



# Oregon

Kate Brown, Governor

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Dear Personal Support Worker,

There are some rule changes coming November 1, 2019 that impact Personal Support Workers (PSWs). This email contains a summary of the two main changes: **Serious Incident Reporting** and **Dual Roles**. Please read this information carefully.

## **Serious Incident Reporting**

Effective November 1, 2019, Personal Support Workers must report serious incidents to a supported person's case manager (Services Coordinator or Personal Agent) immediately, but no later than one business day after an incident happens.

### **What kinds of things are PSWs required to report?**

- Serious illness that will result in hospitalization, bodily injury, or death without treatment.
- Serious injury that risks a person's life or permanent injury without treatment.
- Physical aggression resulting in injury to the person, PSW, or others.
- Person receives emergency medical care.
- Person is missing beyond the time frame established in their ISP.
- Person is admitted to a psychiatric hospital.
- Person attempts suicide.
- Person has an unplanned hospitalization.
- A medication error that results in harm or puts the person's health and safety at risk.
- A safeguarding intervention or the use of safeguarding equipment included in a Positive Behavior Support Plan results in injury.

*"Assisting People to Become Independent, Healthy and Safe"*

- The use of a physical restraint that is not included in a Positive Behavior Support Plan.
- Death

### **What must be included in the report?**

- Name of the person
- Date, time, duration, type, and location of the incident
- What happened before, or leading up to, the incident
- Detailed description of the incident, including what you did
- Description of injury, if injury occurred
- Name of the PSW and any other witnesses to the incident
- Actions by the PSW or others to keep the incident from happening again

### **Where can I get more information?**

ODDS has created a training for PSWs and other providers to learn about their responsibilities to report incidents. See more information in this transmittal: [APD-IM-19-068 Provider and Partners CAM training in iLearn.](#)

### **Dual Roles**

Effective January 1, 2020, PSWs may not be authorized or reauthorized to also provide skills training or attendant care services as a Community Living Support agency staff to the same person. This is called a dual role.

### **Does this apply to me as a PSW?**

This applies to PSWs who work both for an agency and as a PSW.

### **How do I know if I work for an agency?**

If you receive payment from any company other than PPL for the supports that you provide, you work for an agency.

### **What happens if I work for an agency and am a PSW for the same person?**

Services Coordinators and Personal Agents (case managers) will be working with PSWs, agencies, employers and other members of the

person's team to identify ways for the person to continue to get their needs met.

On or before the date your service authorization in eXPRS and Service Agreement ends, a new plan for supporting the person must be in place.

A case manager will not be able to reauthorize services where a PSW is also an agency staff for the same person.

By December 31, 2020, all existing dual roles must be ended.

**Are there any exceptions?**

PSWs who work for an agency to provide Employment or Day Support Activities to the same person are not included in this rule change.

PSWs can continue to work for agencies if they provide services to different people that they do not work for as a PSW.

More information, including this communication in other languages, is available online at: <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/PROVIDERS-PARTNERS/Pages/psw-resources.aspx>