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MEXIA SSLC SHOWS LITTLE IMPROVEMENT IN LATEST 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 Mexia 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, the Mexia SSLC was found to have made few improvements and no notable progress since the previous six-month review, moving from 20.14 percent to a mere 20.29 percent compliance in the provision areas for which the DOJ settlement agreement currently requires that they already show substantial compliance (28 out of 171 areas).

The Mexia facility actually lost compliance in three major areas in which it previously had been determined to have met standards, including areas related to protection from harm – abuse, neglect and incident management; pharmacy services and safe medication practices; and serving institutionalized persons in the most integrated setting appropriate to their needs.

The following significant failures were reported at the Mexia SSLC:

- There were a total of 1,386 injuries reported at the facility between Aug. 1, 2011 and Feb. 27, 2012, including 36 serious injuries resulting in fractures or sutures.
- Monitors "continued to find problems with nurses who failed to respond appropriately to ensure adequate follow-up for individuals who had suffered acute illnesses and injuries. In addition, there were nurses who failed to implement many of the assessment and reporting protocols for the majority of the individuals reviewed. These failures jeopardized the individuals' health and safety and placed them at risk of harm."
- The monitoring team noted little progress was being made on developing plans that would lead to a more meaningful day for individuals. "Assessments were needed to determine what services were meaningful to each individual served and what supports were needed to allow each individual to fully participate in those services."
- Staff members were not adequately trained on monitoring risk indicators and providing necessary supports. "Accurately identifying risk indicators and implementing preventative plans should be a primary focus for the facility to ensure the safety of each individual."
- Mexia staff was not adequately addressing issues of guardianship and consent, community integration, or community placement options for residents.
- According to monitors, the evaluation, case formulation, diagnosis and justification for treatment with medication remained insufficient. Further, "there was an overreliance on psychotropic medications, a [scarcity] of non-pharmacologic interventions, and the use of multi-agent chemical restraints."
- "Several records indicated that preventive services, such as colonoscopies, were not provided." In addition, the facility had no preventive care policy, and "there had been no quality initiatives undertaken at the facility level."
- The facility did not have a structured home oral care program, and very few individuals had good oral hygiene.

"This latest Mexia monitoring report is disturbing, as it indicates the facility is still failing to meet even the most basic 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.

“More than two years into the Settlement Agreement, the facility is still significantly behind where it should be in improving the protections, supports and services it provides to individuals under its care,” Mitchell added. “The Mexia facility’s lack of progress is troubling given how little time it has left to gain full compliance.”

For more information on the May 16, 2012, Mexia 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.