**Procedure No.**: I.F.PR.007a **Issue Date:** June 30, 2021

**Subject:** **Abuse and Neglect/ Effective Date:** June 30, 2021

**Access to the DDS Abuse and Neglect Registry Approved:**/s/Jordan A. Scheff

**Section:** Human Rights and Legal Responsibilities

**Policy Statement**

The Department of Developmental Services (DDS) has the statutory obligation to maintain and preserve the health and safety of individuals with intellectual disability or other developmental disabilities and therefore does not tolerate abuse or neglect of any person who has intellectual disability in Connecticut or any person who receives services from the Department of Social Services’ Division of Autism Spectrum Disorder Services. As an agency that offers supports and services through federal Medicaid Waivers, DDS is also responsible for assuring an effective system for assuring the health and welfare of waiver participants. This procedure demonstrates that the department identifies, addresses and seeks to prevent instances of abuse, neglect, exploitation and unexplained death.

The department is committed to the use of prevention best practices intended to minimize potential incidents of abuse or neglect.  The department’s Division of Investigations, DDS Abuse Investigation Division Central Intake, Legal and Government Affairs Division, Internal Audit Unit, and Quality and Systems Improvement Division work together with regional staff and DDS qualified providers to identify any potential for abuse or neglect of a person, promptly report any incidents of suspected abuse or neglect, review and investigate reported allegations of abuse or neglect, and examine the outcomes of investigations to develop best practices to mitigate and to the extent possible, eliminate any further incidents of abuse and neglect.

The DDS Abuse and Neglect Registry is a confidential list of names that is accessible to employers licensed or funded by DDS for the strict purpose of making employment decisions. The DDS Registry is not available to the public. It is accessible and is required to be used by DDS and employers licensed or funded by DDS to determine if the name of a person being considered for hire is listed based on a substantiated act of abuse or neglect that occurred when employed for any other DDS employer. The entities allowed to have access to the DDS Registry are defined in subsection (c) of section 17a-247b of the Connecticut General Statutes. Inclusion of a name on the Registry restricts DDS and the DDS employer from hiring or retaining the person and protects an individual who has intellectual disability from risk of abuse or neglect

1. Purpose

This procedure establishes the department’s process for implementing the DDS Abuse and Neglect Registry requirements pursuant to sections 17a-247a to 17a-247e, inclusive, of the Connecticut General Statutes. The registry of former employees who have been terminated or have separated in lieu of, or prior to, being terminated from employment for abuse or neglect of an individual with intellectual disability, which is later substantiated, is accessed by DDS-authorized users of state agencies, DDS qualified providers and contractors, and volunteer organizations to make hiring and employment decisions, protective services determinations, and background checks of volunteers.

1. Applicability

The procedure applies to all department employees, all employees of DDS qualified providers, and all employees of DDS contractors, as authorized by statute.

1. Definitions

Abuse and Neglect Registry Definitions and Examples (also see Attachment L DDS Abuse and Neglect Registry – Definitions and Examples)

1. Implementation
	1. The DDS Abuse and Neglect Registry was established and is maintained in accordance with sections 17a-247a through 17a-247e, inclusive, of the Connecticut General Statutes. The Abuse and Neglect Registry contains the names of former employees who have been terminated or have separated from employment as a result of substantiated abuse, neglect, or both, of an individual who has intellectual disability. The DDS Abuse and Neglect Registry Administrator (DDS Registry Administrator), or the Registry Administrator’s designee, appointed by the Commissioner of Developmental Services, shall oversee the DDS Abuse and Neglect Registry and shall be responsible for granting access to the DDS Registry to authorized agencies, eligible employers, the Departments of Administrative Services, Children and Families, Mental Health and Addiction Services, and Social Services for employment purposes, and certain charitable organizations that recruit volunteers.
2. The DDS Abuse and Neglect Registry Administrator, or the Administrator’s designee, shall grant access to the DDS Abuse and Neglect Registry to eligible employers that are required to conduct pre-employment registry inquiries for employment applicants. As per section 17a-247c of the Connecticut General Statutes, no employer that is licensed or funded by DDS shall hire a person whose name appears on the Registry. Such employers include DDS, DDS qualified providers, DDS-contracted Fiscal Intermediaries on behalf of individuals that hire their own staff, and other DDS contractors.
3. Prior to the hiring of any employee, an employer shall complete a pre-employment Registry inquiry to determine if the potential employee’s name is on the DDS Registry. Such inquiries shall be completed using the DDS Abuse and Neglect Registry Online Pre-Employment Inquiry System (online system), as follows:
4. Employers shall request access to the online system by contacting DDS through the secure DDS Registry email address: DDS.AbuseNeglectRegistry@ct.gov.
5. Due to the confidentiality of the DDS Registry, user names and passwords shall not be shared by any Registry user. Only those designated employees of DDS or a DDS qualified provider who have been authorized by the DDS Abuse and Neglect Registry Administrator, or the Administrator’s designee, and who have completed the DDS Abuse and Neglect Registry Online Pre-Employment Inquiry System tutorial/training and the DDS Abuse and Neglect Registry Request for User ID and Password form shall be given Registry access.
	1. Any eligible employer that accesses the DDS Registry shall have at least one (1) active authorized user to conduct the required pre-employment inquiries.
	2. It is the employer’s responsibility to request that DDS authorize an employee to access and use the Registry to complete pre-employment inquiries.
	3. Employers are required to inform DDS when an authorized Registry user ends employment or is no longer responsible to complete pre-employment inquiries.
6. DDS reserves the right to limit the number of authorized users to three (3) per employer.
7. Authorized Registry users shall access the online system through the secure web address <https://www.ddsapp.ct.gov/anr> for purposes of Registry inquiries only.
8. If a Registry inquiry reveals that an employment applicant’s name is on the DDS Abuse and Neglect Registry, the employer shall not hire such applicant.
9. Charitable organizations that recruit volunteers to support activities for individuals with intellectual disability are allowed access to the DDS Abuse and Neglect Registry to conduct Registry inquiries on such volunteers. Any such access to the Registry by a charitable organization shall be granted by application to and approval of the DDS Commissioner.
10. The Department of Administrative Services (DAS), the Department of Children and Families (DCF), the Department of Mental Health and Addiction Services (DMHAS), and the Department of Social Services (DSS) are allowed access to the DDS Registry to determine if the name of an applicant for employment appears on the DDS Registry.
11. The DDS Abuse and Neglect Registry Administrator shall compile a confidential list of persons named on the DDS Abuse and Neglect Registry on a semi-annual basis. The DDS Registry Administrator, or the Administrator’s designee, shall send a notice and the confidential list to eligible employers on a semi-annual basis. Such confidential list shall not take the place of any required pre-employment inquiry but may be used by employers to check if any current employee’s name appears on the Registry. Such list shall be confidential and only available to designated staff of an employer on a need-to-know basis for employment decisions.
12. References

DDS Policies and Procedures

I.D.PR.001 Mortality Reporting Deaths of Individuals

I.D.PR.009 Incident Reporting

I.D.PR.009a Incident Reporting for Individuals who live in Own /Family Home & Receive DDS Funded Services

I.F.PR.001 Abuse and Neglect/Allegations: Reporting

I.F.PR.002 Abuse and Neglect/Allegations: Intake and Initial Notification Process

I.F.PR.003 Abuse and Neglect/Investigations: Assignment, Tracking, Review and Closure

I.F.PR.004 Abuse and Neglect/Investigations: Recommendations, Protective Services and Prevention Activities

I.F.PR.005 Abuse and Neglect/Investigations: Access to Completed Investigations

I.F.PR.006a Abuse and Neglect/DDS Abuse and Neglect Registry

Connecticut General Statutes (CGS)

Section 1-210 CGS: “Access to Public Records. Exempt Records.”

Section 4-33a CGS: “Illegal, irregular or unsafe handling of state or quasi-public agency funds”

Section 17a-101 et seq. CGS: “Abuse of Children”

Section 17a-210 et seq. CGS: “Department and Commissioner of Developmental Services”

Section 17a-238 CGS: “Rights of Persons under Supervision of Commissioner of Developmental Services”

Section 17a-247a – 247e CGS: Statutes Governing the “DDS” Abuse/Neglect Registry

Section 17b-451 CGS: “Protective Services for the Elderly”

Section 29-15a: Qualifications for Private Detective or Private Detective Agency License Appeal.

Section 46a-11a – 11h CGS: “Protection and Advocacy for Persons with Disabilities”

Section 46a-13a CGS: “Requirements for other agencies. Release of client records by other agencies”

Section 53-20 CGS: “Cruelty to Persons”

Section 53a-59a, 53a-60b, 53a-60c, 53a-61a, 53a-65 et seq. CGS: “Penal Code”

Regulations of Connecticut State Agencies

Sections 17a-247e-1 through 17a-247e-9, inclusive, “DDS” Abuse and Neglect Registry

Sections 17a-238-1 through 17a-238-13, inclusive, “Rights of Persons Under the Supervision of the Commissioner of Developmental Disabilities”

Sections 29-161-2, inclusive, “Requirements for Licensing as a Private Detective or Private Detective Agency”

Federal Registry

42 C.F.R. 442.1 through 442.119 – ICF/IID Regulations

1. Attachments

**Abuse and Neglect Procedures Attachments A through L** (Link to all Attachments)

**Attachment H** DDS Investigation Report form

**Attachment I** DDS Abuse/Neglect Investigation Review form

**Attachment J** DDS Abuse Neglect Registry: Monitoring form

**Attachment K** DDS Notice of Termination or Separation for Registry Purposes form

**Attachment L** DDS Abuse and Neglect Registry Policy and Procedure – Definitions and Examples (Link available in Section C, Definitions)