

# **RESIDENT GRIEVANCE SYSTEM**

## **ANNUAL REPORT FISCAL YEAR 2010**

### **DEVELOPMENTAL DISABILITIES ADMINISTRATION FACILITIES**

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**RESIDENT GRIEVANCE SYSTEM  
FISCAL YEAR 2010  
ANNUAL REPORT**

**BACKGROUND AND STRUCTURE OF THE  
PATIENT RIGHTS PROGRAM FOR  
DEVELOPMENTAL DISABILITIES ADMINISTRATION  
STATE RESIDENTIAL CENTERS and SECURED EVALUATION,  
THERAPEUTIC AND TREATMENT UNITS**

In 1985, the Department of Health and Mental Hygiene (DHMH) implemented the Resident Grievance system (RGS), the internal mechanism for advocating and ensuring the protection of rights of institutionalized persons, guaranteed by federal and state laws, that reside in the Mental Hygiene Administration's psychiatric facilities. The program is governed by the Code of Maryland Regulations (COMAR) 10.21.14 and is under the auspices of the Deputy Secretary for Behavioral Health and Disabilities, Renata Henry.

The RGS is a four stage administrative process that ensures that the rights of residents are protected through a fair, efficient, and complete mechanism for receiving, investigating, and resolving resident complaints in a timely manner. The RGS is responsible for providing legal representation for residents in specific areas, which is accomplished through state procurement contracts with independent legal providers, known as Legal Assistance Providers (LAP).

In July 1, 2000, the DHMH Secretary, Dr. Georges Benjamin, decreed that the Resident Grievance System be expanded to provide rights advocacy for residents of the four State Residential Centers, operated by the Developmental Disabilities Administration (DDA). The policy governing the operation of the RGS in DDA facilities was finalized and distributed to DDA facilities by the DDA Director, Diane K. Coughlin, on December 19, 2002. The policy provides the procedure governing the administrative process for receiving and investigating any reports of injuries, death, allegations of physical, sexual, or verbal abuse, and individual complaints, including rights issues, in a timely manner in accordance with Health General §7-1003 (g), Annotated Code of Maryland. A copy of the policy is available upon request from the office of the Director of the RGS.

The policy defines "Rights Issues" as any alleged violation of an individual's rights guaranteed by federal and state constitutions, statutes, regulations, common law, or policies of DHMH, DDA, and the facility, not covered by DDA's Policy on Reportable Incidents and Investigations.

A "Grievance" is defined as a written or oral statement initiated by the individual, an employee of the facility, a family member of the individual, or an interested party, which alleges that an individual's rights have been unfairly limited, violated, or are likely to be violated in the immediate future, or the facility has acted in an illegal or improper manner with respect to an individual or a group of individuals.

In January, 2009, the RGS began to provide services to the two Secured Evaluation and Therapeutic Treatment (SETT'S) Units operated by DDA. The units are located on the grounds of Springfield and Clifton T. Perkins Hospital Centers respectively. The mission of the SETT units is to provide evaluation and assessment services, as well as active treatment to intellectually disabled individuals with court involvement within a secure and safe environment. The RGS utilizes the same administrative process as with the State Residential Centers's (SRC) to assist the individuals residing in the SETT's.

The RGS collaboratively works with the Office of Health Care Quality, the Maryland Disability Law Center and other stakeholders to ensure patient safety and their legal rights. Rights Advisors are co-located at the facilities and participate on various committees and attend meetings addressing patient concerns.

The Rights Advisors with primary responsibility for the three State Residential Centers and two SETT units are:

Brandenburg	Edward Zook
Holly	Sharon Wert
Potomac Center Clifton T. Perkins SETT	Greg Wyatt
Springfield SETT	George Lyons Susan Thomas

The above referenced Rights Advisors have primary responsibility for the facilities listed. All RGS Rights Advisors are trained to provide service in the absence of an assigned Rights Advisor. A complete listing of the Resident Grievance System staff is included in this report.

Referrals to the Resident Grievance System can be made directly to the assigned Rights Advisor or the Central Office by using the toll free number, 1-800-747-7454.

"All opinions expressed in this report are subject to the limitations of the data available at the time of the report and are subject to change should additional data become available."

# **RESIDENT GRIEVANCE SYSTEM**

**Darrell Nearon, PhD., JD**  
**Director**  
**410-767-6888**

John Hancock  
Administrative Officer III  
410 767-1051

## **RIGHTS ADVISOR ASSIGNMENTS**

Jennie Bishop	Spring Grove Hospital
Harry Evans III	RICA-Baltimore RICA-Rockville
George Lyons	Springfield Hospital
Linda Simms	Clifton T. Perkins Hospital
Everly Smith	Spring Grove Hospital
Susan Thomas	Springfield Hospital
Sharon Wert	Eastern Shore Hospital Upper Shore Hospital Holly Center
Edward Zook	Thomas B. Finan Center Brandenburg Center Potomac Center

## **RGS DATA COLLECTION AND CLASSIFICATION**

Resident Grievance System Regulations (RGS), COMAR 10.21.14, defines “Rights Issues” broadly: “an alleged violation of a resident’s rights guaranteed by federal and State constitutions, statutes, regulations, common law, or policies of the Department, Mental Hygiene Administration, and the facility”. When the RGS was created, the rationale for this broad definition was precisely because not all rights issues are stipulated in the law but this does not make them any less a rights issue. The RGS Director has the responsibility for developing the classification system and providing guidelines for its use.

The form, RGS-24 “Category of Rights Issues”, copy of which is attached, assigns all cases to one of 16 major categories.

The data in the Annual Report for Fiscal Year 2010 for Developmental Disabilities Administration facilities are reported in two major classifications: Information/Assistance and Grievances.

### **Information/Assistance**

Cases classified as Information/Assistance do not allege a rights violation but are contacts in which the individual is seeking information, clarification, or assistance with a concern. Typically, it involves a single meeting with the individual and generally, does not require extensive contact with others. These cases are closed at Stage 1 following the contact.

The second group of Information/Assistance cases are those in which the Rights Advisor receives notification from the facility regarding all incidents meeting the criteria of a “Serious Reportable Incident” (SRI). The RGS is provided with the Appendix 4 within 24 hours or the next working day. This is followed by receipt of the “Agency Investigative Report” (AIR) within 21 days. The Rights Advisor may, on their own, or at the request of the individual, staff, family member, or other interested parties, conduct their own investigation of the incident.

If the Rights Advisor concludes, following the investigation of a Serious Reportable Incident, that all of the necessary action has been taken by the facility and no further action is warranted, the case is closed at Stage 1 as Information/Assistance. However, if the Rights Advisor, resident, employee, family member, Legal Assistance Provider, or other interested parties have concerns regarding the action taken by the facility on Serious Reportable Incidents, the Rights Advisor opens the case as a grievance.

In fiscal year 2010, Rights Advisors processed 268 Information/Assistance cases.

### **Grievances**

Cases classified as Grievances are those issues that allege a violation of patients' rights and whose goal is to obtain a specific outcome. The Rights Advisors' role in a grievance is to be a neutral fact finder, conduct a thorough investigation, and render a decision based on the evidence.

Grievances are determined to be Valid, Invalid, or Inconclusive. When sufficient evidence does

not exist to prove or disprove the allegation, the grievance is determined to be inconclusive. The Rights Advisors' role is to work toward the achievement of a mutually satisfactory resolution at the lowest possible stage.

Grievance investigation and resolution generally requires the Rights Advisor to have multiple contacts with the grievant and others, up to 65 working days, the total time permitted for resolution of the grievance by the RGS Regulations, COMAR 10.21.14.

Grievances consume the largest amount of Rights Advisors' time. The Rights Advisors' role is to be non-adversarial and to function as a mediator, facilitator or negotiator.

If unresolved at Stage 1, grievances proceed to Stage 2, which is the appropriate administrative director; Stage 3, the Chief Executive Officer, with an optional review by the Quality Assurance Standing Committee. Grievances unresolved at the conclusion of Stage 3 are reviewed at Stage 4 by the Central Review Committee, which is comprised of the DDA Director, the DDA Regional Director, and the RGS Director.

In fiscal year 2010, Rights Advisors processed a total of 8 grievances.

**GRIEVANCE OUTCOMES FOR STAGES 1, 2, 3 AND REFERRALS TO THE  
CENTRAL REVIEW COMMITTEE AT STAGE 4  
FISCAL YEAR 2010**

- **STAGE 1**     3 Grievances were processed by the Rights Advisors
- **STAGE 2**     2 Grievances were processed by the Rights Advisors
- **STAGE 3**     3 Grievances were processed by the Rights Advisors



**TOTAL NUMBER AND PERCENTAGE OF GRIEVANCES  
FOR ALL  
FACILITIES BY RIGHTS CLASSIFICATION AND PERCENTAGE**

<u>RIGHTS CLASSIFICATION</u>	<u>NUMBER</u>	<u>PERCENTAGE</u>
Abuse	2	25%
Admissions/Discharge/Transfer	0	0%
Civil Rights	0	0%
Communication and Visits	2	25%
Confidentiality	0	0%
Environment	0	0%
Freedom of Movement	0	0%
Money	2	25%
Neglect	0	0%
Personal Property	0	0%
Rights Protection System	0	0%
Treatment	1	12.5%
Other	0	0%
No Right Involved	1	12.5%
Resident/Resident Assault	0	0%
Death	0	0%
Total Number of Cases	8	100%

**RESIDENT GRIEVANCE SYSTEM  
ACTIVITY PER FACILITY  
Fiscal Year 2010**

<u>Facility</u>	<u>Grievances</u>	<u>Information Assistance Requests</u>	<u>Total Cases</u>
BRANDENBURG	0	36	36
HOLLY	0	80	80
POTOMAC	0	139	139
SETT PERKINS	0	0	0
SETT SPRINGFIELD	8	13	21
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TOTAL	8	268	276

**DDA Trending Data**  
**2003 – 2010**

<b>Year</b>	<b><u>2003*</u></b>	<b><u>2004</u></b>	<b><u>2005</u></b>	<b><u>2006</u></b>	<b><u>2007</u></b>	<b><u>2008</u></b>	<b><u>2009</u></b>	<b><u>2010</u></b>
<b>Grievances</b>	52	56	52	45	46	19	10	8
Abuse	29	48	24	28	18	9	2	2
Neglect	0	0	1	1	1	1	0	0
Treatment	5	0	12	4	10	5	4	1
<b>I &amp; A</b>	628	729	726	572	603	558	358	268
Abuse	1	1	0	1	3	2	2	3
Neglect	1	1	0	0	4	0	2	10
Treatment	385	435	538	424	426	449	280	268
<b>Deaths</b>	7*(1)	8	13	14	11	13	12	8
<b>LAP Reports</b>	N	Y	Y	Y	Y	Y	Y	Y
<b>Narrative</b>	N	Y	Y	Y	Y	Y	Y	Y
<b>Stage 4's</b>	0	1	0	0	1	0	0	0

**Note:**

I & A = Information and Assistance requests

Y = Yes; N = No

All numbers represent totals

Total grievances reported since 2003 is 288. This represents an average of 36 grievances per year.

Total I & A's reported since 2003 is 4442. This represents an average of 556 I & A's requests per year.

\*= 2002/2003 was the first year RGS began providing services to DDA facilities. Information compiled is only for six months.

## **Training and Continuing Education**

During the 2010 fiscal year, the Resident Grievance System Rights Advisors participated in various training and continuing education to assist in providing patients and individuals within the state psychiatric and residential centers with effective patient advocacy.

Training included forensic mental health intervention, sexuality in people who have intellectual disabilities, nephrology problems in psychiatric patients, psychosis, addressing prevention management and aggressive behavior and understanding the clinical review panel process and advocating for patients before the panel.

All Rights Advisors recently hired receive weekly supervision from the Director of the Resident Grievance System and mandatory hospital training at their respective facilities and the Rights Advisors' were cross trained on specific issues for patients at the Clifton T. Perkins Hospital Center.

The Rights Advisors continue to identify training that will assist in the performance of their daily duties.

## **Accomplishments**

During the 2010 fiscal year, the Resident Grievance System participated in activities that provided patients and individuals residing within the state psychiatric centers and residential centers with advocacy services that had an overall impact on their health and well being. In one instance, a Rights Advisor advocated for a paraplegic patient to obtain a "straight-line" wheel chair. The wheel chair provided additional mobility for the patient. In another case, a Rights Advisor advocated for benefits that had been wrongfully suspended to patients by two different governmental agencies. In a third instance, the Rights Advisor with the assistance of the Legal Assistance Provider (LAP), successfully had a form pertaining to patients' admission status revised to reflect current and accurate information.

# **RESIDENT GRIEVANCE SYSTEM**

## **AGGREGATE DATA FOR DEVELOPMENTAL DISABILITIES ADMINISTRATION FACILITIES**

**FISCAL YEAR 2010**

**Darrell Nearon  
Director**

**John Hancock  
Database Program Manager**

AGGREGATE  
FISCAL YEAR 2010

GRIEVANCES	8
INFORMATION/ASSISTANCE CASES	268
TOTAL RIGHTS ADVISOR CONTACTS	276

RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	2	3
ADMISSIONS/DISCHARGE/TRANFER	0	3
CIVIL RIGHTS	0	3
COMMUNICATIONS/VISITS	2	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	6
FREEDOM OF MOVEMENT	0	92
MONEY	2	1
NEGLECT	0	10
PERSONAL PROPERTY	0	4
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	1	109
OTHER	0	0
NO RIGHT INVOLVED	1	4
RESIDENT/RESIDENT ASSAULT	0	25
DEATH	0	8
TOTAL	8	268

**DECISION AND ACTION (GRIEVANCE CASES) FY 2010  
AGGREGATE (DDA)**

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**STAGE 1 - RIGHTS**

**8 GRIEVANCES**

**Decisions at Stage 1**

Valid	1	12.5%
Invalid	5	62.5%
Inconclusive	2	25%
Not investigated	0	0%
Total Number of Cases Closed at Stage 1	3	
Total Number of Cases Referred to Stage 2	5	

**Actions at Stage 1**

Resolved	1	12.5%
Withdrawn	2	25%
Outside Referral	0	0%
Total Number of Cases Closed at Stage 1	3	37.5%
Total Number of Cases Referred to Stage 2	5	62.5%

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**STAGE 2 – UNIT DIRECTOR  
5 GRIEVANCES**

**Decisions at Stage 2**

Valid	0	0%
Invalid	1	20%
Inconclusive	4	80%
Not investigated	0	0%
Total Number of Cases Closed at Stage 2	2	
Total Number of Cases Referred to Next Stage	3	

**Actions at Stage 2**

Resolved	1	20%
Withdrawn	1	20%
Outside Referral	0	0%
Total Number of Cases Closed at Stage 2	2	40%
Total Number of Cases Referred to Next Stage	3	60%

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**STAGE 3A – RESIDENT RIGHTS COMMITTEE  
0 GRIEVANCES**

**Decisions at Stage 3A**

Valid	0	100%
Invalid	0	100%
Inconclusive	0	100%
Not investigated	0	100%
Total Number of Cases Closed at Stage 3A	0	
Total Number of Cases Referred to Stage 3B	0	

**Actions at Stage 3A**

Resolved	0	100%
Withdrawn	0	100%
Outside Referral	0	100%
Total Number of Cases Closed at Stage 3A	0	100%
Total Number of Cases Referred to Stage 3B	0	100%

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**STAGE 3B – SUPERINTENDENT/CEO  
3 GRIEVANCES**

**Decisions at Stage 3B**

Valid	0	0%
Invalid	2	67%
Inconclusive	1	33%
Not investigated	0	0%
Total Number of Cases Closed at Stage 3B	3	
Total Number of Cases Referred to Stage 4	0	

**Actions at Stage 3B**

Resolved	2	67%
Withdrawn	1	33%
Outside Referral	0	0%
Total Number of Cases Closed at Stage 3B	3	100%
Total Number of Cases Referred to Stage 4	0	0%

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**STAGE 4 – CENTRAL REVIEW COMMITTEE  
0 Grievances**

**Decisions at Stage 4**

Valid	0	100%
Invalid	0	100%
Inconclusive	0	100%
Not Investigated	0	100%

**Actions at Stage 4**

Resolved	0	100%
Withdrawn	0	100%
Outside Referral	0	100%

0 Total Number of Cases Closed at Stage 4

CATEGORIES OF RIGHTS ISSUES  
GRIEVANCES

<p>1. ABUSE <u>2</u></p> <p><u>1</u> A. Physical</p> <p>___ B. Sexual</p> <p><u>1</u> C. Mental</p> <p>2. ADMISSION/DISCHARGE/TRANSFER <u>0</u></p> <p>___ A. Admission</p> <p>___ B. Hearing</p> <p>___ C. Transfer</p> <p>___ D. Discharge</p> <p>___ E. Respite Care</p> <p>3. CIVIL RIGHTS <u>0</u></p> <p>___ A. Abortion</p> <p>___ B. Verbal Abuse</p> <p>___ C. Barrier Free Design</p> <p>___ D. Business &amp; Personal Affairs</p> <p>___ E. Competency</p> <p>___ F. Dignity</p> <p>___ G. Discrimination</p> <p>___ H. Education</p> <p>___ I. Labor &amp; Compensation</p> <p>___ J. Marriage &amp; Divorce</p> <p>___ K. Media</p> <p>___ L. Personal Search</p> <p>___ M. Privacy</p> <p>___ N. Religion</p> <p>___ O. Sexuality</p> <p>___ P. Harassment</p> <p>___ Q. Voting</p> <p>___ R. Immigration</p> <p>4. COMMUNICATION &amp; VISITS <u>2</u></p> <p>___ A. Attorney/Legal Matters</p> <p>___ B. Clergy</p> <p><u>1</u> C. Visitors</p> <p>___ D. Stationery &amp; Postage</p> <p><u>1</u> E. Telephone</p> <p>___ F. Mail</p> <p>___ G. Interpreter Service</p> <p>5. CONFIDENTIALITY &amp; DISCLOSURE <u>0</u></p> <p>___ A. Records</p> <p>___ B. Privileged Communication</p> <p>___ C. Photocopying</p> <p>___ D. Photographing</p> <p>6. ENVIRONMENTAL <u>0</u></p> <p>___ A. Clothing</p> <p>___ B. Diet</p> <p>___ C. Personal hygiene</p> <p>___ D. Safety</p> <p>___ E. Sanitary</p> <p>___ F. Humane</p> <p>7. FREEDOM OF MOVEMENT <u>0</u></p> <p>___ A. Building &amp; Grounds</p> <p>___ B. General Restrictions</p> <p>___ C. Least Restrictive Alternative</p> <p>___ D. Leave of Absence</p> <p>___ E. Restraint</p> <p>___ F. Seclusion</p> <p>___ G. Quiet Room</p>	<p>8. MONEY <u>2</u></p> <p>___ A. Dissipation of Assets</p> <p>___ B. Easy Access</p> <p><u>1</u> C. Facility Account</p> <p>___ D. Limitations</p> <p>___ E. Safekeeping</p> <p>___ F. Use of Funds</p> <p><u>1</u> G. Exploitation</p> <p>___ H. Entitlements/Benefits</p> <p>9. NEGLECT <u>0</u></p> <p>10. PERSONAL PROPERTY <u>0</u></p> <p>___ A. Exclusion</p> <p>___ B. Limitations</p> <p>___ C. Protection</p> <p>___ D. Purchase or Receive</p> <p>___ E. Receipt</p> <p>___ F. Storage</p> <p>___ G. Theft/Loss/Destruction</p> <p>11. RIGHTS PROTECTION SYSTEM <u>0</u></p> <p>___ A. Complaint Forms</p> <p>___ B. Explanation of Rights</p> <p>___ C. Notification of Rights</p> <p>___ D. Rights Advisor</p> <p>___ E. Timely Impartial Investigation</p> <p>___ F. Complaint Procedure</p> <p>___ G. Retaliation</p> <p>___ H. Legal Case Review</p> <p>12. TREATMENT RIGHTS <u>1</u></p> <p>___ A. Individual Treatment Plan</p> <p>___ B. Informed Consent</p> <p><u>1</u> C. Medical Care</p> <p>___ D. Medication</p> <p>___ E. Periodic Review</p> <p>___ F. Research/At Risk Procedures</p> <p>___ G. Knowledge of</p> <p>___ H. Name of Treatment Staff</p> <p>___ I. Alternate Treatment Services</p> <p>___ J. Clinical Review Panel</p> <p>___ K. Minor Placed With Adults</p> <p>___ L. Aftercare Plan</p> <p>___ M. Advance Medical Directive</p> <p>___ P. Pain Management</p> <p>13. OTHER <u>0</u></p> <p>___ A. Forensic Issues</p> <p>___ B. Guardianship</p> <p>___ C. Rights Outside Jurisdiction</p> <p>14. NO RIGHT INVOLVED <u>1</u></p> <p>15. RESIDENT/RESIDENT ASSUALT <u>0</u></p> <p>16. DEATH <u>0</u></p> <p>TOTAL CASES <u>8</u></p> <p>FACILITY <u>AGGREGATE</u></p> <p>FISCAL YEAR <u>2010</u></p>
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**DEMOGRAPHIC INFORMATION FY 2010**  
**AGGREGATE GRIEVANCES (DDA)**

SEX	#	%
Female	0	0
Male	4	50
Class	4	50
Total	8	100

AGE	#	%
<18	0	0
18-44	0	0
45-64	4	50
65+	0	0
Class	4	50
Total	8	100

RACE	#	%
African-American	2	25
Asian	0	0
Caucasian	2	25
Hispanic	0	0
Other	0	0
Class	4	50
Total	8	100

CATEGORIES OF RIGHTS ISSUES  
INFORMATION ASSISTANCE

1. ABUSE <u>3</u>	8. MONEY <u>1</u>
<u>3</u> A. Physical	_____ A. Dissipation of Assets
_____ B. Sexual	_____ B. Easy Access
_____ C. Mental	_____ C. Facility Account
2. ADMISSION/DISCHARGE/TRANSFER <u>3</u>	_____ D. Limitations
_____ A. Admission	_____ E. Safekeeping
_____ B. Hearing	_____ F. Use of Funds
_____ C. Transfer	<u>1</u> _____ G. Exploitation
<u>3</u> D. Discharge	_____ H. Entitlements/Benefits
_____ E. Respite Care	
3. CIVIL RIGHTS <u>3</u>	9. NEGLECT <u>10</u>
_____ A. Abortion	10. PERSONAL PROPERTY <u>4</u>
<u>2</u> B. Verbal Abuse	_____ A. Exclusion
_____ C. Barrier Free Design	<u>2</u> _____ B. Limitations
_____ D. Business & Personal Affairs	<u>1</u> _____ C. Protection
_____ E. Competency	_____ D. Purchase or Receive
_____ F. Dignity	_____ E. Receipt
_____ G. Discrimination	_____ F. Storage
_____ H. Education	<u>1</u> _____ G. Theft/Loss/Destruction
_____ I. Labor & Compensation	11. RIGHTS PROTECTION SYSTEM <u>0</u>
_____ J. Marriage & Divorce	_____ A. Complaint Forms
_____ K. Media	_____ B. Explanation of Rights
_____ L. Personal Search	_____ C. Notification of Rights
_____ M. Privacy	_____ D. Rights Advisor
_____ N. Religion	_____ E. Timely Impartial Investigation
_____ O. Sexuality	_____ F. Complaint Procedure
<u>1</u> P. Harassment	_____ G. Retaliation
_____ Q. Voting	_____ H. Legal Case Review
_____ R. Immigration	
4. COMMUNICATION & VISITS <u>0</u>	12. TREATMENT RIGHTS <u>109</u>
_____ A. Attorney/Legal Matters	<u>59</u> _____ A. Individual Treatment Plan
_____ B. Clergy	_____ B. Informed Consent
_____ C. Visitors	<u>44</u> _____ C. Medical Care
_____ D. Stationery & Postage	<u>6</u> _____ D. Medication
_____ E. Telephone	_____ E. Periodic Review
_____ F. Mail	_____ F. Research/At Risk Procedures
_____ G. Interpreter Service	_____ G. Knowledge of
5. CONFIDENTIALITY & DISCLOSURE <u>0</u>	_____ H. Name of Treatment Staff
_____ A. Records	_____ I. Alternate Treatment Services
_____ B. Privileged Communication	_____ J. Clinical Review Panel
_____ C. Photocopying	_____ K. Minor Placed With Adults
_____ D. Photographing	_____ L. Aftercare Plan
6. ENVIRONMENTAL <u>6</u>	_____ M. Advance Medical Directive
_____ A. Clothing	_____ P. Pain Management
_____ B. Diet	
_____ C. Personal hygiene	13. OTHER <u>0</u>
<u>4</u> D. Safety	_____ A. Forensic Issues
<u>2</u> E. Sanitary	_____ B. Guardianship
_____ F. Humane	_____ C. Rights Outside Jurisdiction
7. FREEDOM OF MOVEMENT <u>92</u>	14. NO RIGHT INVOLVED <u>4</u>
<u>1</u> A. Building & Grounds	15. RESIDENT/RESIDENT ASSUALT <u>25</u>
<u>1</u> B. General Restrictions	
<u>1</u> C. Least Restrictive Alternative	16. DEATH <u>8</u>
<u>1</u> D. Leave of Absence	
<u>88</u> E. Restraint	TOTAL CASES <u>268</u>
_____ F. Seclusion	FACILITY <u>AGGREGATE</u>
_____ G. Quiet Room	FISCAL YEAR <u>2010</u>

**DEMOGRAPHIC INFORMATION FY 2010  
AGGREGATE**

INFORMATION/ASSISTANCE (DDA)

SEX	#	%
Female	96	35
Male	167	62
Class	5	3
Total	268	100

AGE	#	%
<18	0	0
18-44	95	35
45-64	145	54
65+	23	8
Class	5	3
Total	268	100

RACE	#	%
African-American	102	38
Asian	0	0
Caucasian	159	58
Hispanic	2	1
Other	0	0
Class	5	3
Total	268	100

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2010**

**BRANDENBURG CENTER**

**Edward Zook  
Rights Advisor**

BRANDENBURG CENTER  
FISCAL YEAR 2010

GRIEVANCES	0
INFORMATION/ASSISTANCE CASES	36
TOTAL RIGHTS ADVISOR CONTACTS	36

RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	0	0
ADMISSIONS/DISCHARGE/TRANFER	0	2
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	1
FREEDOM OF MOVEMENT	0	0
MONEY	0	0
NEGLECT	0	0
PERSONAL PROPERTY	0	0
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	0	30
OTHER	0	0
NO RIGHT INVOLVED	0	0
RESIDENT/RESIDENT ASSAULT	0	1
DEATH	0	2
TOTAL	0	36

CATEGORIES OF RIGHTS ISSUES – INFORMATION/ASSISTANCE

1. ABUSE <u>0</u>	8. MONEY <u>0</u>
___ A Physical	___ A. Dissipation of Assets
___ B. Sexual	___ B. Easy Access
___ C. Mental	___ C. Facility Account
2. ADMISSION/DISCHARGE/TRANSFER <u>2</u>	___ D. Limitations
___ A. Admission	___ E. Safekeeping
___ B. Hearing	___ F. Use of Funds
___ C. Transfer	___ G. Exploitation
<u>2</u> D. Discharge	___ H. Entitlements/Benefits
___ E. Respite Care	9. NEGLECT <u>0</u>
3. CIVIL RIGHTS <u>0</u>	10. PERSONAL PROPERTY <u>0</u>
___ A. Abortion	___ A. Exclusion
___ B. Verbal Abuse	___ B. Limitations
___ C. Barrier Free Design	___ C. Protection
___ D. Business & Personal Affairs	___ D. Purchase or Receive
___ E. Competency	___ E. Receipt
___ F. Dignity	___ F. Storage
___ G. Discrimination	___ G. Theft/Loss/Destruction
___ H. Education	11. RIGHTS PROTECTION SYSTEM <u>0</u>
___ I. Labor & Compensation	___ A. Complaint Forms
___ J. Marriage & Divorce	___ B. Explanation of Rights
___ K. Media	___ C. Notification of Rights
___ L. Personal Search	___ D. Rights Advisor
___ M. Privacy	___ E. Timely Impartial Investigation
___ N. Religion	___ F. Complaint Procedure
___ O. Sexuality	___ G. Retaliation
___ P. Harassment	___ H. Legal Case Review
___ Q. Voting	12. TREATMENT RIGHTS <u>30</u>
___ R. Immigration	<u>21</u> A. Individual Treatment Plan
4. COMMUNICATION & VISITS <u>0</u>	<u>0</u> B. Informed Consent
___ A. Attorney/Legal Matters	<u>8</u> C. Medical Care
___ B. Clergy	<u>1</u> D. Medication
___ C. Visitors	___ E. Periodic Review
___ D. Stationery & Postage	___ F. Research/At Risk Procedures
___ E. Telephone	___ G. Knowledge of
___ F. Mail	___ H. Name of Treatment Staff
___ G. Interpreter Service	___ I. Alternate Treatment Services
5. CONFIDENTIALITY & DISCLOSURE <u>0</u>	___ J. Clinical Review Panel
___ A. Records	___ K. Minor Placed With Adults
___ B. Privileged Communication	___ L. Aftercare Plan
___ C. Photocopying	___ M. Advance Medical Directive
___ D. Photographing	___ P. Pain Management
6. ENVIRONMENTAL <u>1</u>	13. OTHER <u>0</u>
___ A. Clothing	___ A. Forensic Issues
___ B. Diet	___ B. Guardianship
___ C. Personal hygiene	___ C. Rights Outside Jurisdiction
<u>1</u> D. Safety	14. NO RIGHT INVOLVED <u>0</u>
___ E. Sanitary	15. RESIDENT/RESIDENT ASSUALT <u>1</u>
___ F. Humane	16. DEATH <u>2</u>
7. FREEDOM OF MOVEMENT <u>0</u>	TOTAL CASES <u>36</u>
___ A. Building & Grounds	FACILITY <u>Brandenburg Center</u>
___ B. General Restrictions	FISCAL YEAR <u>2010</u>
___ C. Least Restrictive Alternative	
___ D. Leave of Absence	
___ E. Restraint	
___ F. Seclusion	
___ G. Quiet Room	

DEMOGRAPHIC INFORMATION FY 2010

INFORMATION/ASSISTANCE (Brandenburg Center)

SEX	#	%	AGE	#	%	RACE	#	%
Female	23	64	<18	0	0	African-American	1	3
Male	13	36	18-44	0	50	Asian	0	0
Class	0	0	45-64	27	46	Caucasian	35	97
Total	36	100	65+	9	5	Hispanic	0	0
			Class	0	0	Other	0	0
			Total	36	100	Class	0	0
						Total	36	100

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2010**

**HOLLY CENTER**

**Sharon Wert  
Rights Advisor**



HOLLY CENTER  
FISCAL YEAR 2010

GRIEVANCES	0
INFORMATION/ASSISTANCE CASES	80
TOTAL RIGHTS ADVISOR CONTACTS	80

RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	0	3
ADMISSIONS/DISCHARGE/TRANSFER	0	0
CIVIL RIGHTS	0	2
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	2
FREEDOM OF MOVEMENT	0	4
MONEY	0	0
NEGLECT	0	10
PERSONAL PROPERTY	0	4
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	0	35
OTHER	0	0
NO RIGHT INVOLVED	0	1
RESIDENT/RESIDENT ASSAULT	0	13
DEATH	0	6
TOTAL	0	80

CATEGORIES OF RIGHTS ISSUES – INFORMATION/ASSISTANCE

1. ABUSE <u>3</u>	8. MONEY <u>0</u>
<u>3</u> A. Physical	_____ A. Dissipation of Assets
_____ B. Sexual	_____ B. Easy Access
_____ C. Mental	_____ C. Facility Account
2. ADMISSION/DISCHARGE/TRANSFER <u>0</u>	_____ D. Limitations
_____ A. Admission	_____ E. Safekeeping
_____ B. Hearing	_____ F. Use of Funds
_____ C. Transfer	_____ G. Exploitation
_____ D. Discharge	_____ H. Entitlements/Benefits
_____ E. Respite Care	9. NEGLECT <u>10</u>
3. CIVIL RIGHTS <u>2</u>	10. PERSONAL PROPERTY <u>4</u>
_____ A. Abortion	_____ A. Exclusion
<u>2</u> B. Verbal Abuse	<u>2</u> B. Limitations
_____ C. Barrier Free Design	<u>1</u> C. Protection
_____ D. Business & Personal Affairs	_____ D. Purchase or Receive
_____ E. Competency	_____ E. Receipt
_____ F. Dignity	_____ F. Storage
_____ G. Discrimination	<u>1</u> G. Theft/Loss/Destruction
_____ H. Education	11. RIGHTS PROTECTION SYSTEM <u>0</u>
_____ I. Labor & Compensation	_____ A. Complaint Forms
_____ J. Marriage & Divorce	_____ B. Explanation of Rights
_____ K. Media	_____ C. Notification of Rights
_____ L. Personal Search	_____ D. Rights Advisor
_____ M. Privacy	_____ E. Timely Impartial Investigation
_____ N. Religion	_____ F. Complaint Procedure
_____ O. Sexuality	_____ G. Retaliation
_____ P. Harassment	_____ H. Legal Case Review
_____ Q. Voting	12. TREATMENT RIGHTS <u>35</u>
_____ R. Immigration	_____ A. Individual Treatment Plan
4. COMMUNICATION & VISITS <u>0</u>	_____ B. Informed Consent
_____ A. Attorney/Legal Matters	<u>32</u> C. Medical Care
_____ B. Clergy	<u>3</u> D. Medication
_____ C. Visitors	_____ E. Periodic Review
_____ D. Stationery & Postage	_____ F. Research/At Risk Procedures
_____ E. Telephone	_____ G. Knowledge of
_____ F. Mail	_____ H. Name of Treatment Staff
_____ G. Interpreter Service	_____ I. Alternate Treatment Services
5. CONFIDENTIALITY & DISCLOSURE <u>0</u>	_____ J. Clinical Review Panel
_____ A. Records	_____ K. Minor Placed With Adults
_____ B. Privileged Communication	_____ L. Aftercare Plan
_____ C. Photocopying	_____ M. Advance Medical Directive
_____ D. Photographing	_____ P. Pain Management
6. ENVIRONMENTAL <u>2</u>	13. OTHER <u>0</u>
_____ A. Clothing	_____ A. Forensic Issues
_____ B. Diet	_____ B. Guardianship
_____ C. Personal hygiene	_____ C. Rights Outside Jurisdiction
_____ D. Safety	14. NO RIGHT INVOLVED <u>1</u>
<u>2</u> E. Sanitary	15. RESIDENT/RESIDENT ASSUALT <u>13</u>
_____ F. Humane	16. DEATH <u>6</u>
7. FREEDOM OF MOVEMENT <u>4</u>	TOTAL CASES <u>80</u>
_____ A. Building & Grounds	FACILITY <u>Holly Center</u>
_____ B. General Restrictions	FISCAL YEAR <u>2010</u>
_____ C. Least Restrictive Alternative	
_____ D. Leave of Absence	
<u>4</u> E. Restraint	
_____ F. Seclusion	
_____ G. Quiet Room	

DEMOGRAPHIC INFORMATION FY 2010

INFORMATION/ASSISTANCE (Holly Center)

SEX	#	%
Female	33	41
Male	43	54
Class	4	6
Total	80	100

AGE	#	%
<18	0	8
18-44	19	49
45-64	48	38
65+	9	4
Class	4	1
Total	80	100

RACE	#	%
African-American	24	57
Asian	0	1
Caucasian	50	39
Hispanic	2	1
Other	0	1
Class	4	1
Total	80	100

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2010**

**POTOMAC CENTER**

**Edward Zook  
Rights Advisor**

POTOMAC CENTER  
FISCAL YEAR 2010

GRIEVANCES	0
INFORMATION/ASSISTANCE CASES	139
TOTAL RIGHTS ADVISOR CONTACTS	139

<u>RIGHTS CATEGORY</u>	<u>GRIEVANCES</u>	<u>INFORMATION/ ASSISTANCE CASES</u>
ABUSE	0	0
ADMISSIONS/DISCHARGE/TRANFER	0	1
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	3
FREEDOM OF MOVEMENT	0	87
MONEY	0	0
NEGLECT	0	0
PERSONAL PROPERTY	0	0
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	0	34
OTHER	0	0
NO RIGHT INVOLVED	0	3
RESIDENT/RESIDENT ASSAULT	0	11
DEATH	0	0
TOTAL	0	139

CATEGORIES OF RIGHTS ISSUES – INFORMATION/ASSISTANCE

1. ABUSE <u>0</u>	8. MONEY <u>0</u>
___ A. Physical	___ A. Dissipation of Assets
___ B. Sexual	___ B. Easy Access
___ C. Mental	___ C. Facility Account
2. ADMISSION/DISCHARGE/TRANSFER <u>1</u>	___ D. Limitations
___ A. Admission	___ E. Safekeeping
___ B. Hearing	___ F. Use of Funds
___ C. Transfer	___ G. Exploitation
<u>1</u> D. Discharge	___ H. Entitlements/Benefits
___ E. Respite Care	9. NEGLECT <u>0</u>
3. CIVIL RIGHTS <u>0</u>	10. PERSONAL PROPERTY <u>0</u>
___ A. Abortion	___ A. Exclusion
___ B. Verbal Abuse	___ B. Limitations
___ C. Barrier Free Design	___ C. Protection
___ D. Business & Personal Affairs	___ D. Purchase or Receive
___ E. Competency	___ E. Receipt
___ F. Dignity	___ F. Storage
___ G. Discrimination	___ G. Theft/Loss/Destruction
___ H. Education	11. RIGHTS PROTECTION SYSTEM <u>0</u>
___ I. Labor & Compensation	___ A. Complaint Forms
___ J. Marriage & Divorce	___ B. Explanation of Rights
___ K. Media	___ C. Notification of Rights
___ L. Personal Search	___ D. Rights Advisor
___ M. Privacy	___ E. Timely Impartial Investigation
___ N. Religion	___ F. Complaint Procedure
___ O. Sexuality	___ G. Retaliation
___ P. Harassment	___ H. Legal Case Review
___ Q. Voting	12. TREATMENT RIGHTS <u>34</u>
___ R. Immigration	<u>28</u> A. Individual Treatment Plan
4. COMMUNICATION & VISITS <u>0</u>	<u>0</u> B. Informed Consent
___ A. Attorney/Legal Matters	<u>4</u> C. Medical Care
___ B. Clergy	<u>2</u> D. Medication
___ C. Visitors	___ E. Periodic Review
___ D. Stationery & Postage	___ F. Research/At Risk Procedures
___ E. Telephone	___ G. Knowledge of
___ F. Mail	___ H. Name of Treatment Staff
___ G. Interpreter Service	___ I. Alternate Treatment Services
5. CONFIDENTIALITY & DISCLOSURE <u>0</u>	___ J. Clinical Review Panel
___ A. Records	___ K. Minor Placed With Adults
___ B. Privileged Communication	___ L. Aftercare Plan
___ C. Photocopying	___ M. Advance Medical Directive
___ D. Photographing	___ P. Pain Management
6. ENVIRONMENTAL <u>3</u>	13. OTHER <u>0</u>
___ A. Clothing	___ A. Forensic Issues
___ B. Diet	___ B. Guardianship
___ C. Personal hygiene	___ C. Rights Outside Jurisdiction
<u>3</u> D. Safety	14. NO RIGHT INVOLVED <u>3</u>
___ E. Sanitary	15. RESIDENT/RESIDENT ASSUALT <u>11</u>
___ F. Humane	16. DEATH <u>0</u>
7. FREEDOM OF MOVEMENT <u>87</u>	TOTAL CASES <u>139</u>
<u>1</u> A. Building & Grounds	FACILITY <u>Potomac Center</u>
___ B. General Restrictions	FISCAL YEAR <u>2010</u>
<u>1</u> C. Least Restrictive Alternative	
<u>1</u> D. Leave of Absence	
<u>84</u> E. Restraint	
___ F. Seclusion	
___ G. Quiet Room	

DEMOGRAPHIC INFORMATION FY 2010

INFORMATION/ASSISTANCE (Potomac Center)

SEX	#	%
Female	40	71
Male	99	29
Class	0	0
Total	139	100

AGE	#	%
<18	0	0
18-44	70	50
45-64	64	46
65+	5	5
Class	0	0
Total	139	100

RACE	#	%
African-American	68	49
Asian	0	0
Caucasian	71	51
Hispanic	0	0
Other	0	0
Class	0	0
Total	139	100

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2010**

**SETT - PERKINS**

**Greg Wyatt  
Rights Advisor**



SETT - PERKINS  
FISCAL YEAR 2010

GRIEVANCES	0
INFORMATION/ASSISTANCE CASES	0
TOTAL RIGHTS ADVISOR CONTACTS	0

RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	0	0
ADMISSIONS/DISCHARGE/TRANFER	0	0
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	0
FREEDOM OF MOVEMENT	0	0
MONEY	0	0
NEGLECT	0	0
PERSONAL PROPERTY	0	0
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	0	0
OTHER	0	0
NO RIGHT INVOLVED	0	0
RESIDENT/RESIDENT ASSAULT	0	0
DEATH	0	0
TOTAL	0	0

CATEGORIES OF RIGHTS ISSUES – INFORMATION/ASSISTANCE

1. ABUSE <u>0</u>	8. MONEY <u>0</u>
___ A Physical	___ A. Dissipation of Assets
___ B. Sexual	___ B. Easy Access
___ C. Mental	___ C. Facility Account
2. ADMISSION/DISCHARGE/TRANSFER <u>0</u>	___ D. Limitations
___ A. Admission	___ E. Safekeeping
___ B. Hearing	___ F. Use of Funds
___ C. Transfer	___ G. Exploitation
___ D. Discharge	___ H. Entitlements/Benefits
___ E. Respite Care	9. NEGLECT <u>0</u>
3. CIVIL RIGHTS <u>0</u>	10. PERSONAL PROPERTY <u>0</u>
___ A. Abortion	___ A. Exclusion
___ B. Verbal Abuse	___ B. Limitations
___ C. Barrier Free Design	___ C. Protection
___ D. Business & Personal Affairs	___ D. Purchase or Receive
___ E. Competency	___ E. Receipt
___ F. Dignity	___ F. Storage
___ G. Discrimination	___ G. Theft/Loss/Destruction
___ H. Education	11. RIGHTS PROTECTION SYSTEM <u>0</u>
___ I. Labor & Compensation	___ A. Complaint Forms
___ J. Marriage & Divorce	___ B. Explanation of Rights
___ K. Media	___ C. Notification of Rights
___ L. Personal Search	___ D. Rights Advisor
___ M. Privacy	___ E. Timely Impartial Investigation
___ N. Religion	___ F. Complaint Procedure
___ O. Sexuality	___ G. Retaliation
___ P. Harassment	___ H. Legal Case Review
___ Q. Voting	12. TREATMENT RIGHTS <u>0</u>
___ R. Immigration	___ A. Individual Treatment Plan
4. COMMUNICATION & VISITS <u>0</u>	___ B. Informed Consent
___ A. Attorney/Legal Matters	___ C. Medical Care
___ B. Clergy	___ D. Medication
___ C. Visitors	___ E. Periodic Review
___ D. Stationery & Postage	___ F. Research/At Risk Procedures
___ E. Telephone	___ G. Knowledge of
___ F. Mail	___ H. Name of Treatment Staff
___ G. Interpreter Service	___ I. Alternate Treatment Services
5. CONFIDENTIALITY & DISCLOSURE <u>0</u>	___ J. Clinical Review Panel
___ A. Records	___ K. Minor Placed With Adults
___ B. Privileged Communication	___ L. Aftercare Plan
___ C. Photocopying	___ M. Advance Medical Directive
___ D. Photographing	___ P. Pain Management
6. ENVIRONMENTAL <u>0</u>	13. OTHER <u>0</u>
___ A. Clothing	___ A. Forensic Issues
___ B. Diet	___ B. Guardianship
___ C. Personal hygiene	___ C. Rights Outside Jurisdiction
___ D. Safety	14. NO RIGHT INVOLVED <u>0</u>
___ E. Sanitary	15. RESIDENT/RESIDENT ASSUALT <u>0</u>
___ F. Humane	16. DEATH _____
7. FREEDOM OF MOVEMENT <u>0</u>	TOTAL CASES <u>0</u>
___ A. Building & Grounds	FACILITY <u>SETT - Perkins</u>
___ B. General Restrictions	FISCAL YEAR <u>2010</u>
___ C. Least Restrictive Alternative	
___ D. Leave of Absence	
___ E. Restraint	
___ F. Seclusion	
___ G. Quiet Room	

DEMOGRAPHIC INFORMATION FY 2010

INFORMATION/ASSISTANCE (PERKINS HOSPITAL SETT Unit)

SEX	#	%	AGE	#	%	RACE	#	%
Female	0	0	<18	0	0	African-American	9	69
Male	12	92	18-44	6	46	Asian	0	0
Class	1	8	45-64	6	46	Caucasian	3	23
Total	13	100	65+	0	0	Hispanic	0	0
			Class	1	8	Other	0	0
			Total	13	100	Class	1	8
						Total	13	100

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2010**

**SETT - SPRINGFIELD**

**Susan Thomas  
Rights Advisor**

SETT - SPRINGFIELD  
FISCAL YEAR 2010

GRIEVANCES	8
INFORMATION/ASSISTANCE CASES	13
TOTAL RIGHTS ADVISOR CONTACTS	21

RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	2	0
ADMISSIONS/DISCHARGE/TRANSFER	0	0
CIVIL RIGHTS	0	1
COMMUNICATIONS/VISITS	2	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	0
FREEDOM OF MOVEMENT	0	1
MONEY	2	1
NEGLECT	0	0
PERSONAL PROPERTY	0	0
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	1	10
OTHER	0	0
NO RIGHT INVOLVED	1	0
RESIDENT/RESIDENT ASSAULT	0	0
DEATH	0	0
TOTAL	8	13

CATEGORIES OF RIGHTS ISSUES – GRIEVANCE

1. ABUSE <u>2</u>	8. MONEY <u>2</u>
<u>1</u> A Physical	_____ A. Dissipation of Assets
_____ B. Sexual	_____ B. Easy Access
<u>1</u> C. Mental	<u>1</u> C. Facility Account
2. ADMISSION/DISCHARGE/TRANSFER <u>0</u>	_____ D. Limitations
_____ A. Admission	_____ E. Safekeeping
_____ B. Hearing	_____ F. Use of Funds
_____ C. Transfer	<u>1</u> G. Exploitation
_____ D. Discharge	_____ H. Entitlements/Benefits
_____ E. Respite Care	9. NEGLECT <u>0</u>
3. CIVIL RIGHTS <u>0</u>	10. PERSONAL PROPERTY <u>0</u>
_____ A. Abortion	_____ A. Exclusion
_____ B. Verbal Abuse	_____ B. Limitations
_____ C. Barrier Free Design	_____ C. Protection
_____ D. Business & Personal Affairs	_____ D. Purchase or Receive
_____ E. Competency	_____ E. Receipt
_____ F. Dignity	_____ F. Storage
_____ G. Discrimination	_____ G. Theft/Loss/Destruction
_____ H. Education	11. RIGHTS PROTECTION SYSTEM <u>0</u>
_____ I. Labor & Compensation	_____ A. Complaint Forms
_____ J. Marriage & Divorce	_____ B. Explanation of Rights
_____ K. Media	_____ C. Notification of Rights
_____ L. Personal Search	_____ D. Rights Advisor
_____ M. Privacy	_____ E. Timely Impartial Investigation
_____ N. Religion	_____ F. Complaint Procedure
_____ O. Sexuality	_____ G. Retaliation
_____ P. Harassment	_____ H. Legal Case Review
_____ Q. Voting	12. TREATMENT RIGHTS <u>1</u>
_____ R. Immigration	_____ A. Individual Treatment Plan
4. COMMUNICATION & VISITS <u>2</u>	_____ B. Informed Consent
_____ A. Attorney/Legal Matters	<u>1</u> C. Medical Care
_____ B. Clergy	_____ D. Medication
<u>1</u> C. Visitors	_____ E. Periodic Review
_____ D. Stationery & Postage	_____ F. Research/At Risk Procedures
<u>1</u> E. Telephone	_____ G. Knowledge of
_____ F. Mail	_____ H. Name of Treatment Staff
_____ G. Interpreter Service	_____ I. Alternate Treatment Services
5. CONFIDENTIALITY & DISCLOSURE <u>0</u>	_____ J. Clinical Review Panel
_____ A. Records	_____ K. Minor Placed With Adults
_____ B. Privileged Communication	_____ L. Aftercare Plan
_____ C. Photocopying	_____ M. Advance Medical Directive
_____ D. Photographing	_____ P. Pain Management
6. ENVIRONMENTAL <u>0</u>	13. OTHER <u>0</u>
_____ A. Clothing	_____ A. Forensic Issues
_____ B. Diet	_____ B. Guardianship
_____ C. Personal hygiene	_____ C. Rights Outside Jurisdiction
_____ D. Safety	14. NO RIGHT INVOLVED <u>1</u>
_____ E. Sanitary	15. RESIDENT/RESIDENT ASSUALT <u>0</u>
_____ F. Humane	16. DEATH <u>0</u>
7. FREEDOM OF MOVEMENT <u>0</u>	TOTAL CASES <u>8</u>
_____ A. Building & Grounds	FACILITY <u>SETT - Springfield</u>
_____ B. General Restrictions	FISCAL YEAR <u>2010</u>
_____ C. Least Restrictive Alternative	
_____ D. Leave of Absence	
_____ E. Restraint	
_____ F. Seclusion	
_____ G. Quiet Room	

DEMOGRAPHIC INFORMATION (GRIEVANCE) FY 2010

**GRIEVANCES (SETT Unit)**

SEX	#	%	AGE	#	%	RACE	#	%
Female	0	0	<18	0	0	African-American	2	25
Male	4	50	18-44	0	0	Asian	0	0
Class	4	50	45-64	4	50	Caucasian	2	25
Total	8	100	65+	0	0	Hispanic	0	0
			Class	4	50	Other	0	0
			Total	8	100	Class	4	50
						Total	8	100

CATEGORIES OF RIGHTS ISSUES – INFORMATION/ASSISTANCE

1. ABUSE 0  
 A. Physical  
 B. Sexual  
 C. Mental

2. ADMISSION/DISCHARGE/TRANSFER 0  
 A. Admission  
 B. Hearing  
 C. Transfer  
 D. Discharge  
 E. Respite Care

3. CIVIL RIGHTS 1  
 A. Abortion  
 B. Verbal Abuse  
 C. Barrier Free Design  
 D. Business & Personal Affairs  
 E. Competency  
 F. Dignity  
 G. Discrimination  
 H. Education  
 I. Labor & Compensation  
 J. Marriage & Divorce  
 K. Media  
 L. Personal Search  
 M. Privacy  
 N. Religion  
 O. Sexuality  
 P. Harassment  
 Q. Voting  
 R. Immigration

4. COMMUNICATION & VISITS 0  
 A. Attorney/Legal Matters  
 B. Clergy  
 C. Visitors  
 D. Stationery & Postage  
 E. Telephone  
 F. Mail  
 G. Interpreter Service

5. CONFIDENTIALITY & DISCLOSURE 0  
 A. Records  
 B. Privileged Communication  
 C. Photocopying  
 D. Photographing

6. ENVIRONMENTAL 0  
 A. Clothing  
 B. Diet  
 C. Personal hygiene  
 D. Safety  
 E. Sanitary  
 F. Humane

7. FREEDOM OF MOVEMENT 1  
 A. Building & Grounds  
 B. General Restrictions  
 C. Least Restrictive Alternative  
 D. Leave of Absence  
 E. Restraint  
 F. Seclusion  
 G. Quiet Room

8. MONEY 1  
 A. Dissipation of Assets  
 B. Easy Access  
 C. Facility Account  
 D. Limitations  
 E. Safekeeping  
 F. Use of Funds  
 G. Exploitation  
 H. Entitlements/Benefits

9. NEGLECT 0

10. PERSONAL PROPERTY 0  
 A. Exclusion  
 B. Limitations  
 C. Protection  
 D. Purchase or Receive  
 E. Receipt  
 F. Storage  
 G. Theft/Loss/Destruction

11. RIGHTS PROTECTION SYSTEM 0  
 A. Complaint Forms  
 B. Explanation of Rights  
 C. Notification of Rights  
 D. Rights Advisor  
 E. Timely Impartial Investigation  
 F. Complaint Procedure  
 G. Retaliation  
 H. Legal Case Review

12. TREATMENT RIGHTS 10  
10  A. Individual Treatment Plan  
 B. Informed Consent  
 C. Medical Care  
 D. Medication  
 E. Periodic Review  
 F. Research/At Risk Procedures  
 G. Knowledge of  
 H. Name of Treatment Staff  
 I. Alternate Treatment Services  
 J. Clinical Review Panel  
 K. Minor Placed With Adults  
 L. Aftercare Plan  
 M. Advance Medical Directive  
 P. Pain Management

13. OTHER 0  
 A. Forensic Issues  
 B. Guardianship  
 C. Rights Outside Jurisdiction

14. NO RIGHT INVOLVED 0

15. RESIDENT/RESIDENT ASSUALT 0

16. DEATH 0

TOTAL CASES 13  
 FACILITY SETT -Springfield  
 FISCAL YEAR 2010



DEMOGRAPHIC INFORMATION FY 2010

INFORMATION/ASSISTANCE (SPRINGFIELD HOSPITAL SETT Unit)

SEX	#	%	AGE	#	%	RACE	#	%
Female	0	0	<18	0	0	African-American	9	69
Male	12	92	18-44	6	46	Asian	0	0
Class	1	8	45-64	6	46	Caucasian	3	23
Total	13	100	65+	0	0	Hispanic	0	0
			Class	1	8	Other	0	0
			Total	13	100	Class	1	8
						Total	13	100

# **RESIDENT GRIEVANCE SYSTEM**

## **LEGAL ASSISTANCE PROVIDER SERVICES**

**FISCAL YEAR 2010**

## **LEGAL ASSISTANCE PROVIDERS STATE RESIDENTIAL CENTERS**

The Legal Assistance Providers are obtained through State procurement to provide the following legal services.

1. Representation of individuals proposed for admission to a State Residential Center in accordance with Annotated Code of Maryland, Health General §7-503, which requires that it, must be affirmatively shown by clear and convincing evidence that the conclusions leading to the decision to admit the individual are supported by the following findings:
  - a. The individual has mental retardation;
  - b. The individual needs residential services for the individual's adequate habilitation; and
  - c. There is no less restrictive setting in which the needed services can be provided that is available to the individual or will be available to the individual within a reasonable time after the hearing.

**In Fiscal Year 2010, the Legal Assistance Providers spent 127.98 hours representing 38 individuals at admission hearings.**

2. Review of the current status of residents on an annual basis to determine whether the individual continues to meet retention criteria in accordance with Annotated Code of Maryland, Health General §7-505, which requires determination of the following:
  - a. Whether this individual continues to meet the requirements of this subtitle for admission to a State Residential Center;
  - b. Whether the services which the individual requires can be provided in a less restrictive setting;
  - c. Whether the individual's plan of habilitation as required by §7-1006 of this title is adequate and suitable; and
  - d. Whether the State residential center has complied with and executed the individual's plan of habilitation in accordance with the rules, regulations, and standards that the Secretary adopts.

**In Fiscal Year 2010, the Legal Assistance Providers spent 586.02 hours conducting annual reviews for 153 residents.**

3. Representation of individuals who elect to petition for release pursuant to the Annotated Code of Maryland, Health General:

§7-506 Habeas Corpus

Any individual who has been admitted to a State residential center or any person on behalf of the individual may apply at any time to a court of competent jurisdiction for a writ of habeas corpus to determine the cause and the legality of the detention.

§7-507 Petition for Release

Subject to the limitations in this section, a petition for the release of an individual who is held under this subtitle from a State residential center may be filed, at any time, by the individual or any person who has a legitimate interest in the welfare of the individual.

**In fiscal year 2010, the Legal Assistance Providers spent 37.2 hours representing 1 individual in habeas corpus/petition for release.**

4. Representation of residents at transfer hearings pursuant to Annotated Code of Maryland, Health General

§7-801 Authority of Director

The Director may transfer an individual with developmental disability from a public residential program or a public day program to another public residential program or public day program or, if a private provider of services agrees, to that private program, if the Director

finds that the individual with developmental disabilities either can receive better treatment in, or would be more likely to benefit from treatment at the other program; or the safety or welfare of other individuals with developmental disability would be furthered.

§7-802 Transfer to a Mental Health Program

The Developmental Disabilities Administration may ask the Mental Hygiene Administration to accept primary responsibility for an individual in or eligible for admission to a State residential center, if the Developmental Disabilities Administration finds that the individual would be provided for more appropriately in a program for individuals with mental disorders. The Mental Hygiene Administration shall determine whether transfer to a mental health program is appropriate.

A dispute over a transfer of an individual from the Developmental Disabilities Administration to the Mental Hygiene Administration shall be resolved in

accordance with procedures that the Secretary sets, on request of the Developmental Disabilities Administration or the Mental Hygiene Administration. The Director shall give the individual with developmental disability the opportunity for a hearing on the proposed transfer.

**In fiscal year 2010, the Legal Assistance Providers spent 8.5 hours representing 3 individuals at transfer hearings.**

The services provided by the Legal Assistance Providers for each facility is detailed on the following pages.

**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT  
FISCAL YEAR 2010**

**BRANDENBURG CENTER**

**LINDA GOLDEN, Attorney at Law  
Legal Assistance Provider**

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	0	0
Annual Reviews	11	17.0
Petition for Release	0	0
Transfer Hearings	1	2.5
<b>Total</b>	<b>12</b>	<b>20.4</b>

## **Brandenburg – Narrative for Fiscal Year 2010**

The Legal Assistance Provider (LAP) at the Brandenburg Center, a State Residential Center (SRC) for the intellectually disabled in Cumberland, Maryland, is responsible for providing legal representation for residents and potential residents at four legally significant times in their residency: admission, transfer, discharge and annual review.

At the end of the fiscal year the population at Brandenburg was eleven. There were no admission hearings, no transfer hearings and no discharge hearings.

The LAP represented residents at 11 annual review meetings known as ITMs (Interdisciplinary Team Meetings). The purpose of the annual meeting is for the team to evaluate the habilitation plan from the previous year. Develop an habilitation plan for the new year, determine if the resident still meets the criteria to stay at the Brandenburg Center, and if the resident can be served in a community placement, the services that would be needed at the community placement for the resident to be successful.

**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT**

**CONTRACT YEAR**  
(September 1, 2009 – August 31, 2010  
(Reporting Period: July 1 2009 – June 30 2010

**HOLLY CENTER**  
State Residential Center (SRC) Facility

**JOHN P. HOULIHAN, P.A.**  
Legal Assistance Provider

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	12	57.98
Annual Reviews	96	496.12
Petition for Release	0	0
Transfer Hearings	0	0
<b>Total</b>	<b>108</b>	<b>554.30</b>

\*Includes Respite Stays under Md. Ann. Code Health, 7-509



**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT  
FISCAL YEAR 2010**

**POTOMAC CENTER**

**LINDA GOLDEN, ATTORNEY-AT-LAW  
Legal Assistance Provider**

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	26	70
Annual Reviews	46	72
Petition for Release	0	0
Transfer Hearings	2	6
<b>Total</b>	<b>74</b>	<b>148</b>

## **Potomac Center – Narrative for Fiscal Year 2010**

The Legal Assistance Provider (LAP) at the Potomac Center, a State Residential Center (SRC) for the intellectually disabled in Hagerstown, Maryland, is responsible for providing legal representation for residents. While there were no transfer hearings at the Potomac Center in Fiscal Year 2010, there were 26 admission hearings, no discharge hearings and 46 annual reviews known as ITMs (Interdisciplinary Team Meetings).

**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT  
FISCAL YEAR 2010**

**ROSEWOOD CENTER/SETT UNITS**

**RIA P. ROCHVARG, P.A.  
Legal Assistance Provider**

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	0	0.0
Annual Reviews	55	149.1
Petition for Release	1	37.2
Transfer Issue/Hearings	0	0.0
Discharge	46	87.1
Deceased Clients	0	0.0
<b>Total Number of Clients</b>	<b>102</b>	<b>273.4</b>

# Narratives

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## Petition for Release

Client was found incompetent to stand trial on criminal charges on February 14, 2008. He was initially the subject of an Order of Commitment to the Maryland Department of Health and Mental Hygiene (DHMH) pursuant to the Crim. Proc. Art. 3-106 on February 18, 2008. The Order of Commitment states that "any recommendations for changes in level and location of care shall be submitted in writing to the Court and the Community Forensic Aftercare Services. Changes in level and location of services shall be by order of Court, and shall be approved by the Community Forensic Aftercare Services." Subsequent to the Order of Commitment, Client was placed in an Assisted Living Unit in the community through the Developmental Disability Agency (DDA) under the auspices of the Center for Social Change/ As a result of difficulties in his community program, Client was taken from his community residential placement and admitted to the Secured Evaluation and Therapeutic Treatment (SETT) unit in Jessup, Maryland in February 2009. The Legal Assistance Provider (LAP) realized that neither the court nor the Community Forensic Aftercare Services were notified of, or approved, a change in the level or location of services. The LAP filed a petition for Habeus Corpus on November 12, 2009, petitioning the court to issue an order that client be released immediately pursuant to Md. Code Ann., Health Gen. Article 7-506 because his confinement was without legal warrant or authority. A hearing on the petition for Habeus Corpus was held on December 11, 2009. As a result of the LAP filing a petition for Habeus Corpus, Client was released to a residential community provider.

## Annual Review Meeting

Client informed LAP while attending Annual review Meeting that several months Earlier, he attempted to set up services through Baltimore Gas and Electric (BGE) at a new Address. He was informed that because he had an old outstanding account, he would be required

to pay a substantial deposit. The LAP and client called BGE and discovered that \$327.23 was due on an account in client's name. LAP and client were informed that although the account had been transferred to collections in 2005, the record remained and could impact client's future ability to start new services. On December 17, 2009, the LAP sent a letter to BGE's Lead Investigations Department, informing the department that the client never lived at the address listed on the account, never authorized the initiation of BGE services in his name at that, or any other address, and asking the account be taken out of client's name and that his record with BGE be restored to reflect that he was a new customer, without any negative account history with the company. On January 15, 2010, the LAP received a letter from a BGE Customer Accounts Specialist stating that the bill had been deleted from client's name and that his records would be updated.

#### Annual Review Meeting

The LAP noticed that in several Individual Plan meetings and Annual Review meetings, residents of both SETT units had expressed a desire to have visits from their children or other minor-aged family members. In most instances, the treatment team agreed that visits for these individuals would be therapeutic and would not cause harm to the individual requesting the visit. In spite of this, visits by minors continue to be prohibited on both SETT units. The LAP filed a grievance stating that individuals in the SETT units have a right to receive visitors and that parents have a fundamental right to access and parent their children. Further, the grievance requested that the SETT units provide a way for minor children to visit their parents or other relatives who are residing on the SETT unit. After receiving an RGS report finding the grievance valid, the LAP appealed to stage 2, asking that further action be taken. As a result of the LAP's intervention, the SETT units are currently in the process of developing and implementing a policy to allow minor children to visit relatives on the SETT units.

**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT**

CONTRACT YEAR  
(September 1, 2009 – August 31, 2010  
(Reporting Period: July 1, 2009 – June 30, 2010

**HOLLY CENTER**  
State Residential Center (SRC) Facility

**JOHN P. HOULIHAN, P.A.**  
Legal Assistance Provider

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	12	57.98
Annual Reviews	96	496.12
Petition for Release	0	0
Transfer Hearings	0	0
<b>Total</b>	<b>108</b>	<b>554.30</b>

\*Includes Respite Stays under Md. Ann. Code Health, 7-509

**Holly Center SRC  
LAP Annual Report  
(7/1/09-6/30/10)**

**Representative Admission Matters:**

1. The LAP represented 12 clients at Holly Center related to admission matters or issues and respite services including:
  - a. Monitoring SRC compliance with applicable due process standards related to the rights to an admission hearing provided under Maryland law and respite stays authorized by statute. Monthly, the number of active respite care averaged 4 individuals. The LAP advocated and obtained SRC development of written plans of care for extended respite stays consistent with due process standards. The LAP conferred with SRC staff and the Rights Advisor about the status of certain individuals who having exhausted their respite days continued to receive such services at the SRC and related due process concerns.
  - b. Representing several clients before Administrative Law Judges at mandated hearings resulting in approval of the admission to the SRC recommended by the DHMH Secretary, after appropriate investigation, evidentiary hearing and due process.
  - c. Providing SRC and Community Resource Staff with historical information about prior legal proceedings involving certain individuals at Holly center and the effect of Court ordered admission on changes in placement.

**Representative Annual Review Matters:**

1. The LAP provided 96 clients at Holly Center with legal services related to their annual treatment plans including health care, vocational, and habilitation services, as follows:
  - a. Providing assistance to the Rights Advisor in her investigation of a variety of grievance matters resulting in some instances in modification to the overall care or practice standards at the SRC, or for certain individuals, their standards or level of care, related to feeding issues, personal rights, behavioral plans, and medical care.
  - b. Communicating relevant information to the Rights Advisor meriting review for further action or investigation as developed from SRC data, reports, meetings, client or guardian request, or staff advice. Assuring the occurrence of interim team meetings when necessary to discuss and obtain input of team members related to service or plan modifications when individual rights were potentially at issue.

**Holly Center SRC  
LAP Annual Report  
(7/1/09-6/30/10)**

**Representative Annual Review Matters: *(continued):***

- c. Participating in the interdisciplinary team process related to development and implementation of annual plans adequate to meet each client's social, medical, psychological needs including appropriate vocational and social experience and/or an enhanced level of medical care or attention to medically fragile or infirm clients. Tracking medical leaves from the SRC to hospital or other care settings to ensure continuation of services to the fullest extent possible.
- d. Reviewing client medical, social, psychological, and related file data and records on a recurrent basis to ensure implementation and compliance with annual plan requirements, and whether the Plan's objectives are being attained or advanced.
- e. Facilitating a discussion as part of the annual plan evaluation between SRC staff and the Community Resource Advisor about opportunities to meet the individuals needs in a more integrated setting, if practical and appropriate for the individual client, whether vocationally, residentially, or both.
- f. Of particular note during this reporting period, the LAP provided:
  - (i) comprehensive review of all client plans related to staffing and capacity and services level consistent with current facility licensing requirements, choice of residence at SRC and available services at SRC residences including requiring interim team meetings related to the change of any on-campus residence to consider appropriateness of proposed change in placement, availability of services, etc., consistent with the individual habilitation plan.
  - (ii) comprehensive review of guardianship status; i.e., person and/or property and the extent of authority granted under Court Orders including changes in placement and access to Community resources.
  - (iii) advice to guardians, medical and care staff, and records' custodians about end of life care options, advance directives, court guardianship orders, and surrogate decision-making at the SRC and the effect on services provided at non-SRC facilities including emergency or more intense care settings such as hospitals.



**Holly Center SRC  
LAP Annual Report  
(7/1/09-6/30/10)**

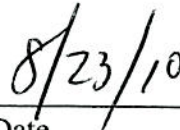
**Representative Transfer Matters:**

1. NONE



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John P. Houlihan, Esquire  
John P. Houlihan, P.A.  
Legal Assistance Provider  
Holly Center SRC



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Date