DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
CORRECTIVE ACTION PLAN

License #: **1217-14-015**
Organization Name: **ELK HILL FARM, INC.**

Date of Inspection: **11-08-2024**
Program Type/Facility Name: **14-015 Fair Meadows**

Standard(s) Cited	Comp	Description of Noncompliance	Actions to be Taken	Planned Comp. Date
12VAC35-46-70. - Each provider shall guarantee resident rights as outlined in § 37.2-400 of the Code of Virginia and in the Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services (12VAC35-115).	N	Elk Hill Group Home Cville This regulation was NOT MET as evidenced by: See OHR citation below.		
12VAC35-115-50. B. (2) - In receiving all services, each individual has the right to: 2. Be protected from harm including abuse, neglect, and exploitation.	N	Elk Hill Group Home Cville This regulation was NOT MET as evidenced by: CHRIS A#20240074/Incident Date: October 17, 2024 "Abuse" means any act or failure to act by an employee or other person responsible for the care of an individual in a facility or program operated, licensed, or funded by the department, excluding those operated by the Department of Corrections, that was performed or was failed to be performed knowingly, recklessly, or intentionally, and that caused or might have caused physical or psychological harm, injury, or death to a person receiving care or treatment for mental illness, intellectual disability, or substance abuse. Provider substantiated for sexual abuse and psychological abuse based on the following:	PR) 11/21/2024 PR: The Case Manager found record of the inappropriate phone conversations on the morning of October 17th; this was due to the phones not being turned in the night prior. The case manager immediately called the residential director, subsequently the police, CPS, legal guardian, HR Director, CEO, COO, and Elk Hills internal investigator. Employee #1 was immediately suspended. Upon our investigation it was determined that employee #1 had sexual relations with Individual #1. Employee #1 called the Program Director to resign, the Residential Director called Employee #1 on October 22nd to confirm resignation. Please note that had employee #1 not resigned she would have been terminated. Employee #1 had a comprehensive background and CPS check prior to employment and completed monthly supervision and was completing nightly checks sufficiently. In	11/21/2024

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		• Provider found inappropriate TikTok messages between Employee #1 and Individual #1 on Individual #1's phone that were sexually graphic in nature and which discussed meeting up in the group home bathroom on more than one occasion, along with references to sexual interactions which included oral sex and sexual intercourse. • Review of camera footage revealed the following: ◦ On October 12, 2024, at 5:20:21 pm, Individual #1 is seen walking into the upstairs bathroom with a cell phone in Individual #1's hand. ◦ At 5:20:42 pm, Employee #1 is seen walking in upstairs bedroom of Individual #1. ◦ At 5:21:00 pm, Employee #1 is seen going into the same bathroom as Individual #1. ◦ At 5:38:26 pm, Individual #1 is seen walking out of bathroom and going into Individual #1's bedroom. ◦ At 5:39:19 pm, Employee #1 is seen walking out of the bathroom and walking downstairs. ◦ On October 13, 2024, at 1:06:23 am, Employee #1 is seen going into Individual #1's bedroom. ◦ At 1:20:11 am, Individual #1 is seen walking out of Individual #1's bedroom and proceeds downstairs. ◦ At 1:21:23 am, Employee #1 is seen walking out of Individual #1's bedroom. ◦ It is significant to note that Individual #1 shares a bedroom with 2 other individuals. • During an external interview with Entity #1, Employee #1 admitted to having 4 sexual encounters with Individual #1. • Entity #2 reported to Human Rights Advocate on November 7, 2024, that Employee #1 was charged with 3 felony counts of VA Code 18.2-370 Taking Indecent Liberties with Children and that there will	response to this incident Residential Director will conduct random monthly checks of the camera at this location for the next 3 months, the Program Director will do cell phone checks twice monthly. In addition, the Performance Improvement Coordinator will do two random monthly checks of the cameras for this/and/or other locations. The Program director will oversee the process. OHR/OLR) Accepted 11/21/2024	

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		be a finding of Level 1 Abuse. Employee #1's actions with Individual #1 meets the definition of sexual and psychological abuse, were acts that were performed knowingly, recklessly, or intentionally that caused or might have caused psychological harm to Individual #1 and is a violation of 12VAC35-115-50(B)(2). "Neglect" means failure by a person, program, or facility operated, licensed, or funded by the department, excluding those operated by the Department of Corrections, responsible for providing services to do so, including nourishment, treatment, care, goods, or services necessary to the health, safety, or welfare of an individual receiving care or treatment for mental illness, intellectual disability, or substance abuse. See § 37.2-100 of the Code of Virginia. Advocate substantiated neglect based on the following: • While Employee #1 engaged in sexually abusing Individual #1, Employee #1 failed to provide services necessary to the health, safety, and welfare of other minor individuals residing in the group home, leaving those individuals unattended during the sexual encounters with Individual #1, and, at times, engaging in the abuse in the same bedroom with other individuals while they were sleeping. ?		

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General Comments / Recommendations:

I understand it is my right to request a conference with the reviewer and the reviewer's supervisor should I desire further discussion of these findings. By my signature on the Corrective Action Plan, I pledge that the actions to be taken will be completed as identified by the date indicated.

Cassie Purtlebaugh, Human Rights	(Signature of Organization Representative)	Date

C = Substantial Compliance, N = Non Compliance, NS = Non Compliance Systemic, ND = Non Determined