OMH NIMRS DEFINITIONS FOR INCIDENT TYPES AND REPORTABILITY

NEW YORK STATE OF OPPORTUNITY. | Office of Mental Health

Incident Type – Sub Type	Definition	Required Reporting
Abuse and Neglect Report to JC & OMH	**Allegation of Abuse and Neglect:** Abuse and neglect involve an act (or failure to act) by an employee.	**Report to JC & OMH** 1. **Report to the JC:** Call 1-855-373-2122 or submit the web form which can be accessed at: https://vpcr.justicecenter.ny.gov/WIRW/#/ 2. **Report to OMH:** After the report is made to the JC, the VPCR report will appear in your JC Import Queue in NIMRS. The report must be imported as a NIMRS incident and then "emailed" to OMH. 3. Investigate, document findings and submit the investigation via WSIR within 45 days.
	Physical Abuse	Intentional or reckless contact with a client which causes or has the likelihood of causing physical pain or harm.	
	Psychological Abuse	Verbal or nonverbal conduct that intentionally or recklessly causes a patient emotional distress.	
	Sexual Abuse	Any sexual contact involving a custodian and a patient, or any legal sexual contact involving a patient that is encouraged or allowed by a custodian.	
	Neglect	Any action, inaction or lack of attention that breaches a custodian's duty and that results in or is likely to result in physical injury or serious or protracted impairment of the physical, mental or emotional condition of a patient.	
	Deliberate Inappropriate Use of Restraint	Use of restraint for any reason other than as an emergency safety intervention.	
	Obstruction of reports of Reportable Incidents	Conduct by a custodian intended to impede the reporting or investigation of a reportable incident.	
	Unlawful use/ administration of a controlled substance	Any illegal administration, use, or distribution by a custodian of a controlled substance (e.g. codeine, OxyContin, Ambien, cocaine) while in the workplace or on duty.	
	Aversive Conditioning	The use of unpleasant physical stimulus to modify behavior. ANY use of aversive conditioning is prohibited in facilities under the jurisdiction of OMH.	
OMH & JC Death Report to JC & OMH	**OMH licensed or operated Inpatient Units, Residential Programs, or CPEP**	Clients in OMH licensed or operated Inpatient Units, Residential Programs, or CPEP. Additionally, deaths of clients who had received services from such programs in the 30 day period preceding death. These "Death of Client" incidents are reported to the Justice Center.	**Report to JC & OMH** 1. Call JC Death Reporting Line at 1-855-373-2124 to make initial report. The VPCR report will appear in your JC Import List in NIMRS. 2. Import the VPCR report into a NIMRS Incident, enter required information on each NIMRS screen and click "Email OMH". 3. Submit ***Report of Death to the Justice Center*** by clicking "Email JC" within 5 days of the initial report to the JC.
OMH Only Death Report to OMH	**OMH licensed or operated OUTPATIENT programs**	Death of patients receiving services only from an OMH licensed or operated OUTPATIENT program, must be reported to OMH via NIMRS. Additionally, deaths of clients who had received services from such programs in the 30 day period preceding death. These "Death of Client" incidents are entered directly into NIMRS using the "New Incident" button on the NIMRS Home Page.	**Report ONLY to OMH** 1. Log into NIMRS & select "New Incident" from the home screen. 2. Bypass the "pop-up" window by clicking on the "x" in the right corner. 3. Enter required information on each NIMRS screen and click "Email OMH".

* In some cases, definitions are abbreviated. The revised 14 NYCRR Part 524 contains full incident definitions.
** Meets definition of Significant Incident reportable to JC and OMH only when resulting in serious injury or harm.

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Incident Type – Sub Type	Definition	Required Reporting
Significant Incident: The following incidents are **Significant Incidents**, reportable to the Justice Center and OMH, when they **occur on program premises** or when the patient was **under the actual or intended supervision** of a custodian:		
Crime	An event which is or appears to be a crime under New York State or Federal law which 1) involves a patient as a victim, or 2) which affects or has the potential to affect the health or safety of one or more patients of the program or 3) has the potential to have a significant adverse impact on the property or operation of the program.	
Financial Exploitation	The use, appropriation, or misappropriation by a custodian of a patient's resources, including but not limited to funds, assets, or property, by deception, intimidation, or similar means, with the intent to deprive the patient of those resources.	
Fire Setting	Action by a patient, either deliberate or accidental, that results in fire on program premises.	
Injury of Unknown Origin*	Any suspicious injury to a patient for which a cause cannot be immediately determined.	
Missing patient (Inpatient/Residential)	A patient of an inpatient or residential program who has not been accounted for when expected to be present (in accordance with facility or program practice or policies) and who has not been found on the facility grounds or other expected location, or who is known to have left the facility grounds without the permission of an employee, when such permission is otherwise required or a patient of an outpatient program who is under the age of 18, and whose whereabouts is not accounted for when expected to be present or under the supervision of an employee.	**Report to JC & OMH** 1. **Report to the JC:** Call 1-855-373-2122 or submit the web form which can be accessed at: https://vpcr.justicecenter.ny.gov/WIRW/#/
Mistreatment: – Unauthorized Restraint or Seclusion	Unauthorized use of restraint or seclusion that is inappropriate because it was implemented without a valid physician's order or in a manner that was otherwise not compliant with applicable state or federal regulations, but which does not rise to the level of abuse (i.e. physical abuse or Deliberate Inappropriate Use of Restraint.	2. **Report to OMH:** After the report is made to the JC, the VPCR report will appear in your JC Import Queue in NIMRS. The report must be imported as a NIMRS incident and then "emailed" to OMH.
– Inappropriate use of time out	Use of time out to remove a patient from regular programming and isolate him/her in an area for the convenience of a custodian or as a substitute for programming	3. Investigate, document findings and "close" report in NIMRS within 45 days.
– Intentional Improper Administration of medication	Intentional administration to a patient of a prescription drug or over-the-counter medication which is not in substantial compliance with a prescription.	
Sexual Assault	A sexual attack including but not limited to those that result in vaginal, anal, or oral penetration, i.e., rape or attempted rape and sodomy or attempted sodomy; and/or any sexual contact between a person who is 18 years old or more and a person who is less than 15 years old, or between a person who is 21 years of age or older and a person who is less than 17 years old, or which involves a patient who is deemed incapable of consent.	
Sexual Contact Between Children	Vaginal, anal, or oral penetration by patients under age 18 that occurs in a setting where the patient receives around-the-clock care or on the premises of an outpatient program.	
Suicide Attempt	An act committed by a patient of a mental health provider in an effort to cause his or her own death.	
Wrongful Conduct	Actions or inactions on the part of the custodian that are contrary to sound judgment or training and which are related to the provision of services, the safeguarding of patient health, safety or welfare, or patient rights, but which do not meet the definition of abuse or neglect.	

The left side of the table is labeled vertically: **Significant Incident Regardless of Harm**

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Incident Type – Sub Type	Definition	Required Reporting
Significant Incidents Only with Serious Injury or Harm	**Significant Incident Only with Serious Injury or Harm:** The following incidents are **Significant Incidents**, reportable to the Justice Center and OMH, when they **occur on program premises** or when the patient was **under the actual or intended supervision** of a custodian with **serious injury or harm involved**:	
Adverse Drug Reaction**	Unintended, unexpected, or excessive response to a medication given at normal doses, which results in transfer to ER or serious injury or harm.	**Report to JC & OMH** 1. **Report to the JC:** Call 1-855-373-2122 or submit the web form which can be accessed at: https://vpcr.justicecenter.ny.gov/WIRW/#/ 2. **Report to OMH:** After the report is made to the JC, the VPCR report will appear in your JC Import Queue in NIMRS. The report must be imported as a NIMRS incident and then "emailed" to OMH. 3. Investigate, document findings and "close" report in NIMRS within 45 days.
Assault**	A violent or forceful physical attack by a person other than a custodian, in which a patient is either the victim or aggressor, and which results in serious injury or harm.	
Falls by Patients**	Events where patients trip, slip or otherwise fall in an inpatient or residential setting, resulting in serious injury or harm	
Fights**	A physical altercation between two or more patients, in which there is no clear aggressor and no clear victim, resulting in serious injury or harm	
Medication Error**	An error in prescribing, dispensing, or administering a drug which results in serious injury or harm.	
Other Incident**	An event, other than those identified above, which has or creates a risk of, an adverse effect on the life, health, or safety of a patient.	
Self-Abuse**	Self-inflicted injury not intended to result in death that results in serious injury or harm.	
Verbal Aggression by Patients**	A sustained, repetitive action or pattern by a patient or patients of ridiculing, bullying, demeaning, making derogatory remarks, verbally harassing, or threatening to inflict physical or emotional harm on another patient or patients, which causes serious injury or harm.	
OMH Only Incidents **Report Only to OMH**	**OMH INCIDENTS: The following off-site incidents are reportable ONLY to OMH**	**Report ONLY to OMH** 1. Log into NIMRS & select "New Incident" from the home screen. 2. A "pop-up" with info on the reporting process will be displayed. Click "x" to bypass. 3. Enter required information on each NIMRS screen and click "Email OMH".
Crime in the Community	An event which is, or appears to be, a crime under New York State or Federal law, and which is perceived to be a significant danger to the community or which involves a patient whose behavior poses an imminent concern to the community.	
Missing Subject of AOT Court Order	A client who is subject to an AOT court order who fails to keep a scheduled appointment and/or who cannot be located within a 24 hour period (Outpatient Only) Inpatient and residential programs should report missing AOT persons under "Missing Client".	
Suicide Attempt, Off-site	An act committed by a patient of a mental health provider in an effort to cause his or her own death that occurs off program premises or when the patient was not under the actual or intended supervision of a custodian.	

**Serious Injury or Harm: physical harm requiring medical treatment or intervention beyond first aid (excluding routine diagnostic tests such as laboratory work, X-rays, or scans if no medical treatment is provided); psychological harm evidenced by negative changes in affect, behavior, cognition, or which necessitate a significant change in psychotropic or therapeutic intervention; or a risk for life threatening physical injury or for psychiatric emergency or trauma.

Please email NIMRSHelp@omh.ny.gov for NIMRS issues or for questions regarding incident reportability, call 518-474-3619.

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