**245D HCBS Incident Reporting Requirements - Who Must Be Notified Within 24 Hours**

| **Incident Type** | **Legal Rep/ Emergency Contact** | **Case Manager** | **Ombuds**  **MH/DD** | **DHS Licensing** |
| --- | --- | --- | --- | --- |
| Serious injury as determined by section 245.91, subdivision 6 | **X** | **X** | **X** | **X** |
| A person’s death | **X** | **X** | **X** | **X** |
| Any medical emergencies, unexpected serious illnesses, or significant unexpected change in illness or medical condition that  requires the program to call 911, physician, advanced registered nurse, or physician assistant treatment, or hospitalization | **X** | **X** |  |  |
| Any mental health crisis that requires the program to call 911 or mental health crisis intervention team, or a similar mental health response team or service when available and appropriate. | **X** | **X** |  |  |
| Act or situation involving a person that requires the program to call 911, law enforcement, or fire department | **X** | **X** |  |  |
| Person’s unauthorized or unexplained absence from program | **X** | **X** |  |  |
| Conduct by a service recipient against another service recipient that:   * is so severe, pervasive, or objectively offensive that it substantially interferes with a person's opportunities to participate in or receive service or support * places the person in actual and reasonable fear of harm * places the person in actual and reasonable fear of damage to property of the person, or * substantially disrupts the orderly operation of the program. | **X** | **X** |  |  |
| Sexual activity between service recipients involving force or coercion:   * "Force" means the infliction, attempted infliction, or threatened infliction by the actor of bodily harm or commission or threat of any other crime by the actor against the complainant or another, which (a) causes the complainant to reasonably believe that the actor has the present ability to execute the threat and (b) if the actor does not have a significant relationship to the complainant, also causes the complainant to submit. * "Coercion" means the use by the actor of words or circumstances that cause the complainant reasonably to fear that the actor will inflict bodily harm upon the complainant or another, or the use by the actor of confinement, or superior size or strength, against the complainant that causes the complainant to submit to sexual penetration or contact against the complainant's will. Proof of coercion does not require proof of a specific act or threat. | **X** | **X** |  |  |
| Any emergency use of manual restraint (Must submit external report required under section 245D.061, or successor provisions) | **X** | **X** |  |  |
| A report of child or vulnerable adult maltreatment (Case managers and legal representatives must be notified of the nature of the activity or occurrence and the agency that received the report) | **X** | **X** |  |  |