



Ohio Department of Mental Retardation and Developmental Disabilities

Ted Strickland, Governor

John Martin, Director



Information Notice 08-11-04

To: CBMR/DD Superintendents
COG Directors
SSA Directors
Licensed Providers including ICFs/MR

From: Michael J Rench, Deputy Director
Division of Community Services

Date: November 21, 2008

Re: **Prone Restraint for Licensed Residential Facilities, including ICFs/MR**

PURPOSE: The purpose of this Information Notice is to inform the field of the Ohio Department of Mental Retardation and Developmental Disabilities' (ODMRDD) decision to extend the ban on prone restraint to all residential facilities licensed by ODMRDD including ICFs/MR.

SCOPE:
This statewide Information Notice applies to all residential facilities licensed by ODMRDD including ICFs/MR.

BACKGROUND:
On November 5, 2008, ODMRDD issued Information Notice 08-11-03, which banned the use of prone restraint by all providers of services to individuals with disabilities who receive funds directly or indirectly from ODMRDD to provide a service or support to an individual eligible for County Board of Mental Retardation and Developmental Disabilities (CBMRDD) services. ODMRDD is now extending that ban to all residential facilities licensed by ODMRDD including ICFs/MR.

The Positive Intervention Culture initiated by ODMRDD centers on the principles of respect, trust and building relationships that are safe and healthy. In keeping with the spirit of this culture, ODMRDD has encouraged the research of alternatives to the use of aversive techniques as a means of behavioral intervention. Such interventions can result in emotional or physical trauma and often disrupt relationships with those closest to the individual. The use of

prone restraint, in particular, has become an urgent area of concern in Ohio and nationally due to the high risk of serious injury and death.

The Statewide Behavior Support Advisory Committee (SBSAC) has completed an analysis of information on the dangers of restraints; particularly prone restraint. This research supports the belief that prone restraints are potentially fatal due to the impact this maneuver has on reducing a person's ability to breathe and increasing the need for recovery time after exertion. The SBSAC's analysis of this data, combined with the research outlining the inherent dangers of prone restraint, led to their determination that a ban is necessary for the use of prone restraints within the MR/DD system.

To that end, the Committee submitted a letter of recommendation which ODMRDD promptly acted upon by issuing the ban on prone restraints in Information Notice 08-11-03, and which ODMRDD is now extending to all residential facilities licensed by ODMRDD including ICFs/MR.

STEPS TOWARD THE GOAL:

Definition: Prone restraint is defined as a method of aversive behavior intervention where an individual's face and or frontal part of his or her body is placed in a downward position touching any surface.

Restraint Usage: Prone restraints are not to be written into Behavior Support Plans that may or may not be components of any person's Individual Services Plan. Prone restraints are not to be utilized at any point in time, including as a behavioral intervention in any crisis situation.

Technical Assistance: ODMRDD Positive Intervention Culture team members are available to assist local teams with reviewing their current usage of prone restraints in specific Behavior Support Plans and/or as part of Crisis Intervention Programs to determine safer, permissible, alternative procedures that may act as replacement strategies.

Grace Period: All residential facilities licensed by ODMRDD, including ICFs/MR, will have 120 days from the date of this Information Notice to discontinue the usage of the prone restraint as a type of behavior intervention that they utilize either in an approved Behavior Support Plan or as a crisis intervention technique. The purpose of this grace period is to allow time for the appropriate teams to meet and develop an alternative approach and adequately train staff in the new intervention plan.

Consequences: Any and all usage of prone restraint following the 120 day grace period will require that a Major Unusual Incident be reported. In addition, any residential facility licensed by ODMRDD including an ICF/MR that is found to use prone restraint will be cited for a violation of O.A.C. 5123:2-3-04(D).

Please contact Ginger Curtiss or Heidi Taylor, ODMRDD Consultants, via email at behavior.support@odmrdd.state.oh.us for information on receiving technical assistance as you move forward in an effort to support the Positive Intervention Culture.

- c: Ted Strickland, Governor
- Sandra Stephenson, Director, Department of Mental Health
- Helen Jones-Kelley, Director, Department of Job and Family Services
- John Corlett, Deputy Director of Medicaid, Department of Job and Family Services
- Angela Cornelius-Dawson, Director, Department of Alcohol and Drug Addiction Services
- Alvin Jackson, Director, Department of Health
- Barbara Riley, Director, Department of Aging
- Thomas Stickrath, Director, Department of Youth Services
- Marilyn Troyer, Superintendent of Public Instruction, Department of Education
- John Martin, Director, Department of MR/DD
- Dan Ohler, Executive Director, OACBMR/DD
- Mary Ann Chamberlain, President, OSCBMR/DD
- Michael Kirkman, Executive Director, OLRs
- Carolyn Knight, Interim Executive Director, ODDC
- Mark Davis, Executive Director, OPRA
- Susan Dlouhy, Administrator, OAAS
- Gary Tonks, Executive Director, The Arc of Ohio
- Ron Kozlowski, Executive Director, APSI
- Mary Vaughan, Executive Director, ADA-Ohio
- Shawn Henry, Executive Director, OCALI
- Tanya Marie Fernandez-Mote, Chairperson, Governor's Council
- Sadie Hunter, Executive Director, People First
- ODMR/DD DC Superintendents
- ODMR/DD Deputy Directors
- ODMR/DD Central Office

Resources:

Ohio Administrative Code 5123:2-3-04(D)