

Promoting **Quality** Improving **Outcomes**

Guidance for Service Providers on Responding to Reports from the Commission



Commission on **Quality** of Care &
Advocacy for Persons with Disabilities

*Protecting, Advocating and Ensuring
Quality of Life for People with Disabilities*

The Commission's Oversight Role

The Commission on Quality of Care and Advocacy for Persons with Disabilities provides independent, systemic oversight of New York State's mental hygiene system and advocates for all persons with disabilities. Its responsibilities are contained in Article 45 of the New York State Mental Hygiene Law.

The Commission's Division of Investigation provides independent oversight of the quality and cost-effectiveness of mental hygiene programs in the state by investigating individual and systemic problems.

At the conclusion of Commission investigations, it may issue a report that includes findings and recommendations to the service provider agency. The Commission provides a period of time for the agency's written response before the report is finalized and made public.

Responding to Commission Reports

Provider agencies are required by law to respond to Commission reports within the time allotted. Response letters must include actions taken to address the findings and recommendations contained in the report. It may also include additional information that may not have been previously available. This is the provider agency's opportunity to submit plans of corrective action, quality improvement initiatives, and any additional relevant information it wants considered in the Commission's final, publicly available reports.

Final Commission reports and agency letters in response to findings may be shared with complainants and are subject to requests made pursuant to FOIL (Public Officers Law Sections 87-89) and Jonathan's Law (Mental Hygiene Law Sections 33.16 and 33.23). In addition, they may be published on the Commission's website. Confidential or privileged material will be redacted from reports and letters prior to any public disclosure.

Essential Elements to Include in Your Agency's Response

A service provider's response must reflect the actions taken to address each of the Commission's findings and recommendations.

- It must include details of actions taken -- or those planned to be taken in the near future -- to address each specific issue or problem cited in the Commission's report. Relevant attachments that support the actions should be included;
- It should also include plans to address the potential systemic issues raised by the examples cited by the Commission's report;
- It should not duplicate a previous ineffective plan;
- It should include assignments of responsibility for corrective actions and completion dates;
- It should also include a plan for internal monitoring and evaluation of the effectiveness of the corrective action or quality improvement initiative being implemented.

Corrective Actions or Quality Improvement Initiatives

May include but are not limited to:

- Immediate protective oversight measures;
- Medical/Treatment care plan development or revisions;
- New or revised policies and procedures;
- New or revised staff training curriculum;
- Fiscal actions, including restitution, or new or revised fiscal accountability measures;
- Environmental changes/enhancement;
- Quality Improvement or Incident Management initiatives ;
- Guidance or technical support from licensing agency administrative actions.

Questions?

For questions regarding specific Commission reports, it is recommended that you request to speak with the investigator who is identified on the cover letter accompanying the report.

You may reach the Commission toll-free at 1-800-624-4143 (Voice/TTY/Spanish).

Please also visit our website at www.cqc.ny.gov for general information, news and highlights.

Comments?

The Commission strives to provide excellent service to persons with disabilities, their families, and other interested persons. If you wish to comment on the Commission's services, please write us at:

**NYS Commission on Quality of Care
and Advocacy for Persons with Disabilities**

401 State Street
Schenectady, NY 12305-2397

You may also submit your comments by email at:

comment@cqc.ny.gov



Andrew M. Cuomo, Governor
Roger Bearden, Chair