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EL PASO SSLC SHOWS LIMITED PROGRESS IN LATEST 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 32 of 171 provision areas, a mere 19 percent of all areas.

In the six months since the last report, the El Paso facility actually backtracked in two provision areas, losing compliance in areas related to: protection from harm – restraints; and protection from harm – abuse, neglect and incident management.

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 139 provision areas; the facility was found to be out of compliance in 107 of those provisions, resulting in noncompliance outside of settlement agreement deadlines in 77 percent of areas.

The following significant failures were reported at the El Paso SSLC:

- DFPS investigated a total of 37 allegation of abuse, neglect or exploitation at the facility. In addition, there were 27 serious incidents at the facility.
- "Issues identified during the previous monitoring visit continued to be areas of concern regarding the documentation, monitoring and review of restraints."
- Minimal progress was made on developing plans that would lead to a more meaningful day for individuals.
- Monitors found that staff members were not adequately trained on monitoring risk indicators and providing necessary supports to individuals, requirements in ensuring the safety of individuals.
- Monitors found a continued pattern of problems in nursing practice. "On a number of occasions, nurses failed to deliver nursing care in accordance with accepted standards of practice, and they carried out improper interventions as though they were standard operating procedure."
- The facility's practice of assigning psychiatric diagnoses "without review of detailed diagnostic criteria did not meet generally accepted professional standards of care."
- "Records reviewed revealed multiple examples of medication adjustments performed concurrently or rapidly with no time for review of behavioral data to determine the appropriateness of the dosage change."
- "Staff required prompts from the techs and Physical and Nutritional Management Plan Coordinator to reposition individuals before, during and outside meals, and this was not always done appropriately or effectively," which put residents at risk of choking.

“The latest review of the El Paso center is troubling, as it shows the facility continues to fail in meeting the health and safety needs of residents,” said Beth Mitchell, supervising attorney for Disability Rights Texas, the federally designated legal protection and advocacy agency for Texans with disabilities.

“It is incomprehensible that the facility could make the necessary improvements to the protections, supports and services provided to residents by the mandated DOJ compliance deadline,” Mitchell added.

For more information on the March 7, 2012, 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.