

## Abuser Registry Annual Notice

The Ohio Department of Developmental Disabilities (“Department”) maintains an Abuser Registry which is a list of employees who the Department has determined have committed one of the Registry offenses listed below. If your name is placed on the Registry you are barred from employment as a Developmental Disabilities employee in the state of Ohio. Because other state agencies require employers to check the Abuser Registry, placement on the Registry also prohibits you from being employed (1) by a Medicaid agency, being an owner (5 percent or more) of an agency or having Medicaid Provider Agreement as a non-agency provider; (2) in a position to provide Ombudsman services or direct care services to anyone enrolled in a program administered by the Ohio Department of Aging and (3) by a home health agency in a direct care position and may prevent you from being hired in a nursing home or residential care facility in a direct care position.

If your name is placed on the registry you are barred from employment as a DD employee in the state of Ohio.

Since other state agencies require employers to check the registry, placement may also prohibit:

(1) being employed by a Medicaid agency, being an owner (five percent or more) of an agency or having a Medicaid Provider Agreement as a non-agency provider.

(2) being in a position to provide Ombudsman services or direct care services to anyone enrolled in a program administered by the Ohio Department of Aging; and

(3) being employed by a home health agency, a nursing home, or residential care facility in a direct care position.

After 1 year, the person may petition the Department for removal of their name from the Registry. If the petition is denied the name remains on the Registry.

The name of any “Developmental Disabilities (DD) employee” may be placed on the Registry. DD employee, any employee of a county board of DD, an independent provider under Ohio Revised Code section 5123.16, and any employee providing specialized services to an individual with developmental disabilities. A specialized service is a program or service designed to primarily serve individuals with developmental disabilities including services by an entity licensed or certified by the Department.

### Abuser Registry Offenses:

- **Physical Abuse** – The use of any physical force that could reasonably be expected to result in physical harm.
- **Sexual Abuse**- Unlawful sexual conduct (unprivileged intercourse or other sexual penetration) and unlawful sexual contact (unprivileged touching of another’s erogenous zone).
- **Verbal Abuse**- Purposely using words to threaten, coerce intimidate, harass, or humiliate an individual.

- **Prohibited Sexual Relations** - Consensual touching of an erogenous zone for sexual gratification and the individual is in the employee's care and the individual is not the employee's spouse. 2 8/17

- **Neglect** – When there is a duty to do so, failing to provide an individual with any treatment, care, goods, or services necessary to maintain the health or safety of the individual.

- **Misappropriation (Theft)** – Obtaining the property of an individual or individuals, without consent, with a combined value of at least \$100. Theft of the individual's prescribed medication, check, credit card, ATM card and the like are also Registry offenses.

- **Failure to Report Abuse, Neglect or Misappropriation** – The employee unreasonably does not report abuse, neglect, or misappropriation of the property of an individual with developmental disabilities, or the substantial risk to such an individual of abuse, neglect or misappropriation, when the employee should know that their non-reporting will result in a substantial risk of harm to such individual.

#### **Conviction or plea of guilty to**

**Offense of Violence** - R. C. 2901.01, including convictions for the offense of Assault, Menacing, Domestic Violence or Attempting to commit any offense of violence.

**Sexual Offenses** - R. C. Chapter 2907;

**Theft Offenses** - R. C. Chapter 2913;

**Failing to provide for a functionally impaired person** – R.C. 2903.16;

**Patient Abuse or Neglect** - R.C. 2903.34;

**Patient Endangerment** – R.C. 2903.341; and/or Endangering Children – R.C. 2919.22.

More information is available on the department's website under the Health and Welfare tab. The registry website is at: [https://its.prodapps.dodd.ohio.gov/ABR\\_Default.aspx](https://its.prodapps.dodd.ohio.gov/ABR_Default.aspx). Please call the department at 614-995-3810 with any questions regarding the registry