

**STATE OF CONNECTICUT  
DEPARTMENT OF DEVELOPMENTAL SERVICES**

**Policy No.** I.F.PO.001  
**Subject:** Abuse and Neglect  
**Section:** Human Rights and Legal Responsibilities

**Issue Date:** March 15, 2002  
**Effective Date:** March 15, 2002  
**Revised:** October 23, 2007  
**Approved:** /S/ Peter H. O'Meara

**A. Policy Statement**

The Department does not tolerate abuse or neglect of persons with mental retardation.

Any employee of the Department or of a provider agency who observes the abuse or neglect of an individual shall intervene immediately on the individual's behalf and shall immediately report the situation according to procedures established in this policy.

Staff members who report, in good faith, suspected incidents of abuse or neglect shall not be subjected to any penalty or reprisal by administrative or supervisory staff for that report.

Department staff shall provide technical assistance regarding prevention and reporting of abuse and neglect to agencies providing services to DDS individuals.

The Department shall review reported incidents of abuse and neglect to prevent conditions and practices that may cause abuse to occur. This review shall be conducted on a regular basis according to procedures established under state law and department policies.

**B. Applicability**

This policy shall apply to all individuals who are clients of the department.

**C. Definitions**

Abuse: Means the willful infliction by a caregiver, of physical pain or injury or the willful deprivation of services necessary to the physical and mental health and safety of an individual. The term also includes the use of offensive language or act, to provoke or upset an individual or subjects him or her to humiliation or ridicule.

Caregiver: A person who has responsibility for the care of an individual who is a client of the department.

Neglect: Means the failure by a caregiver, through action or inaction, to provide an individual with the services necessary to maintain his or her physical and mental health and

safety or a situation in which a person with mental retardation is living alone and unable to provide for him or herself such services.

Qualified Provider: Agencies funded, licensed or certified by the Department. This term also includes qualified vendors, which are staff hired directly by the individual or family.

Qualified Provider Administrator: In a non-DDS organization, the individual appointed by the governing body to act in its behalf in the overall management of the agency.

Willful: means the intentional acts or omissions or the reckless disregard for the safety and consequences of one's acts or omissions.

## **D. References**

### Statutes

CGS Section 53-20, "Crimes"

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

CGS Section 17a-101 et seq, "Abuse of Children"

CGS Section 46a-11a, "Human Rights"

CGS Section 17a-238, "Rights of Persons under Supervision of Commissioner of Mental Retardation"

CGS 17b-451, "Protective Services for the Elderly"

### Rules, Regulations and Policy – External

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