

# **PKT ENTERPRISES'**

## **EMERGENCY USE OF MANUAL RESTRAINTS POLICY**

### **I. Policy**

It is the policy of PKT to promote the rights of persons served by this program and to protect their health and safety during the emergency use of manual restraints.

### **II. Definitions**

Manual restraint means using a physical intervention intended to hold a client immobile or limit a client's voluntary movement by using body contact as the only source of physical restraint. An Emergency Use of Manual Restraint means using a manual restraint when a client poses an imminent risk of physical harm to self or others and it is the least restrictive intervention that would achieve safety. Property damage, verbal aggression, or a client's refusal to receive or participate in treatment or programming on their own, do not constitute an emergency.

### **III. Positive Support Strategies and Techniques Required**

- A. The following positive support strategies and techniques will be used to attempt to de-escalate a client's behavior before it poses an imminent risk of physical harm to self or others:
  - 1. Follow individualized strategies in the Client's Coordinated Service and Support Plan, Coordinated Service and Support Plan addendum and Four stage Crisis plan;
  - 2. Shift the focus- verbally redirect the person to a desired alternative activity;
  - 3. Model desired behavior;
  - 4. Reinforce appropriate behavior;
  - 5. Offer choices- including activities that are relaxing and enjoyable to the client;
  - 6. Use positive verbal guidance and feedback;
  - 7. Actively listen to a person- validate their feelings;
  - 8. Create a calm environment- reduce sound, lights, and other factors that may agitate a client;
  - 9. Speak calmly with reassuring words, consider volume, tone, and non-verbal communication;
  - 10. Simplify a task or routine or discontinue until the client is calm and agrees to participate; or
  - 11. Respect the client's need for physical space and/or privacy.
- B. PKT will develop a positive support transition plan on the forms and in manner prescribed by the Commissioner and within the required timelines for each client served when required in order to:
  - 1. eliminate the use of prohibited procedures as identified in section IV of this policy;
  - 2. avoid the emergency use of manual restraint as identified in section II of this policy;
  - 3. prevent the client from physically harming self or others; or
  - 4. phase out any existing plans for the emergency or programmatic use of aversive or deprivation procedures prohibited.

#### **IV. Permitted Actions and Procedures**

Use of the following instructional techniques and intervention procedures used on an intermittent or continuous basis are permitted by PKT. When used on a continuous basis, it must be addressed in the client's coordinated services and support plan addendum.

- A. Physical contact or instructional techniques must use the least restrictive alternative possible to meet the needs of the client and may be used to:
  - 1. Calm or comfort a client by holding that client with no resistance from that client;
  - 2. Protect a client known to be at risk or injury due to frequent falls as a result of a medical condition;
  - 3. Facilitate the client's completion of a task or response when the client does not resist or the client's resistance is minimal in intensity and duration; or
  - 4. Briefly block or redirect a client's limbs or body without holding the client or limiting the client's movement to interrupt the client's behavior that may result in injury to self or others.
- B. Restraint may be used as an intervention procedure to:
  - 1. Allow a licensed health care professional to safely conduct a medical examination or to provide medical treatment ordered by a licensed health care professional to a client necessary to promote healing or recovery from an acute, meaning short-term, medical condition; or
  - 2. Assist in the safe evacuation or direction of a client in the event of an emergency and the client is at imminent risk of harm.
  - 3. Position a client with physical disabilities in a manner specified in their Coordinated Service and Support Plan Addendum. Any use of manual restraint as allowed in this paragraph [Section B] must comply with the restrictions identified in [Section A].
- C. Use of adaptive aids or equipment, orthotic devices, or other medical equipment ordered by a licensed health professional to treat a diagnosed medical condition, do not, in and of themselves, constitute the use of mechanical restraint.

#### **V. Prohibited Procedures**

Use of the following procedures as a substitute for adequate staffing, for behavioral or therapeutic program to reduce or eliminate behavior, as punishment, or for staff convenience, is prohibited by PKT:

- 1. Chemical restraint
- 2. Mechanical restraint
- 3. Manual restraint
- 4. Time out
- 5. Seclusion
- 6. Any aversive or deprivation procedures

#### **VI. Manual Restraints Allowed in Emergencies**

- A. PKT allows the following manual restraint procedures to be used on an emergency basis when a client's conduct poses an imminent risk of physical harm to self or others and less restrictive strategies have not achieved safety:
  - 1. One Person Wrist Hold
  - 2. Two Person Control Position

### 3. Two Person Transport Position

- B. PKT will not allow the use of a manual restraint procedure with a client when it has been determined by the client's physician or mental health provider to be medically or psychologically contraindicated. PKT will complete an assessment of whether the allowed procedures are contraindicated for each client receiving services as part of the service planning required under section 245D.071, subdivision 2, for recipients of basic support services; or the assessment and initial service planning required under section 245D.071, subdivision 3, for recipients of intensive support services.

## **VII. Conditions for Emergency Use of Manual Restraint**

- A. Emergency Use of manual restraint must meet the following conditions:
  - 1. Immediate intervention must be needed to protect the client or others from imminent risk of physical harm;
  - 2. The type of manual restraint used must be the least restrictive intervention to eliminate the immediate risk of harm and effectively achieve safety; and
  - 3. The manual restraint must end when the threat of harm ends.
- B. The following conditions, on their own, are not conditions for emergency use of manual restraint:
  - 1. The client is engaging in property destruction that does not cause imminent risk of physical harm;
  - 2. The client is engaging in verbal aggressions with staff or others; or
  - 3. A client's refusal to receive or participate in treatment or programming.

## **VIII. Restrictions When Implementing Emergency Use of Manual Restraint**

Emergency use of manual restraint must not:

- A. Be implemented with a child in a manner that constitutes sexual abuse, neglect, physical abuse, or mental injury;
- B. Be implemented with an adult in a manner that constitutes abuse or neglect;
- C. Be implemented in a manner that violates a client's rights and protections;
- D. Be implemented in a manner that is medically or psychologically contraindicated for a client;
- E. Restrict a client's normal access to nutritious diet, drinking water, adequate ventilation, necessary medical care, ordinary hygiene facilities, normal sleeping conditions, or necessary clothing;
- F. Restrict a client's normal access to any protection required by state licensing standards and federal regulations governing this program;
- G. Deny a client visitation or ordinary contact with legal counsel, a legal representative, or next of kin;
- H. Be used as a substitute for adequate staffing, for the convenience of staff, as a punishment, or as a consequence if the client refuses to participate in the treatment or services provided by this program;
- I. Use prone restraint. "Prone restraint" means use of manual restraint that places a client in a face-down position. It does not include brief physical holding of a client who, during an emergency use of manual restraint, rolls into a prone position, and the client is restored to a standing, sitting, or side-lying position as quickly as possible; or
- J. Apply back or chest pressure while a client is in a prone or supine (meaning a face-

up) position.

**IX. Monitoring Emergency Use of Manual Restraint**

- A. PKT must monitor a client's health and safety during an emergency use of a manual restraint. The purpose of the monitoring is to ensure the following:
  - 1. Only manual restraints allowed in this policy are implemented;
  - 2. Manual restraints that have been determined to be contraindicated for a client are not implemented with that person;
  - 3. Allowed manual restraints are implemented only by staff trained in their use;
  - 4. The restraint is being implemented properly as required; and
  - 5. The mental, physical, and emotional condition of the client who is being manually restrained is being assessed and intervention is provided when necessary to maintain the client's health and safety and prevent injury to the client, staff involved, or others involved.
- B. When possible, a staff person who is not implementing the emergency use of a manual restraint must monitor the procedure.
- C. A monitoring form, as approved by the Commissioner, must be completed for each incident involving the emergency use of a manual restraint.

**X. Reporting Emergency Use of Manual Restraint**

- A. Within 23 hours of an emergency use of manual restraint, the legal representative and the case manager must receive verbal notification of the occurrence as required under the incident response and reporting requirements in section 245D.06, subdivision 1.

When the emergency use of the manual restraint involves more than one client receiving services, the incident report made to the legal representative and the case manager must not disclose personally identifiable information about any other client unless the program has the consent of the person.

- B. Within 3 calendar days after an emergency use of manual restraint, the staff person who implemented the emergency use must report in writing to their Director the following information about the emergency use:
  - 1. Who was involved in the incident leading up to the emergency use of a manual restraint; including the names of staff and clients receiving services who were involved.
  - 2. A description of the physical and social environment, including who was present before and during the incident leading up to the emergency use of a manual restraint;
  - 3. A description of what less restrictive alternative measures were attempted to de-escalate the incident and maintain safety before the emergency use of a manual restraint was implemented. This description must identify when, how, and how long the alternative measures were attempted before the manual restraint was implemented;
  - 4. A description of the mental, physical, and emotional condition of the client who was manually restrained, leading up to, during, and following the manual restraint;
  - 5. A description of the mental, physical, and emotional condition of the other

- clients involved leading up to, during, and following the manual restraint;
- 6. Whether there was any injury to the client who was restrained before or as a result of the use of a manual restraint;
- 7. Whether there was any injury to the other persons, including staff, before or as a result of the use of a manual restraint; and
- 8. Whether there was a debriefing with the staff and, if not contraindicated, with the client who was restrained and other persons who were involved in or who witnessed the restraint, following the incident. Include the outcome of the debriefing. If the debriefing was not conducted at the time the incident report was made, the report should identify whether a debriefing is planned.
- C. A copy of this report must be maintained in the client's records and by the Director of Licensing Compliance.
- D. Each single incident of emergency use of manual restraint must be reported separately. A single incident is when the following conditions have been met:
  - 1. After implementing the manual restraint, staff attempt to release the client at the moment staff believe the client's conduct no longer poses an imminent risk of physical harm to self or others and less restrictive strategies can be implemented to maintain safety;
  - 2. Upon the attempt to release the restraint, the client's behavior immediately re-escalates; and
  - 3. Staff must immediately re-implement the manual restraint in order to maintain safety.

#### **XI. Internal Review of Emergency Use of Manual Restraint**

- A. Within 5 business days after the date of the emergency use of a manual restraint, PKT must complete and document an internal review of the report prepared by the staff who implemented the emergency procedure.
- B. The internal review must include an evaluation of whether:
  - 1. The client's service and support strategies need to be revised;
  - 2. Related policies and procedures were followed;
  - 3. The policies and procedures were adequate;
  - 4. There is a need for additional staff training;
  - 5. The reported event is similar to past events with the clients, staff, or the services involved; and
  - 6. There is a need for corrective action by PKT to protect the health and safety of the clients.
- C. Based on the results of the internal review, PKT must develop, document, and implement a corrective action plan for PKT designed to correct current lapses and prevent future lapses in performance by individuals or PKT.
- D. The corrective action plan, if any, must be implemented within 30 days of the internal review being completed.
- E. PKT has identified the SLS/IHS Directors responsible for conducting the internal review and for ensuring that corrective action is taken, when determined necessary.

#### **XII. Expanded Support Team Review of Emergency Use of Manual Restraint**

- A. Within 5 working days after the completion of the internal review, the program must consult with the expanded support team to:
  - 1. Discuss the incident to:

- a. Define the antecedent or event that gave rise to the behavior resulting in the manual restraint; and
  - b. Identify the perceived function the behavior served.
- 2. Determine whether the client's coordinated service and support plan addendum needs to be revised to:
  - a. Positively and effectively help the client maintain stability; and
  - b. Reduce or eliminate future occurrences of manual restraints
- B. PKT must maintain a written summary of the expanded support team's discussion and decisions in the client's records and with the Director of Licensing Compliance.
- C. PKT has identified SLS/IHS Directors as the people responsible for conducting the expanded support team review and for ensuring that the client's coordinated service and support plan addendum is revised, when determined necessary.

### **XIII. External Review and Reporting of Emergency Use of Manual Restraints**

Within 5 working days after the completion of the expanded support team review, PKT must submit the following to the Department of Human Services using the online [behavior intervention reporting](#) form which automatically routes the report to the Office of the Ombudsman for Mental Health and Developmental Disabilities:

- 1. Report the emergency use of manual restraint;
- 2. The internal review and corrective action plan; and
- 3. The expanded support team review written summary.

### **XIV. Staff Training**

Before staff may implement manual restraints on an emergency basis PKT must provide the training required in this section.

- A. PKT must provide staff with orientation and annual training as required in Minnesota Statutes, section 245D.09.
  - 1. Before having unsupervised direct contact with client's served by PKT, PKT must provide instruction on prohibited procedures that address the following:
    - a. What constitutes the use of restraint, time out, seclusion, and chemical restraint;
    - b. Staff responsibilities related to ensuring prohibited procedures are not used;
    - c. Why such prohibited procedures are not effective for reducing or eliminating symptoms or undesired behavior;
    - d. Why prohibited procedures are not safe; and
    - e. The safe and correct use of manual restraint on an emergency basis according to the requirements in Minnesota Statute, section 245D.061 and this policy.
  - 2. Within 60 days of hire PKT must provide instruction on the following topics:
    - a. Alternative to manual restraint procedures, including techniques to identify events and environmental factors that may escalate conduct that poses an imminent risk of physical harm to self or others;
    - b. De-escalation methods, positive support strategies, and how to avoid power struggles;

- c. Simulated experiences of administering and receiving manual restraint procedures allowed by the program on an emergency basis;
  - d. How to properly identify thresholds for implementing and ceasing restrictive procedures;
  - e. How to recognize, monitor, and respond to the client's physical signs of distress including positional asphyxia;
  - f. The physiological and psychological impact on the client and staff when restrictive procedures are used;
  - g. The communicative intent of behaviors; and
  - h. Relationship building
- B. Training of these topics received from other sources may count toward these requirements if received in the 12-month period before the staff person's date of hire or in the 12-month period before PKT's 245D-HCBS license became effective on 1/1/14.
- C. PKT must maintain documentation of the training received and of each staff person's competency in each staff person's personnel record.

15 May 2014  
Revised: 15 December 2015