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LUBBOCK SSLC MAKES LIMITED PROGRESS IN 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 Lubbock 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 Lubbock SSLC was found to be compliant in only 27 of 171 provision areas, a mere 16 percent of all areas. Further, during the six months between reports, the Lubbock facility actually lost compliance in a provision area related to protection from harm – restraints.

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 Lubbock SSLC already to have met standards in 139 provision areas; the facility was found to be out of compliance in 112 of those provisions, resulting in noncompliance outside of settlement agreement deadlines in 80 percent of those areas.

The following significant failures were reported at the Lubbock SSLC:

- There were a total of 263 documented episodes of restraint use. Monitors found "serious deficiencies" in the monitoring of restraints by licensed health care workers — a recurring deficiency that "required heightened attention."
- There were 124 allegations of abuse, neglect or exploitation during the six-month period since the last review.
- Several staff members expressed a "fear of retaliation" from co-workers if they reported incidents of abuse, neglect or exploitation to facility management.
- "Individual Support Plans still did not show an integrated plan that set forth the full array of protections, supports, and services individuals required."
- A review of nursing records by the Monitoring Team indicated that important changes in residents' physiological parameters were not detected by staff.
- "Limited progress was noted in the provision and monitoring of psychological services."
- No progress was seen in the critical areas addressing nursing Health Management Plans, nursing assessment and documentation in response to changes in status, and the quality and timeliness of the quarterly and annual nursing assessments.
- "The provision of formal skill programming in the vocational and community-based settings remained a concern."

"This latest Lubbock SSLC review shows significant gaps in the facility's ability to meet 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.

"The Lubbock facility's lack of progress is unsettling given how little time they have left to gain compliance," Mitchell added. "To date, the facility remains outside the compliance deadline in more than 80 percent of all provision areas. It is unimaginable that the facility will make the necessary protections, supports and services improvements by the deadline mandated by the settlement agreement."

For more information on the Jan. 16, 2012, Lubbock 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.