



COMMONWEALTH of VIRGINIA

DEPARTMENT OF

BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

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MEMORANDUM

To: Licensed Children's Residential Providers

From: Jae Benz, Director, Office of Licensing

Date: July 12, 2019

Re: Reporting of Serious Incidents to the Office of Licensing

Please be advised that per the [Standards for the Regulation of Children's Residential Facilities](#), regulation 12VAC35-46-1070.C., providers of children's residential services are required to notify the DBHDS Office of Licensing ("OL") within 24 hours of any serious illness or injury, any death of a resident, and **all other situations as required by the department. Effective August 1, 2019** in addition to notifying the department of the serious illness, injury, or death of any resident, OL will require children's residential providers to notify OL within 24 hours of the following situations: 1) Confirmed pregnancy of a resident who was not confirmed to be pregnant upon admission; 2) Criminal charges brought against a resident for acts occurring within the provision of the provider's service; 3) Staff injuries caused by a resident that require medical care by a licensed healthcare professional; and 4) Any resident who has runaway or is missing and whose absence cannot be accounted for or explained by the resident's supervision needs or pattern of behavior.

In accordance with regulation 12VAC35-46-1070.C., reports made to OL shall include the following:

1. The date and time the incident occurred;
2. A brief description of the incident;
3. The action taken as a result of the incident;
4. The name of the person who completed the report;
5. The name of the person who made the report to the placing agency and to either the parent or legal guardian; and
6. The name of the person to whom the report was made.

Such reports shall be made through the department's web-based reporting application (CHRIS). In addition, if a children's residential facility has a confirmed pregnancy of a resident who was not confirmed to be pregnant upon admission, the facility should evaluate to determine if

admission was appropriate based upon the provider's approved admissions criteria in accordance with regulation 12VAC35-46-640. If admission was appropriate, the provider should ensure that the appropriate supports are put in place for the resident who is confirmed pregnant post-admission.

Please be advised that the requirements within this memo will have no effect on the additional reporting requirements located within the [Standards for the Regulation of Children's Residential Facilities](#) and [Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Behavioral Health and Developmental Services](#). If you have any concerns regarding the information contained within this memo or questions as to whether you should report an incident, please contact your assigned licensing specialist for assistance.

Sincerely,

Jae Benz

Jae Benz
Director, Office of Licensing
DBHDS