

Date: September 15, 2021

DDSD-DDW Numbered Memo 2021-10

To: All DD Waiver Agencies and Stakeholders

From: Jason Cornwell, Director 
Developmental Disabilities Supports Division

CC: Sabrina James, MS. Statewide Crisis Coordinator-Bureau of Behavioral Support
Developmental Disabilities Supports Division

Re: Emergency Physical Restraint Clarification

It is the mandate of DDSD that every person shall be free from the use of restrictive physical crisis intervention measures that are unnecessary; however, agencies do support people who may occasionally need intervention such as Emergency Physical Restraint (EPR) when they are in imminent danger of hurting self or others. These agencies are required to institute measures to maximize the safety of all concerned and must adopt, train, and utilize one of the currently approved Crisis Prevention and Intervention Systems (CPIS) within New Mexico's Developmental Disabilities Waiver (DD Waiver): the Mandt System®, Handle With Care, or CPI.

Clarification on Protocols of Crisis Prevention and Intervention:

It has come to DDSD's attention that while providers have a protocol of CPIS that they have adopted, many are currently operating on an agency wide policy of "no restraints." This may be due to a shortage of DSP, or a lack of knowledge on how to train or recertify DSP in these physical intervention skills while minimizing the risk of spreading COVID-19. Although DDSD would like New Mexico to become a restraint free state, this has not been mandated yet! For all agencies currently operating on a "no restraint policy," DDSD still requires that if an individual in supports needs EPR for safety, the agency **must** train staff in an approved CPIS protocol and continue to support them to implement EPR if there is imminent danger of someone hurting themselves or others.

Training Records for CPIS to Support the Safe Use of Emergency Physical Restraint:

As outlined in the COVID-19 Guidance for Training Crisis Prevention and Intervention Systems (CPIS) first published on March 15, 2021, <https://www.nmhealth.org/publication/view/guide/6653/>, agencies shall scan and send all CPIS training rosters to the DDSD/BBS regional staff once the CPIS hands-on training has been completed. DDSD-BBS is currently requesting these records to find out how many staff in which agencies have been trained in hands-on physical intervention skills since the restriction regarding such training was **lifted** in mid-March. Please send these records to your regional Crisis Specialist no later than Close of Business 9/30/21. BBS staff are available to offer technical assistance as requested or needed.

For additional information or questions, contact DDSD/BBS Regional Staff.
Thank you.

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