

**Rules regarding serious injury or incident and reporting requirements:**

414-300-0010 Definitions

(45) "Serious Injury or Incident" means any of the following:

(a) Injury requiring surgery;

(b) Injury requiring admission to a hospital;

(c) Injury requiring emergency medical attention;

(d) Choking and unexpected breathing problems;

(e) Unconsciousness;

(f) Concussion;

(g) Poisoning;

(h) Medication overdose;

(i) Broken bone;

(j) Severe head or neck injury;

(k) Chemical contact in eyes, mouth, skin, inhalation or ingestion;

(l) Severe burn;

(m) Allergic reaction requiring administration of Epi-Pen;

(n) Severe bleeding or stitches;

(o) Shock or confused state;

(p) Near-drowning.

414-300-0045 Required Reporting’s:

The center shall report to OCC:

(1) Any death of a child while in care, within 24 hours.

(2) Any serious injury or incident, as defined in OAR 414-300-0010(45) within 5 calendar days after the occurrence. This does not include:

(a) Injuries for which a child is evaluated by a professional as a precaution;

(b) Injuries for which first aid is administered at the center, but no further treatment by a medical professional is warranted: or

(c) Medical events due to routine, ongoing medical issues, such as asthma or seizures.

(4) Any animal bites to a child within 48 hours of occurrence.

**Importance to children, families and programs:**

Notifying OCC of a child’s serious injuries in a timely manner is vital to assessing potential risk of harm to other children attending the child care program. It also allows OCC to compile data on serious injuries and their causes so technical assistance can be provided to programs and to evaluate the potential need for additional regulations to prevent or minimize such occurrences.

Description of how it is different from previous rules:

Rules written before September 30, 2018 required that any injury to a child which needed the attention of a licensed health care professional was to be reported to OCC within 7 days after the occurrence. The new rules require that only those injuries defined as a “serious injury or incident” be reported within 5 calendar days after the occurrence.

Programs are now required to report all animal bites to OCC within 48 hours of the occurrence.

**Examples of how this might look:**

* Child care programs would maintain a record of serious injuries and the date and time they were reported to OCC. OCC would document the notifications in the program files.
* Programs will need to understand the definition of “serious injury or incident” so that only those types of incidents are reported to OCC.
* Programs may utilize a log to maintain a record of animal bites to child care children.
* As in current rules, programs will still need to keep records of all injuries to a child, and any injuries requiring first aid must be reported to the child’s parents immediately, however, per the new rules, only those that meet the definition of “serious injury or incident” will need to be reported to OCC.

**Additional information:**

Licensing specialists will be able to offer assistance and guidance on what “serious injury or incident” means by referring to the definition of “serious injury or incident” in the rule book and discussing scenarios with child care programs.

When preparing to report to OCC, the following information should be included:

* The age of the child;
* The type of injury;
* The circumstances of the incident;
* Any witnesses to the incident; and
* Action taken (e.g. transported child to the doctor, contacted parents).

*This document is designed to assist programs in understanding some of the revised regulations. Please refer to the revised rule book for a complete set of regulations and specific rule language.*