**DDS Abuse and Neglect Registry Policy and Procedure – Definitions and Examples**

The following definitions apply to the DDS Abuse and Neglect Registry procedures I.F.PR.006a through I.F.PR.007a, inclusive.

“Abuse” means (A) the wilful infliction by an employee of physical pain or injury, financial exploitation, psychological abuse or verbal abuse; (B) the wilful deprivation of services necessary to the physical and mental health and safety of an individual who receives services or funding from the department; or (C) sexual abuse.

**Examples:** Including, but not limited to:

* Hitting, shoving, tripping, pushing, pulling, scratching, pinching, cutting, or biting.
* Unnecessary or excessive physical or chemical restraint.
* Preventing an individual from using his or her wheelchair.
* Taking away an individual’s personal possession as a means of punishment.

“Abuse and Neglect Liaison”means the DDS regional employee who is responsible to receive and track reports and investigations of abuse and neglect, maintain investigation files and provide support and assistance to persons involved in the abuse and neglect investigation process.

“Abuse and Neglect Registry” means a centralized database as established in sections 17a-247a to 17a-247e, inclusive, of the Connecticut General Statutes that is administered and maintained by DDS, containing information regarding former employees whose names the Commissioner had determined should be placed on the Registry as a result of substantiated abuse, neglect, or both, and includes information regarding pending and closed Registry cases.

“Authorized agency” means any agency authorized in accordance with the general statutes to conduct abuse and neglect investigations and responsible for issuing or carrying out protective services for persons with intellectual disability.

“Case manager” means the person who serves as the primary contact between an individual with intellectual disability who receives funding or services from DDS and the department. A case manager assists the individual, his or her family, or the individual’s legal representative to identify strengths and needs through the planning process, to gain access to funding and services to meet those needs, and to monitor the individual’s progress and evaluate the quality of the individual’s programs and services.

“Commissioner” means the Commissioner of Developmental Services, or his or her designee;

“Completed investigation” means the investigation report and its findings conducted by a DDS DOI-trained investigator which has been reviewed and approved by the DDS Regional or Training School Director, or the Director’s designee, or the Director of Investigations, or the Director of Investigations’ designee.

“DDS-certified investigatory agency” means a DDS qualified provider that has been approved by the DDS Division of Investigations to conduct investigations into allegations of abuse or neglect and has an employee who is a DDS DOI-trained investigator or has contracted a licensed DDS DOI-trained private investigator to conduct these investigations.

“Department” means the Department of Developmental Services.

“Department of Children and Families” or “DCF” means the state agency that has jurisdiction over allegations of abuse and neglect of children under the age of 18. DCF is an agency authorized by Connecticut General Statutes to substantiate abuse or neglect for purposes of the DDS Abuse and Neglect Registry.

“Department of Social Services” or “DSS” means the state agency that has jurisdiction over allegations of abuse and neglect for persons age 60 and above. DSS is an agency authorized by Connecticut General Statutes to substantiate abuse or neglect for purposes of the DDS Abuse and Neglect Registry.

“DDS Notice of Termination or Separation for Registry Purposes” means the form completed by a DDS Qualified Provider, a public agency staff person, or an individual who hires his or her own staff (i.e., Employer of Record), notifying the DDS Registry Administrator of an employee who has been terminated or separated from employment as a result of substantiated abuse, neglect, or both.

“Division of Investigations” or “DDS DOI” means DDS investigators assigned to a DDS region or Southbury Training School who are responsible for investigating allegations of abuse and neglect of an individual who has intellectual disability or a person who is receiving services from the Department of Social Services’ Division of Autism Spectrum Disorder Services.  DDS DOI primarily investigates and oversees DDS-certified investigatory agency investigations of allegations of abuse and neglect of individuals residing in DDS-funded facilities or DDS self-directed living arrangements. DDS DOI also may conduct investigations into deaths of individuals, who have been the victim of alleged abuse or neglect.

“Employee” means any person employed (A) by the department, or (B) by an agency, organization or person that is licensed or funded by the department.

“Employer” means (A) the department, or (B) an agency, organization or person that is licensed or funded by the department.

“Financial exploitation” means the theft, misappropriation or unauthorized or improper use of property, money or other resource that is intended to be used by or for an individual who receives services or funding from the department.

**Examples:** Including, but not limited to:

* Gaining an individual’s personal money by threat, persuasion, or exploitation.
* Stealing or misusing an individual’s money or possessions. May include taking of cash, valuables, medications, or other personal property.
* Mismanagement of an individual’s finances accounts or benefits.

“Individual” means a person who has been determined to have intellectual disability as defined in section 1-1g of the Connecticut General Statutes by the DDS Eligibility Unit.

“Neglect” means the failure by an employee, through action or inaction, to provide an individual who receives services or funding from the department with the services necessary to maintain such individual's physical and mental health and safety.

**Examples:** Including, but not limited to:

* Failure to seek or a delay in seeking medical treatment when necessary.
* Failure to follow an individual’s food consistency or nutritional dietary requirements.
* Failure to intervene when two individuals are physically fighting.
* Failure to intervene when an individual engages in self-injurious behaviors.
* Failure to intervene or report abuse or neglect.
* Failure to appropriately perform CPR when necessary.
* Failure to provide adequate levels of supervision for an individual, as required.
* Failure to follow an individual’s behavior support plan.

“Protective services” means services provided by the state or any other governmental or private organization or individual which are necessary to prevent abuse or neglect. Such services may include the provision of medical care for physical and mental health needs; the provision of support services in the facility, including the time limited placement of department staff in such facility; the relocation of a person with intellectual disability to a facility able to offer such care pursuant to section 17a-210, 17a-274 or 17a-277, as applicable; assistance in personal hygiene; food; clothing; adequately heated and ventilated shelter; protection from health and safety hazards; protection from maltreatment, the result of which includes, but is not limited to, malnutrition, deprivation of necessities or physical punishment; and transportation necessary to secure any of the above-stated services, except that this term shall not include taking such person into custody without consent.

“Psychological abuse” means an act intended to (A) humiliate, intimidate, degrade or demean an individual who receives services or funding from the department, (B) inflict emotional harm or invoke fear in such individual, or (C) otherwise negatively impact the mental health of such individual.

**Examples:** Including, but not limited to:

* Teasing, taunting or ridiculing.
* Referring to an individual using demeaning, derogatory or vulgar words.
* Attempting to provoke or intimidate by actions, gestures, mannerisms, postures or tone of voice.

“Qualified provider” means a provider agency, organization, individual practitioner, Limited Liability Company, or partnership that meets the DDS criteria defined as a prerequisite to providing support services to an individual or group of individuals with intellectual disability or other developmental disabilities.

“Registry” means a centralized data base containing information regarding substantiated abuse or neglect.

“Registry monitoring” means the evaluation of the merits of an abuse and neglect investigation involving perpetrators that may be referred to the DDS Abuse and Neglect Registry. In such cases, an authorized agency will independently monitor and evaluate the merits and adequacy of an investigation conducted by, or on behalf of, a DDS-certified investigatory agency.

“Separated from employment” or “separation” means that, in lieu of or prior to being terminated from employment for abuse, neglect, or both that is later substantiated, an employee resigns, abandons or otherwise leaves employment.

“Sexual abuse” means (A) any sexual contact between an individual who receives services or funding from the department, regardless of such individual's ability to consent, and an employee, or (B) the encouragement by an employee of an individual who receives services or funding from the department to engage in sexual activity.

**Examples:** Including, but not limited to:

* When a caregiver exposes him or herself to an individual.
* When a caregiver forces or pressures an individual to take part in sexual acts.
* When a caregiver forces an individual to watch pornography or sexual acts.
* When a caregiver has any sexual contact with an individual.
* When a caregiver exchanges money or other items of value to an individual for a sex act.

 “Substantiated abuse or neglect” means a determination by an authorized agency, following an investigation conducted or monitored by such agency, that (A) abuse or neglect of an individual who receives services or funding from the department, or (B) there has been a criminal conviction of a felony or misdemeanor involving abuse or neglect.

“Terminated from employment” means discharge from employment for abuse, neglect, or both which has been or will be substantiated.

“Verbal abuse” means the use of offensive or intimidating language that is intended to provoke or cause the distress of an individual who receives services or funding from the department.

**Examples:** Including, but not limited to:

* Yelling.
* Using offensive language.
* Swearing.
* Name calling.

“Wilful” means intentional acts or omissions or the reckless disregard for the safety and consequences of one’s acts or omissions.