DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
CORRECTIVE ACTION PLAN

License #: **1746-14-008**
Organization Name: **Gateway Counseling Center**

Date of Inspection: **01-24-2024**
Program Type/Facility Name: **14-008 Belvedere Drive**

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	Belvedere Drive This regulation was NOT MET as evidenced by: See OHR citations below.		1/25/2024

License #: **1746-14-008**
Organization Name: **Gateway Counseling Center**

Date of Inspection: **01-24-2024**
Program Type/Facility Name: **14-008 Belvedere Drive**

Standard(s) Cited	Comp	Description of Noncompliance	Actions to be Taken	Planned Comp. Date
12VAC35-115-110. C. (6) - The provider's duties. 6. Providers shall not use a restraint that places the individual's body in a prone (face down) position.	N	Belvedere Drive This regulation was NOT MET as evidenced by: • When asked by Advocate to demonstrate what type of physical hold Employee #1 was attempting to perform on Individual #1, Employee #1 laid down on the floor as the individual on Employee #1's stomach with Employee #1's hands behind Employee #1's back (prone position restraint). • Individual #2 reported witnessing Employee #1 landing on top of Individual #1 who was face down in a prone position on the floor. • Individual #2 reported that Employee #1 remained on top of Individual #1 while Individual #1 was in the prone position on the floor for approximately 4-5 minutes. • Entity #1 stated that Individual #2 reported that Individual #1 was on the ground on Individual #1's stomach (in a prone position) while Employee #1 held Individual #1's arm during the restraint initiated by Employee #1. Using a restraint that places an individual in a prone (face down) position is a violation of 12VAC35-115-110(C)(6).	PR) 02/07/2024 Following this incident it was apparent that many of our staff required a full retraining rather than just the annual review. A full re-training occurred on January 16, 2024. Director and 'Safe Crisis Management' trainer held an emergency meeting to discuss and review the proper procedure for handling aggression of youth (as discussed with licensing reviewer) and proper techniques to be used when 'hands on' becomes necessary as the last resort with face down, prone position being forbidden at all times, under any circumstances. ADDITIONAL INFORMATION PROVIDED TO OHR ON 2/1/2024 OHR/OLR) Accepted 02/13/2024 OHR Response: Partially Accepted. Please include plan of corrective personnel action specific to Employee #1 for participating in prone restraint.	1/25/2024
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	Belvedere Drive This regulation was NOT MET as evidenced by: "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	PR) 01/28/2024 Following the incident, Director and 'Safe Crisis Management' trainer held an emergency meeting to discuss and review the proper procedure for handling aggression of youth (as discussed with licensing reviewer) and proper techniques to be	1/25/2024

License #: **1746-14-008**
Organization Name: **Gateway Counseling Center**

Date of Inspection: **01-24-2024**
Program Type/Facility Name: **14-008 Belvedere Drive**

Standard(s) Cited	Comp	Description of Noncompliance	Actions to be Taken	Planned Comp. Date
		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. • During an onsite inspection conducted by the advocate, the following was revealed: ◦ Employee #1 reported the following: ▪ On December 04, 2023, Individual #1 went into the basement "without permission". ▪ Employee #1 attempted to redirect Individual #1 to go upstairs and Individual #1 refused. ▪ Individual #1 then began to hit and kick Employee #1. ▪ Employee #1 attempted to place Individual #1 in a physical hold; however, Individual #1 and Employee #1 fell to the floor with Employee #1 landing on top of Individual #1. ▪ Individual #1 sustained injury of diagnosis #1. • When asked by Advocate to demonstrate what type of physical hold Employee #1 was attempting to perform on Individual #1, Employee #1 laid down on the floor (demonstrating as the individual) on Employee #1's stomach with Employee #1's hands behind Employee #1's back (prone position restraint). • Individual #2, who was a witness to the incident, reported the following (Individual #2 stated to advocate during site visit that Individual #2 was there for the whole incident and stated that Individual #2 saw what happened): ◦ Individual #1 came downstairs without permission. ◦ Employee #1 told Individual #1 to go back	used when 'hands on' becomes necessary as the last resort. Following this incident it was apparent that many of our staff required a full retraining rather than just the annual review. A full re-training occurred on January 16, 2024. ADDITIONAL MEETING INFORMATION PROVIDED TO OHR ON 2/1/2024. OHR/OLR) Pending Review 01/31/2024 OHR Response: Not Accepted. Provider response should be specific to corrective action taken or planned to prevent future violations. Provider should remove opinions/information/history specific to Individual #2 and Employee #1.	

License #: **1746-14-008**
Organization Name: **Gateway Counseling Center**

Date of Inspection: **01-24-2024**
Program Type/Facility Name: **14-008 Belvedere Drive**

Standard(s) Cited	Comp	Description of Noncompliance	Actions to be Taken	Planned Comp. Date
		upstairs and Individual #1 refused. ◦ Employee #1 then lifted Individual #1 out of the chair (feet did not leave the floor). ◦ Individual #1 then began hitting and kicking Employee #1. ◦ Employee #1 then performed a "perfectly legal wrestling" move using Employee #1's leg in a sweeping motion on Individual #1's legs while lifting and twisting Individual #1's body up and then down to the ground onto Individual #1's stomach. ◦ Employee #1 then landed on top of Individual #1's shoulder area and remained on top of Individual #1 while Individual #1 remained in a prone position for approximately 4-5 minutes, but got up as soon as Individual #1 indicated Individual #1 was in pain. • Entity #1 confirmed through interviews that Individual #1 was on the ground on Individual #1's stomach in the prone position while Employee #1 held Individual #1's arm during the restraint initiated by Employee #1. • Employee #1 held Individual #1 in a prone position restraint which might have resulted in injury or death. Individual #1 did sustain an injury of Diagnosis #1 during the incident. The actions of Employee #1 were performed knowingly and recklessly and caused physical harm to Individual #1. This meets the regulatory definition of abuse and is a violation of 12VAC35-115-50(B)(2).		

License #: **1746-14-008**
Organization Name: **Gateway Counseling Center**

Date of Inspection: **01-24-2024**
Program Type/Facility Name: **14-008 Belvedere Drive**

Standard(s) Cited	Comp	Description of Noncompliance	Actions to be Taken	Planned Comp. Date
12VAC35-115-60. B. (2) - The provider's duties. 2. Providers shall ensure that all services, including medical services and treatment, are at all times delivered in accordance with sound therapeutic practice. Providers may deny or limit an individual's access to services if sound therapeutic practice requires limiting the service to individuals of the same sex or similar age, disability, or legal status.	N	Belvedere Drive This regulation was NOT MET as evidenced by: • Individual #1 has Diagnosis #2, #3, #4, and #5. • Per SIR #20230003, "Employee #1 provided physical support by placing Employee #1's hand on Individual #1's elbow to assist Individual #1 with getting up. Individual #1 then began hitting and kicking Employee #1." • Individual #2 reported that Individual #1 was lifted out of the chair by Employee #1 and then Individual #1 began hitting and kicking Employee #1. When Employee #1 initiated physical engagement to Individual #1 who has Diagnosis #2, #3, #4,and #5, Employee #1 failed to deliver services according to sound therapeutic practice which is a violation of 12VAC35-115-60(B)(2).	PR) 02/07/2024 Following the incident, Director and 'Safe Crisis Management' trainer held an emergency meeting to discuss and review the proper procedure for handling aggression of youth (as discussed with licensing reviewer) and proper techniques to be used when 'hands on' becomes necessary as the last resort. Following this incident, it was apparent that many of our staff required a full retraining rather than just the annual review in order to ensure that 'sound therapeutic practice is adhered to. A full re-training occurred on January 16, 2024. ADDITIONAL MEETING INFORMATION PROVIDED TO OHR ON 2/1/2024. OHR/OLR) Accepted 02/13/2024 OHR Response: Violation requires provider response. Please include **only** actions to be taken to correct or prevent future violations.	1/25/2023

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
CORRECTIVE ACTION PLAN

License #: **1746-14-008**
Organization Name: **Gateway Counseling Center**

Date of Inspection: **01-24-2024**
Program Type/Facility Name: **14-008 Belvedere Drive**

Standard(s) Cited	Comp	Description of Noncompliance	Actions to be Taken	Planned Comp. Date

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