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**IMPORTANT DEADLINE PASSES AS STATE FACILITY IN LUFKIN
REMAINS OUT OF COMPLIANCE WITH MOST HEALTH AND SAFETY REQUIREMENTS**

LUFKIN, TX—According to the latest U.S. Department of Justice (DOJ) monitoring report for the Lufkin State Supported Living Center (LSSLC) operated by the Texas Department of Aging and Disability Services (DADS), the facility remains out of compliance in 116 out of 171 areas *after four years of efforts to improve*. The deadline for 100 percent compliance for this facility and all SSLCs in Texas was June 26, 2013.

“If a prospective doctor or attorney incorrectly answered more than half of the questions on their licensing exam, no one would think twice about not allowing them to practice. And yet the state allows these digressing facilities with less than 27 percent compliance to be responsible for the basic health and safety needs of a vulnerable population of people,” said Haley Turner, advocate supervisor for Disability Rights Texas (DRTx), the federally designated legal protection and advocacy agency for Texans with disabilities. “The deadline for 100 percent compliance has passed, and it causes us grave concern that all SSLCs in Texas are *still* significantly behind where they should be in improving the protections, supports and services they provide to individuals under their care.”

One area of major concern is that LSSLC did not address the need to develop a medical quality program. The requirement to develop and implement policies and procedures to guide medical care remained an outstanding need.

Other areas of failure for the Facility in Settlement Agreement Provisions include:

- There were 342 restraints used for crisis intervention. The number of restraint incidents had increased significantly since the last review.
- There were five confirmed cases of physical abuse and were three confirmed cases of neglect. An additional 51 other serious incidents were investigated by the facility.
- There were 1547 injuries reported between 12/1/12 and 5/31/13. These included 27 serious injuries resulting in fractures or sutures.
- Minimal progress had been made in adequately following up on incidents by addressing factors contributing to the large number of incidents and injuries at the facility
- There was no Quality Assurance report.
- The primary care providers continued to have minimal involvement with the annual Individual Support Plans (ISPs) and the review of Physical and Nutritional Management Plans (PNMPs).
- Teams were all but failing to ensure that assessments for at-risk individuals were completed and recommendations were implemented.
- The monitoring team encountered poor clinical outcomes for many individuals with some outcomes clearly linked to inadequate systems and the failure to implement appropriate corrective actions for recognized systems issues.
- There were examples in which labs and diagnostics were not ordered, consults were not obtained, and consultant recommendations were not implemented by the primary providers.
- Individuals with refractory seizure disorder generally were not referred to an epileptologist.
- There remained the need to further develop safe medication practice systems.

- The lack of a full time clinical pharmacist, involved in all aspects of the delivery of pharmacy services, was evident.
- Medication variances continued to be under-reported. The accuracy of the information was also in question because assignment of the correct discipline and severity level for many variances seemed incorrect.
- Reporting of Adverse Drug Reactions (ADRs) was scant and for those ADRs reported, the forms were usually not thoroughly completed.
- The PNMP assessments reviewed had not been completed in a timely manner from the date of referral and the content was often weak.
- A system of PNMP effectiveness monitoring was not well established.
- Occupational and Physical Therapy supports and services were not consistently integrated into the ISPs.

Visit <http://www.dads.state.tx.us/monitors/reports/index.html> for view the latest DOJ monitoring reports for SSLCs in Texas. For additional information on how all the state supported living centers are performing, visit the Disability Rights Texas onsite Press Room at www.disabilityrightstx.org/who-we-are/press-room/.

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Disability Rights Texas (formerly named Advocacy Inc.) is a nonprofit organization that protects and advances the legal, human and service rights of Texans with a broad range of disabilities. Disability Rights Texas is federally funded and designated as the protection and advocacy agency (P&A) for the state of Texas.