
Guidance: Behavior Supports, Including Rights Restrictions

March 26, 2020 | DODD

Attention All Providers of Developmental Disabilities Services:

As the Ohio Department of Developmental Disabilities (DODD) responds to coronavirus (COVID-19), please continue to exercise flexibility to ensure the health and safety of Ohioans with developmental disabilities and their families. DODD appreciates the unique role that providers of service and direct support professionals (DSPs) play throughout the developmental disabilities system.

Related to behavior supports, including rights restrictions, the following guidance should be followed.

Restrictive Measures, Human Rights Committee Process

The continuation of current procedures (restraint, time-out, and rights restrictions) that may need to be extended beyond the current approval period is permissible during the state of emergency. These should occur in conjunction with all other supports in a person's plan that may be continued if a remote planning meeting cannot be arranged or the team is unable to obtain consent.

Newly developed procedures can be approved by the county board of developmental disabilities or intermediate care facilities (ICF) emergency approval process.

Existing restrictive measures that are due to expire can be continued without Human Rights Committee (HRC) review during the state of emergency.

Restrictive Measure Notification Submission

Restrictive measure notification (RMN) submissions can be postponed during the state of emergency. If it is possible, electronic submission is acceptable.

Rights Restrictions

Due to the orders issued by Governor Mike DeWine and Dr. Amy Acton of the Ohio Department of Health

(ODH), the rights of many citizens are being restricted at this time. These orders include limitations on some rights to slow the spread of COVID-19. These restrictions and limitations apply to people with and without developmental disabilities.

Many rights restrictions as a result of the state of emergency, such as limitation of visitors, restricting large group activities, not participating in community opportunities that are against the ODH orders or recommendations, should not be categorized as restrictive measures. Such restrictions should be explained in a manner best understood by the person.

It should not be forgotten that everyone reserves the right to make informed decisions. As an example, a person wants to go to their favorite restaurant for breakfast as they normally do, but they become upset because their DSP will not take them. It would be in the best interest of the person to drive to the restaurant, show the person the dining room is not open, and offer an alternative option such as take-out from the same restaurant.

Isolation Due to COVID-19 Exposure, Exhibiting Symptoms

During the state of emergency, people need to be quarantined or isolated if they are exposed to someone who tests positive for COVID-19 or if they are symptomatic of COVID-19.

If a person requires quarantine or isolation and refuses to comply, the team must first attempt non-restrictive measures that ensure the health and welfare of that person and everyone else in the home.

If the person continues to refuse the safety measures, the team will consider guidance from medically licensed professionals who know the person and risks to their health. The team should meet, via technology or phone, if possible, and determine the least restrictive actions that will best serve the person's health and welfare. The restrictions may include manual, mechanical, and chemical restraint as the last options. If the decision is made to use these restrictions, the major unusual incident (MUI) or unusual incident (UI) process should be followed.

Information and Resources

Please continue to exercise flexibility to ensure the health and safety of Ohioans with developmental disabilities and their families.

DODD support teams are available and consist of staff ready to help county boards and providers.

DODD has set up a dedicated web page for department communications and links to helpful resources that will advise people with disabilities, their families, service providers, direct support professionals, county

boards of developmental disabilities, and the community at large.

For specific questions about COVID-19 and additional information and resources, DODD urges you to use the Ohio Department of Health’s call center. Call 1-833-4-ASK-ODH (1-833-427-5634), or visit coronavirus.ohio.gov.

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