



7800 Shoal Creek Blvd., Suite 171-E
Austin, TX 78757
voice: 512.454.4816
fax: 512.323.0902
www.DisabilityRightsTx.org

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CONTACT: Beth Mitchell, supervising attorney, 512-407-2715

RICHMOND SSLC MONITORS FIND LITTLE 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 Richmond 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 Richmond 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 Richmond facility actually lost compliance in a provision area related to 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 Richmond SSLC already to have met standards in 140 provision areas; the facility was found to be out of compliance in 113 of those provisions, resulting in noncompliance outside of settlement agreement deadlines in 81 percent of those areas.

The following significant failures were reported at the Richmond SSLC:

- A lack of timely, accurate and thorough assessments is a pervasive problem at the facility that merits immediate attention, as careful assessments lay the groundwork for all protections, supports and services to be provided.
- Monitors found that acute and chronic medical conditions are not being addressed in accordance with appropriate standards of care.
- Monitors found poor oral hygiene at the living areas and that often oral hygiene has not been provided for several days or more.
- Staff did not implement proper physical and nutritional management plans or display safe practices that minimize the risk of decline in these areas, resulting in increased risk for choking/aspiration.
- Most investigations of non-serious discovered injuries reviewed by the Monitoring Team were insufficient in scope and depth to ensure all instances of abuse and neglect are discovered and reported.
- Relative to psychiatric care, in many cases, records did not indicate how and why the psychotropic medications used were part of a resident's treatment plan. Further, in psychiatric clinics, medications were not linked to specific behavioral characteristics of proposed disorders.
- During the review, monitors were unable to confirm that staff is adequately trained in the use and assessment of restraints. Further, nursing staff did not consistently or correctly monitor individuals in chemical or medical restraints.
- Health assessments were not consistently conducted in response to changes in health status, and both routine assessments and assessments for chronic conditions were not comprehensive.
- Monitors found that progress towards credentialing behavior analyst staff had "stagnated."

"The Richmond monitoring report shows severe 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 Richmond facility’s lack of progress is unsettling given how little time it has left to gain compliance,” Mitchell added. “To date, the facility remains outside the compliance deadline in 81 percent of all provision areas. It is unimaginable that the facility will make the necessary protections, supports and services improvements by the mandated DOJ deadlines.”

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