



**HOME AND
COMMUNITY-
BASED
SERVICES**

WYOMING MEDICAID
DIVISION OF HEALTHCARE FINANCING

Reporting Abuse, Neglect, and Exploitation

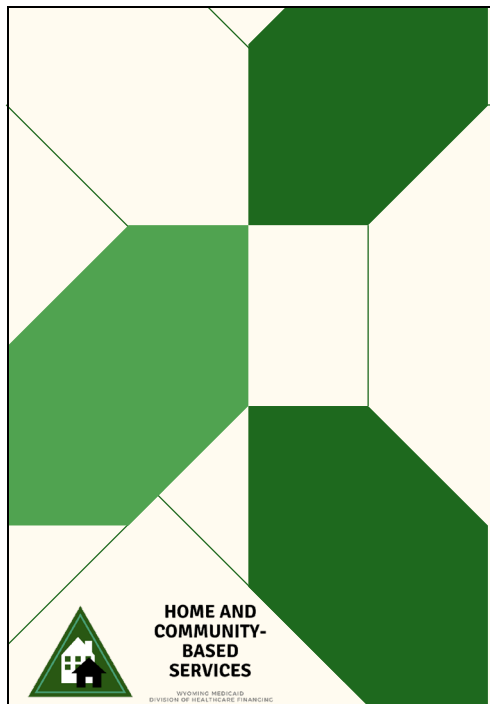
DD Provider Support Call
April 27, 2026



Wyoming
Department
of Health




Thank you for joining us for this month's training presentation on incident reporting for Supports and Comprehensive Waiver providers. My name is Hannah Ostheimer, I am the Provider Support Unit Manager with the Home and Community-Based Service Section, Division of HealthCare Financing within the State of Wyoming's Department of Health.



Purpose

- Review provider incident reporting requirements
- Define abuse, neglect, and exploitation
- Explain the provider's responsibilities during an investigation
- Provide information on APS



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The purpose of this training is to review provider reporting requirements, briefly define abuse, neglect, and exploitation, and explain the provider's responsibilities during an investigation. Today, we are joined by Jane Carlson of Adult Protective Services. Jane will provide information on the role of the Department of Family Services, Adult Protective Services.



Acronyms

- HCBS - Home and Community-Based Services
- LAR - Legally Authorized Representative
- Division - Wyoming Department of Health, Division of Healthcare Financing
- DFS - Department of Family Services
- APS - Adult Protective Services
- P&A - Protection and Advocacy



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Before we get started, we'd like to review the acronyms and abbreviations you'll see in today's training. The Medicaid system uses a lot of acronyms and although you may already know these, we want to avoid any confusion for those that may not.

HCBS stands for Home and Community-Based Services


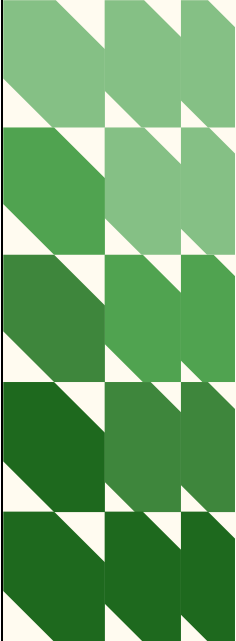
LAR means Legally Authorized Representative (this may include guardians, parents, or others)

Division refers to the Wyoming Department of Health, Division of Healthcare Financing

DFS Stands for the Wyoming Department of Family Services

APS refers to Adult Protective Services

And finally, P&A stands for Protection and Advocacy.



Choice

Freedom to make choices is a human right. Laws protect people's right to decide how to spend their money, make their own health care decisions, work for a living, and have relationships with friends and family.

Even when addressing a topic like reporting abuse, neglect, and exploitation, it is important to remember that home and community-based waiver services are based on the tenet that people have the freedom to make choices that impact their lives. Whether the choices are related to big decisions such as who provides their services, where they live, or what they want for their future, or small decisions such as with whom they spend time, what and when they eat, and how they spend their day, having choice is paramount to human dignity. Facilitating individual choice is a crucial part of being a DD Waiver provider.

Mandatory Reporting Requirements



Wyoming law mandates that any person who suspects the abuse, neglect, or exploitation of a child or vulnerable adult is required to report.

- [Wyoming Department of Family Services website](#)



According to Wyoming Statutes 14-3-205 and 35-20-103, **everyone** must report the suspected abuse, neglect, or exploitation of children or vulnerable adults if they have reasonable cause to believe that it may be occurring.

Child or adult abuse, neglect or exploitation has no boundaries according to sexual orientation, ethnic background, age, religion, disability, or gender. The reporting of abuse, neglect, or exploitation of children and vulnerable adults is a 24-hour obligation. More information can be found on the [Wyoming Department of Family Services website](#). A link is included in this slide. A copy of these slides are available on the DD Providers & Case Managers page of the HCBS website under the providers tab. We will also hear from Jane in a moment.

The requirements apply to all employees and they must be trained on them.



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Division Reporting Requirements

- Chapter 45, Section 20 outlines the notification of incident process.
- Provider must immediately report critical incidents to the Division including:
 - Abuse
 - Neglect
 - Exploitation

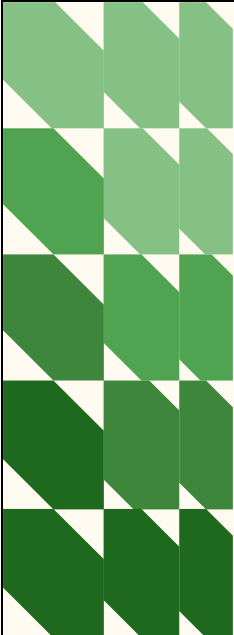


Chapter 45, Section 20 of Medicaid Rule outlines incidents that must be reported to the Division, the participant’s case manager, and legal guardian. This section mandates that providers “shall have incident reporting policies and procedures that include the requirements of this Section and shall maintain internal incident reports for all incidents identified in this Section.”

Providers and case managers, including all staff, must immediately report critical incidents to the Division after assuring the health and safety of the participant and other individuals. Waiting until the end of the week or the end of the month to report critical incidents is an unacceptable practice, and may result in actions including, but not limited to, technical assistance, corrective action, and/or adverse action.


While Chapter 45, Section 20 outlines all reportable incidents, today we are focusing on what are considered critical incidents. These include abuse, neglect, and exploitation. In the following slides we’ll briefly review what the Division defines as abuse, neglect, and exploitation.

Reporting incidents to the HCBS Section does not replace other reporting requirements you may have. Please familiarize yourself with the other governing agencies to which you are responsible for reporting.



Suspected Abuse

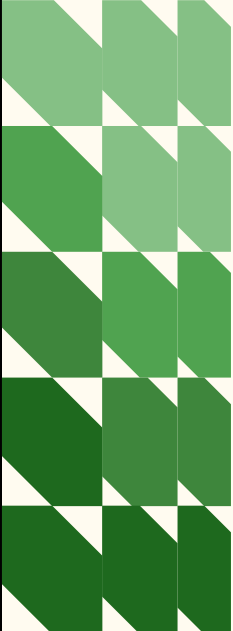
Abuse is defined as intentionally or recklessly inflicting physical or mental injury, unreasonable confinement, intimidation, cruel punishment and may include sexual offenses.



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The definitions of abuse, neglect and exploitation used by the Division come from Wyoming State Statute.

Abuse is defined as intentionally or recklessly inflicting physical or mental injury, unreasonable confinement, intimidation, cruel punishment and may include sexual offenses. Abuse is fully defined in Wyoming Statute 35-20-102 (a)(xviii).



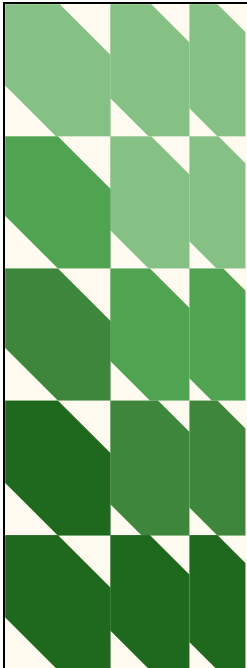
Suspected Neglect

Neglect is defined as the act of depriving a vulnerable adult of the minimum food, shelter, clothing, supervision, physical and mental health care, and other care necessary to maintain life or health, or which may result in a life-threatening situation.



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Neglect is defined as the act of depriving a vulnerable adult of the minimum food, shelter, clothing, supervision, physical and mental health care, and other care necessary to maintain life or health, or which may result in a life-threatening situation. Neglect is defined fully in Wyoming Statute 35-20-101 (a)(xi).



Suspected Exploitation

Exploitation of a vulnerable adult is the reckless or intentional use of deception, harassment, intimidation, or undue influence to control or intentionally misuse their money, assets, or property. This is done with the intent to deprive the individual of those assets or adversely affect their ability to receive healthcare or pay for basic needs.

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Finally, exploitation is defined as the reckless or intentional act taken by any person, or any use of the power of attorney, conservatorship or guardianship of vulnerable adult, to obtain control through deception, harassment, intimidation or undue influence over the vulnerable adult's money, assets, or property with the intention of depriving the vulnerable adult of those assets, or to intentionally misuse the principal's property, and in so doing, adversely affect the principal's ability to receive healthcare or pay bills for basic needs or obligations. Exploitation is fully defined in Wyoming Statute 35-20-101 (a)(ix).

Division Response to Incident Reporting

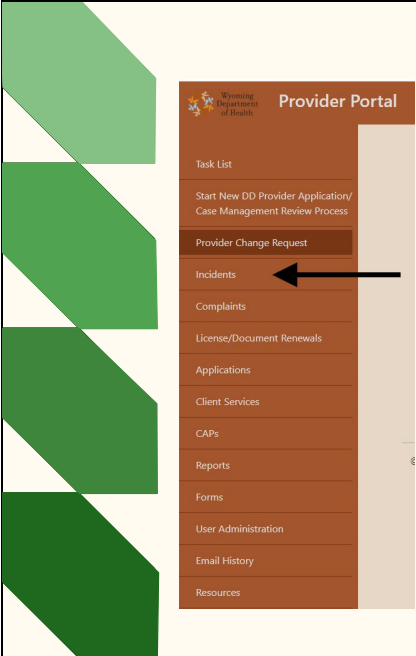
- Opens an investigation of all reported incidents within three business days.
- Determines whether a rule violation occurred.
- Ensures the health and safety of participants.



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Once an incident is reported through the online reporting system located in the Wyoming Health Providers (WHP) portal, the Division opens an investigation of all reported incidents within three business days. The investigation consists of a review of the incident report and other relevant documentation. The role of the Division is to determine whether there has been a violation of any Wyoming Medicaid Administrative Rule. DFS or law enforcement's role is to determine whether abuse, neglect, or exploitation occurred. Alongside these agencies, it is also the Division's role to ensure the health and safety of participants.

Full information on the Division's response to incidents is established in Appendix G-1-d of the Supports and Comprehensive Waiver Agreements.



Provider Responsibilities


- Remain responsive to the Division
- Provide complete documentation
- Complete all requested follow-up actions



During the investigation of incident, providers and case managers must remain responsive to the Division in a timely manner. They must ensure that all documentation regarding the incident and their subsequent actions is complete and available to the Division for review. The Division may direct the case manager, provider agency, or other responsible parties to conduct the follow-up activities including, but not limited to:

- Contacting the participant's legally authorized representative;
- Making appropriate medical or behavioral health referrals;
- Cooperating with on-site visits conducted by the Division;
- Reporting the incident to law enforcement or the appropriate regulatory/oversight body or;
- Cooperating with technical assistance or corrective action plans assigned by the Division;
- Responding to Division correspondence in a timely manner.

Investigations are not considered complete until all required follow-up actions have been taken by the provider to assure the health and safety of the participant or participants. This includes follow-up requested through technical assistance or corrective action plans.



Communication

- Communication with the Division is critical.
- Ensure contact information is up to date in WHP portal.
- Check the WHP portal, emails, and voice messages often.


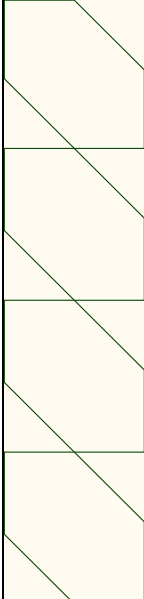


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Communication with the Division is a critical aspect of incident reporting. The Division may respond to incident reports and request follow-up through the WHP portal itself. Providers need to review at their task list frequently and complete the tasks in a timely manner.

The Division may also reach out via email or phone call for additional information or clarification. The contact information in the WHP portal needs to be up to date to ensure the Division can contact the provider or provider organization. Emails and voice messages from the Division should be responded to promptly.

You can also reach out to the area Incident Management Specialist for assistance. Their contact information can be found on our Contact Staff, Subscribe, or Suggest page by clicking the [Incident Management Specialist](#) link.



Takeaways

- Everyone is a mandatory reporter.
- Providers and case managers must meet specific incident reporting requirements.
- Incidents must be reported timely and accurately.
- The Division investigates rule violations.
- Provider are expected to remain responsive to the Division and provide follow-up in a timely manner

As we end the Division's portion of the training, we'd like to review some of the key items that providers need to remember:

- Providers and case managers are mandatory reporters and must meet specific incident reporting requirements. More information can be found on the Wyoming Department of Family Services website. Information on the Division's requirements can be found in Chapter 45, Section 20 of Wyoming's Medicaid Rules.
- Providers and case managers are obligated to report critical incidents immediately after assuring the health and safety of the participant. In no circumstance should case managers or providers wait to report an incident. It is critical that incident reports contain accurate and descriptive information.
- The Division's role during an investigation of an incident is to determine if a rule violation occurred. DFS or law enforcement determine if abuse, neglect, or exploitation occurred.
- Providers are expected to remain responsive to the Division and provide follow-up on technical assistance or corrective action in a timely manner.

Thank you!

Questions?

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We thank you for joining us today. At this time, I'm happy to answer any questions you may have.