performed at the end of all trips; such policies must include documentation that a check is performed after each drive and that drivers and all staff who accompany individuals during transportation have been trained in performing such checks ;
- Drivers must use seatbelts for all passengers and the driver (including the use of wheelchair securing straps and tie downs)

Community Outings

- When individuals are involved in community outings, agencies must have systems in place to assure their appropriate supervision and safety;
- There must be clearly stated staff assignment of responsibility for the protective oversight of each individual;
- Staff must be aware of the whereabouts of the individuals in their care and follow reasonable steps for accounting for each individual throughout the outing.

OPWDD will be establishing timeframes within which policies must be developed and training must be completed and will be issuing an update to this directive accordingly.