 <p>Children's Services Agency</p> <p>Communication Issuance</p> <p>20-095*</p> <p>*Revised 7/23/20</p>	Subject/Title	Incident Reporting for Child Caring Institutions Revised
	Type	<input checked="" type="checkbox"/> Informational Memorandum <input checked="" type="checkbox"/> Program Instruction <input type="checkbox"/> Policy Guide
	Issuance Date	07/23/2020
	Obsolete Date	10/01/2020
	Contact Name	Division of Child Welfare Licensing (DCWL)
	Email	MDHHS-DCWL-QA@michigan.gov
	Phone	N/A
Due Date	N/A	
Due to	N/A	
<i>Distribution</i>	<input checked="" type="checkbox"/> CSA Central Office Managers/Staff <input checked="" type="checkbox"/> MDHHS BSC and County Directors <input checked="" type="checkbox"/> MDHHS Juvenile Justice Managers/Staff <input checked="" type="checkbox"/> MDHHS Child Welfare Managers/Staff <input checked="" type="checkbox"/> Native American Tribes <input checked="" type="checkbox"/> Office of Workforce Development and Training <input checked="" type="checkbox"/> Private Agency Child Welfare Managers/Staff <input checked="" type="checkbox"/> Private Residential Abuse/Neglect Managers/Staff <input checked="" type="checkbox"/> Private Residential Juvenile Justice Managers/Staff <input type="checkbox"/> Other:	

The previous version of communication issuance (CI) 20-095 is obsolete. This version includes revisions to the links provided under the Training Resources section and an addition to notification updates highlighted in gray.

On July 16, 2020, Michigan Department of Health and Human Services (MDHHS) issued Emergency Administrative Rules that set forth requirements for Child Caring Institutions (CCIs) to safeguard children in their care. These rules were implemented, in part, based on the review of a tragic death of a youth in a child caring institution due to improper physical restraint. The review determined that administrative rules regarding restraint were not protective of youth and that accurate tracking of incidents involving restraints was needed to understand practice and improve safety for youth. This communication provides instruction to CCIs for reporting restraint incidents to MDHHS.

Each restraint incident must be documented in an incident report. Incident reports must:

- Include the reason for restraint, the type of restraint used and duration, the names and roles of all staff involved, and a description of all less restrictive interventions used prior to the restraint.
- Be submitted in writing to MDHHS within 24 hours, and if youth is not under the care and supervision of MDHHS, to the appropriate entity/individual (court, out-of-state worker, other) in 24 hours.
- Be submitted in writing to the parent or legal guardian within 12 hours.

Beginning July 17, 2020, all CCIs who have access to MiSACWIS must enter all restraint incident reports in MiSACWIS. If the CCI does not have MiSACWIS access, the incident report must be completed on the attached Incident Report Template. The incident report form generated through MiSACWIS or completed via the template, must then be emailed to the Division of Child Welfare Licensing (DCWL) at MDHHS-DCWL@michigan.gov and must include the date of the incident, accompanied by the parental notification. Below is a flow chart outlining these requirements.

The Emergency Administrative Rule adds reporting requirements for CCIs, which are outlined below:

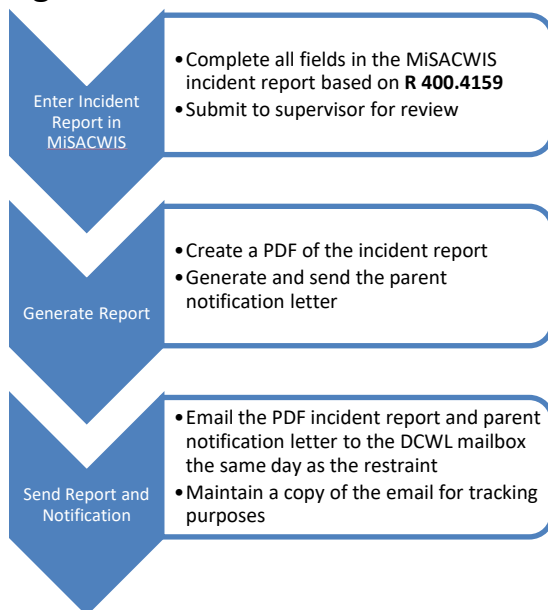
- All restraints must be entered, but not “escorts.” Please note escorts are not considered a restraint per PA116 - 722.112B (h). *“Personal restraint” means the application of physical force without the use of a device, for the purpose of restraining the free movement of a minor child’s body. Personal restraint does not include: (i) The use of a protective or adaptive device. (ii) Briefly holding a minor child without undue force in order to calm or comfort him or her. (iii) Holding a minor child’s hand, wrist, shoulder, or arm to safely escort him or her from 1 area to another.*
- The length of time of the restraint is a necessary field that must be entered within MiSACWIS, using the start and end time, or on the Word document.
- Participants involved in the restraint are necessary data fields.
- The youth’s age, race, and gender are necessary fields.
- The following details must be entered in the Description section if the Incident Report is not yet approved by the supervisor. If the Incident Report has already been approved by the supervisor, the details must be entered in the Addendum section:
 - ✓ **Details pertaining to all techniques utilized to avoid the restraint.**
 - ✓ **Details, time and date that staff and supervisor debriefed the incident.**
 - ✓ **Details, time and date that staff debriefed with youth.**
 - ✓ **Details, time and date leadership reviewed this restraint through team discussion.**

Training Resources

- [Record an Incident Report in MiSACWIS CBT](#)
- [MiSACWIS Getting Started Guide-Seclusion and Restraint](#)
- [MDHHS Learning Center QR for External Staff](#)
- [CI20-028 Change in Computer-Based Trainings for MiSACWIS Users](#)

Process Flow for Reporting

Agencies with MiSACWIS Access:



Agencies without MiSACWIS Access:

