

What to expect during a licensing investigation

Purpose

This document is provided as guidance and is not a legal document. It does not override or replace the need to be familiar with rules. Current rules may be found on the [DLBC website](#).

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Expectations of investigators

- Each investigator will conduct themselves with utmost professionalism, while upholding the department values: Accountability, Connection, Efficacy, Empathy, Equity, Impact, Innovation, Support.
- Unannounced investigations are required.
- Each Investigator will introduce themselves and present their DHHS ID badges.
- Investigators will work to ensure program disruptions are minimized while on-site.

Access to your facility

- Investigators may ask program employees to present their IDs to confirm their identity.



- Investigators may request to conduct a walk through of your facility. During this walk through, investigators may take pictures to confirm compliance or to address concerns.
- Investigators may interview clients. Clients are permitted to decline the interview. This decision shall be based on the client themselves. Staff members cannot influence a client's decision, nor shall they influence the information clients share with OL.
- Investigators may interview staff and administrators. A licensee is required to cooperate during an investigation, which includes interviews.
- The provider is responsible to ensure that the office's information gathering process is not compromised and may not suppress or alter information and records nor attempt to influence staff responses.
- If an administrator is not available to assist with the investigation, a staff member familiar with the clients and facility must be available to assist the investigator.

Requests for information

During the investigation's evidence-gathering process, investigators may request to review provider records and information. These documents are requested to ascertain compliance with all applicable laws, rules, and regulations. Examples of records that may be requested during the on-site inspection and throughout the investigation include, but are not limited to:

- Critical incident reports
- Complete staff personnel files, including but not limited to: BCI, staff trainings, write up/disciplinary actions/performance improvement plans
- Complete client files
- Provider policy and procedures
- Supporting Evidence: video footage, pictures, text messages, notes, emails, etc.
- Current client list
- Staff list and schedules
- Staff and client contact information
- Guardian contact information
- Child Protective Services (CPS), Adult Protective Services (APS) and law enforcement case numbers
- Witness statements
- Shift logs, Q-15 logs, line of sight checks



All requested items are to be made available to investigators immediately upon request.

Complaint investigations

Complaint investigation may contain sensitive and confidential information. With that, investigators may not initially give specific information and details pertaining to their investigation. At the conclusion, investigators may give more details regarding the complaint and discuss any concerns and/or compliance concerns they identified.

Technical assistance

Investigators may provide technical assistance for low or moderate risk level concerns. Investigators will inform the provider of the potential risk level based on initial review. Technical assistance may be provided if the concern being reviewed has not been addressed prior and it is in fact a low or moderate risk level.

Immediate correction report

During an investigation inspection, an investigator may identify a noncompliance that poses an imminent risk of harm to clients. The investigator will contact an OL manager, while onsite, to determine the need for an Immediate correction report. This report will be given to the provider onsite, the investigator may be required to remain onsite until the risk has been mitigated.

Conclusion of investigation

Investigators will conduct an exit discussion with program administrators and discuss identified areas of concern, request additional information, and inform the program of next steps. Investigators will continue working on the investigation by collaborating with applicable agencies, reviewing documentation, etc. If necessary, investigators may return to the facility to gather more information. Once the investigation is finalized, the investigator will inform the program by email if there were noncompliance findings and provide an inspection report.

