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RIO GRANDE SSLC LOSES SIGNIFICANT GROUND 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 Rio Grande 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 Rio Grande SSLC significantly backtracked in overall compliance from the previous six-month review, dropping from 20.90 percent to a mere 13.85 percent compliance in the provision areas for which the DOJ settlement agreement currently requires that they already show substantial compliance.

The Rio Grande facility continues to show limited improvements in many areas and has in fact lost compliance in 11 major areas in which it had previously been determined to have met standards, including areas related to protection from harm – restraints; protection from harm – abuse, neglect and incident management; psychiatric care and services; and serving institutionalized persons in the most integrated setting appropriate to their needs.

The following significant failures were reported at the Rio Grande SSLC:

- In addition to the frequency of late reporting of allegations of abuse and neglect being alarmingly high, "certain injuries that on their face seem suspicious were not always probed with the level of scrutiny one would expect."
- Seven areas related to abuse, neglect and incident management that had been determined to be in substantial compliance at the last review are no longer still in compliance.
- Timely clinical care assessments were not consistently provided on a routine basis or in response to changes in health or behavioral status. Further, "assessments were inadequate to determine risk level."
- Behavioral treatment programs are not used by the facility to complement psychotropic medications use.
- It was not evident that psychological assessments were based on current, accurate and complete clinical and behavioral data; no individuals living at the center at the time of the site visit were participating in counseling, psychotherapy or any psychological service.
- "The facility had achieved no progress from the baseline site visit in the process of integrating psychological and psychiatric services."
- Individuals were not consistently provided with adequate comprehensive nursing assessments in response to acute changes in status or as part of annual assessments.
- The facility did not ensure that the pharmacist comprehensively reviews all new medication orders and that appropriate diagnostics are reviewed, as clinically necessary, prior to dispensing medication.
- "Staff was observed not implementing personal nutritional management plans or displaying safe [nutritional management] practices."
- Monitors identified no policies or practices that indicated adequate oral health care was being provided to residents.
- Alternative and augmentative communication devices were not consistently available, utilized, portable and functional.

"This fourth round Rio Grande monitoring report is alarming, as it indicates the facility continues to backslide in its ability 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 Rio Grande center’s lack of progress is truly disturbing given how little time it has left to gain full compliance.”

For more information on the May 2, 2012, Rio Grande 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.