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EL PASO SSLC FAILS THIRD ROUND COMPLIANCE REVIEW

Austin, TX – The Texas Department of Aging and Disability Services (DADS) has released a monitoring report indicating people with intellectual and developmental disabilities living in the El Paso State Supported Living Center (SSLC) remain at high risk for abuse and neglect due to the facility's continued noncompliance on basic health and safety provisions.

More than two years since the implementation of the U.S. Department of Justice (DOJ) settlement agreement with DADS, which was established to ensure residents' mental and physical health and safety, the El Paso SSLC was found to be compliant in only 24 of 171 provision areas, a mere 14 percent of all areas.

In the six months since the last compliance review, the El Paso backtracked in three provision areas, actually losing compliance in areas related to protection from harm - abuse, neglect and incident management, and pharmacy services and safe medication practices.

The DOJ settlement agreement delineates specific deadlines by which compliance must be met for each of the 171 provisions, ranging from 2009 through 2013. These deadlines require the El Paso SSLC already to have met standards in 138 provision areas; the facility was found to be out of compliance in 114 of those provisions, resulting in noncompliance outside of settlement agreement deadlines in 83 percent of those areas.

Monitors indicated the following significant failures at the El Paso SSLC:

- Problems in physical and nutritional management and nursing care were significant, as monitors found these areas far outside generally accepted professional standards of care.
- Nursing staff failed to perform complete assessment of individuals with significant changes in their health and failed to ensure timely and appropriate care and treatment. "Egregious violations of infection control were observed, and, across the facility, the emergency medical equipment was in complete and total disarray."
- There continued to be problems with accurate documentation and monitoring of physical and chemical restraints.
- Data reported on oral hygiene status indicated that approximately 40 percent of residents at the facility suffered poor oral hygiene.
- The number of residents' adverse drug reactions had increased since the last review.
- Approximately 775 injuries had been reported since early December 2010. Monitors noted the need for a plan to address trends in injuries to reduce the significant number of injuries occurring at the facility.
- Little progress had been made toward improving integrated protections, services, treatment and support since the monitoring visit in January 2011.
- "The medical department had made essentially no progress since the previous visit and many of the initiatives that were underway in January 2011 had not moved forward."
- Little work had been done to educate individuals, their family members, and staff about the variety of community living and working options that might be available to residents.

“The El Paso facility’s continued lack of progress in meeting the health and safety needs of residents is alarming, given how little time they have left to gain compliance,” said Beth Mitchell, supervising attorney for Disability Rights Texas, the federally designated legal protection and advocacy agency for Texans with disabilities.

“To date, the El Paso facility remains outside the compliance deadline in 83 percent of all provision areas,” Mitchell noted. “It seems improbable that the necessary improvements can be made to bring the El Paso facility into compliance within the mandated DOJ timelines.”

For more information on the Sept. 10, 2011, El Paso SSLC Monitoring Team Report, visit www.dads.state.tx.us/monitors/reports/index.html.

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 is a nonprofit disability advocacy 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. In March 2011, the agency changed its name from Advocacy Inc. to Disability Rights Texas.