

**Summary of Negative Findings from the 4th Report of the Independent Reviewer,
Focusing on Individuals in the Community, Dated June 6, 2014**

Compiled by Jane Powell, President of CVTC Families and Friends

- Under the Heading “Quality and Risk Management” – The state is compliant with the Settlement Agreement in only 7 of 31 cited provisions. (pp. 18-23)
- 87% of individuals who engage in aggressive, dangerous or disruptive behaviors did not receive needed behavioral supports. (p. 5)
- Of 8 individuals specifically chosen to review because of maladaptive behaviors with significant negative consequences, 100% did not have needed behavioral support services. (p. 21)
- The Commonwealth’s crisis system has not developed a plan, training, or other guidance to work with law enforcement personnel to resolve crises (p. 6)
- Sufficient records were not maintained to document compliance with crisis services, supported employment or case management. (p. 24)
- Of the individuals studied, 25.9% did not receive dental care, 29.4% did not have day services or employment, and 45.5% of those needing assistive technology did not receive it. (p. 5)
- Despite the warning of the Independent Reviewer in his 3rd report, DBHDS still has not developed a list of risk triggers sufficient to prevent harms. (pp. 35-36)
- DBHDS Licensing protocol does not align with the Agreement’s requirements. (p. 23)
- Reviews confirmed that some needed services are not available, especially for individuals with complex medical or behavioral needs. (p. 27)
- Most integrated settings that meet the needs of individuals with complex medical and behavioral concerns are often not available. (p.13)
- Of the individuals studied, 85% were not offered integrated activities and 95% did not have employment goals developed or discussed. (p. 8)

From Appendix A: Review of 27 Individuals with ID in the Community

- Of those taking psychotropic drugs, only 50% have documentation of guardian consent, and only 37.5% are monitored for side effects. (p. A4)
- Only 36.4% have had their Individual Support Plans modified in cases of a major event. (p. A5)
- 11 of the 27 experienced a major event during the six-month reporting period. (p. A5)
- Only 70% receive day support. (p. A5)
- Only 74.1% had received a dental exam in the past 12 months. (p. A4)
- Only 66.7% had adequate food and supplies. (p. A6)
- Only 55.6% lived in a residence that is free of safety issues. (p. A6)
- 7 of the 8 identified as aggressive or destructive did not have a current functional behavior assessment or a current behavior support plan. (p. A8)
- Most of the eight aggressive or destructive individuals reviewed were not receiving supports to address unsafe or disruptive behaviors. For the few who did, such supports were inadequate, with those in residential programs experiencing rights restrictions not reviewed or approved by an independent human rights committee. (p. A11)
- While DBHDS is making progress in training law enforcement, it is still not in compliance with the settlement agreement requirements. (p. A29)
- DBHDS is not meeting the expectation of responding [to crises] within 2 hours. This will become even more critical on June 30th when urban areas must provide mobile crisis team response within one hour. (p. A30)
- Case managers routinely return findings of “no violations” and Licensing Inspectors are over-reliant on Case Manager reviews. “Focus on case management documentation in a Licensing review may result in problems being overlooked, substandard performance not being discovered, and opportunities for improvement being missed.” (p. A65)
- DBHDS not in compliance with monitoring CSB performance standards. (p. A66)