



# Residential addiction treatment services

## Critical incident vs. duty to notify decision process

This decision process document was created to assist providers of residential addiction treatment services determine when to use the Duty to Notify or Critical Incident Form. *The Mental Health Services Protection Act* (MHSPA) requires the reporting of situations that have caused serious harm or death (critical incidents), as well as situations that may prevent service providers from delivering their services and/or situations that may be injurious (duty to notify).

All service providers must now use the [Duty to Notify/Critical Incident Report](https://cfr.forms.gov.ab.ca/form/HCM12190) form instead of internal tools and processes when reporting to Alberta Health. This can be found at <https://cfr.forms.gov.ab.ca/form/HCM12190>.

- Using the “submit” feature on the form will allow you to send the form safely to mhspa@gov.ab.ca.
- Identifiable client/staff health and personal information may be included on the form if reporting a critical incident. This information will be managed in accordance with the Freedom of Information and Protection of Privacy Act and the Health Information Act. Should you have any questions about the collection, use or disclosure of this information, you may contact Alberta Health at 780-427-8740 (310-0000 toll free) or email mhspa@gov.ab.ca.

Critical incidents are to be submitted to Alberta Health as soon as possible, but no later than 48 hours.

Duty to notify reporting is required immediately or as soon as practicably possible after the event.

If you have reason to believe that this incident meets the definition of abuse under the [Protection for Persons in Care Act](#) please call 1-888-357-9339 to report.

## What is a critical incident?

**Section 1 of the MHSPA Schedule defines critical incident as:**

- “critical incident” means an incident causing serious injury or death to a client of a service provider while receiving services or within 2 months after services cease;*
- “serious injury” means a life threatening injury or an injury that has caused, is causing or may cause significant impairment of an individual’s health.*

## What is required for critical incident reporting?

**Section 5 of the schedule indicates:**

- Service providers shall report a critical incident as soon as possible and no later than 48 hours after they become aware of the critical incident.
- The form when completed properly collects all the required information such as date, time, place and nature of the incident, the name and age of the client affected, the name of any witnesses and the action taken or planned.
- Service providers shall, as soon as possible after a critical incident, notify the client’s specified critical incident contacts and any substitute decision makers who need to know of the critical incident in order to fulfill their duties under their legal authorization.
- In addition to submitting an initial report, within 2 weeks after a critical incident, a service provider shall ensure that a further report respecting the critical incident, including an analysis of the circumstances leading to the incident and any action taken or planned in addition to the action referred to in the initial report, is submitted.
- On request by a director, within the time period specified by the director, a service provider who offers or provides residential addiction treatment services shall ensure that a report is submitted respecting the steps taken or need.

## What is required for duty to notify reporting?

### Section 11 of the MHSPA states:

*“A licensee who knows or has reasonable grounds to believe that a situation exists that is or may be injurious to the safety or health of the clients of the licensee or would jeopardize the ability of the licensee to provide the services authorized by the licence shall immediately notify a director.”*

## Critical incident examples

### SERIOUS HARM OR DEATH

#### Abuse

- Sexual assault resulting in serious physical or mental trauma
- Choking resulting in serious injury where the person lost consciousness
- Neglect: a resident being denied the necessities of life, resulting in serious harm to the person’s physical or emotional health
- A staff or other client obtains a client’s financial information and uses that to their benefit, thus seriously harming the client financially

#### Medical Incident

- Burns, scalding requiring hospitalization
- A medication error that results in serious harm and medical intervention is required

NOTE: A self-inflicted wound that does not cause serious harm/require medical attention is not reportable (e.g. client pierces their own ear with a pin, client uses a kitchen knife to cut them self and the service provider uses a first-aid kit to tend to the wound, etc.)

#### Suicide Attempt

- Attempted suicide where the individual requires hospitalization

NOTE: If the suicide attempt does not result in serious injury, then it is not reportable

#### Death

- Client ingests bleach, experiences severe chemical burns and dies
- Physical assault resulting in death
- Client has a heart attack and dies
- Homicide
- Client given medication and they have a severe reaction resulting in death
- Client in active treatment has a medical event, is admitted to the hospital and dies
- Client is found outside the treatment centre and appears to have overdosed and has died
- Family member of a former client advises the residential addiction treatment facility that a client that was in treatment has passed, if it has been two months or less since the client left the facility.

## Duty to notify examples

### SITUATION THAT COULD POSE A SAFETY RISK TO CLIENTS OR IMPACT ABILITY TO PROVIDE SERVICES

#### Allegation of Abuse

- Service provider or employee being investigated by the police

#### Client Rights

- A client's file is left out and are viewed by other clients in the centre, this includes personal health and financial information
- There is a security breach in your database and your client information has been made public

#### Medical Incident

- Medications go missing, and several clients will not be receiving their prescribed medication as scheduled/planned
- You learn that the food you have recently served has a health safety recall (e.g. lettuce with possible E.coli)
- There is a significant medical event with one or more clients and your staff are unable to provide regular services

NOTE: A self-inflicted wound that does not cause serious harm/require medical attention is not reportable (e.g. client pierces their own ear with a pin, client using a kitchen knife cuts them self and the service provider uses a first-aid kit to tend to the wound)

#### Emergency Evacuation

- A bomb threat is called in
- A fire in the kitchen prompts an emergency evacuation

#### Property Damage

- A severe wind storm has damaged nearby electrical lines and trees on the property and are threatening to fall on the building
- Black mold detected in the basement
- A pipe bursts and there is significant damage to the facility
- A fire in the building
- Significant damage to the facility restricts admission to the program/services
- An elevator is broken and you have one or more clients that are mobility impaired

NOTE: Minor damage to the facility is not reportable (e.g. a client punches a hole in the wall and it is easily repaired, a cracked sidewalk block)

#### Other Situations

- You learn that a client has a firearm hidden in the centre
- There is an event that requires the police to attend
- Staff shortages