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LUFKIN SSLC BACKTRACKS IN THIRD ROUND DOJ 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 Lufkin 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 Lufkin SSLC was found to be compliant in only 26 of 171 provision areas, a mere 15 percent of all areas — a reduction in compliance rate from the previous six-month review.

In fact, during the six months between reports, the Lufkin facility backtracked in seven provision areas, losing compliance in areas related to protection from harm – abuse, neglect and incident management; integrated protection, services, treatment and supports; and serving institutionalized persons in the most integrated setting appropriate to their needs.

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 Lufkin SSLC already to have met standards in 142 provision areas; the facility was found to be out of compliance in 116 of those provisions, resulting in noncompliance outside of settlement agreement deadlines in 82 percent of areas.

The following significant failures were reported at the Lufkin SSLC:

- Four deaths and 15 serious injuries resulting in fractures or sutures were reported at the facility in the five-month period from May 1, 2011 to Sept. 31, 2011.
- A total of 1,441 injuries were reported during the same period.
- “Direct care staff members’ lack of knowledge of the most basic health needs of individuals, even as they occurred in the setting of the infirmary, was striking.”
- Lapses were noted in medical staff’s follow-up of both acute and chronic issues. In addition, there were numerous instances in which clinic follow-ups did not occur as needed.
- Staff did not display safe practices that minimize the risk of physical and nutritional management decline and choking risk; further, staff did not understand the rationale for the proper strategies they were instructed to apply.
- During observations of residential and day programs, monitors noted that many individuals spent a majority of their day not engaged in any meaningful activities, which appeared to contribute to the high incidence of self-abuse and aggression.
- Only 33 percent of those individuals identified as nonverbal had communication systems or devices.

“The third round Lufkin review indicates major 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 Lufkin facility’s lack of progress is distressing given how little time they have left to gain compliance,” Mitchell added. “It is unimaginable that the Lufkin center will make the required improvements to the protections, supports and services it provides to residents by the mandated DOJ deadline.”

For more information on the Jan. 31, 2012, Lufkin 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.