

1 **### ABUSE, NEGLECT, AND EXPLOITATION PREVENTION**

2 EFFECTIVE DATE: xx/xx/2020

3 REFERENCES: AHCCCS Minimum Subcontract Provisions Number 29, A.R.S. §46-451, A.R.S.
4 41-1492.10, CFR § 165.2 (p)

5 **Purpose**

6 The purpose of this policy is to establish requirements for Qualified Vendors (Vendors) to
7 post signage, and provide training aimed at preventing abuse, neglect, and exploitation, as
8 well as reporting incidents to the Division of Developmental Disabilities (the Division). *Refer*
9 *to AHCCCS website in the AHCCCS Minimum Subcontract Provisions Number 29 at*
10 *www.azahcccs.gov/PlansProviders/HealthPlans/minimumsubcontractprovisions.html.*

11 **Definitions**

- 12 A. Exploitation - The illegal or improper use of a vulnerable adult or the vulnerable adult
13 for another's profit or advantage.
- 14 B. Retaliation - Discrimination against any individual because the individual has
15 opposed any act or practice that could be considered abuse, neglect, or exploitation
16 or because the individual made a charge, testified, assisted or participated in any
17 manner in an investigation related to the protections outlined in this policy.
- 18 C. Vulnerable individuals - Any individual who is eighteen years of age or older and who
19 is unable to protect themselves from abuse, neglect, or exploitation by others
20 because of a physical or mental impairment. Vulnerable adult includes an
21 incapacitated person as defined in section A.R.S. §14 5101.
- 22 D. Whistleblower - Any individual, or two (2) or more individuals acting jointly, who
23 provides information relating to a potential violation of this policy to the attention of
24 a government or law enforcement agency. A whistleblower is protected legally from
25 retaliation.

26 **Policy**

27 Vendors shall post signage on how to anonymously report abuse, neglect, and exploitation
28 and explain whistleblower protections related to reporting. Vendors shall have training
29 available on the prevention of abuse, neglect, and exploitation which also address retaliation
30 and discipline. Training and information regarding abuse, neglect, and exploitation reporting
31 must annually be offered to members, families, volunteers, or guardians, and delivered to
32 vendor staff. Information about prevention shall be shared through the vendor's ongoing
33 communication mechanisms.

34 If Vendors require information regarding confidentiality, they may refer to the Division's
35 policy in the *Operations Policy Manual, 6001-A Confidentiality.*

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38 **Signage**

39 Vendors will post or display:

- 40 A. Signage on how to anonymously report abuse, neglect, and exploitation which
41 includes explanation of whistleblower protections.
- 42 1. Vendors must use signage provided by the Department of Economic Security
43 (DES) located in the DES Document Center.
- 44 B. All signage must be culturally appropriate, easy to read, as accessible as possible for
45 all members. The signage is available at the DES website in English and Spanish.
46 Vendors are responsible to provide interpretation or translation of the sign into
47 other languages, upon request.
- 48 C. All signage shall be prominently displayed in common areas for access by all
49 members, families, staff, and visitors.
- 50 1. At
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52 **Training**

53 Vendors will:

- 54 A. Use content provided by the Division to offer training on the prevention of abuse,
55 neglect, and exploitation to members, families, volunteers and guardians and deliver
56 the training to all vendor staff.
- 57 1. Training addresses the following:
- 58 a. Retaliation (e.g. harassment or loss of employment) and penalization
59 (e.g. changes to the nature and/or location of services and supports).
- 60 b. Confidentiality
- 61 c. Whistleblower protections
- 62 B. Conduct training annually and ensure staff demonstrates competency.
- 63 C. Conduct routine testing of staff responses to potential acts of exploitive, abusive, and
64 neglectful behavior to verify their understanding of the reporting requirements. This
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- 68 D. Maintain records of all training offered and delivered under this policy.