

**DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
CORRECTIVE ACTION PLAN**

Page: 1 of 3

License #: **2917-14-001**

Organization Name: **Three Rivers Treatment Center, LLC**

Date of Inspection: **04-07-2023**

Program Type/Facility Name: **14-001 Three Rivers Treatment Center**

<u>Standard(s) Cited</u>	<u>Comp</u>	<u>Description of Noncompliance</u>	<u>Actions to be Taken</u>	<u>Planned Comp. Date</u>
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	Three Rivers Treatment Center This regulation was NOT MET as evidenced by: See OHR Citation.		
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	Three Rivers Treatment Center 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 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. Upon review of documentation received and discussion with the LDSS it was revealed: Employee #1 admitted via an interview during a joint investigation with LDSS representatives and local law	PR) 04/28/2023 PR1: On February 6, 2023, facility staff became aware of an incident of sexual abuse alleged by Individual 1 occurring on Feb. 4, 2023, at or about 0400 hrs. Employee 1 was placed on administrative leave and an abuse investigation initiated. On Feb. 13, the facility concluded its investigation that included staff interviews, resident interviews, and video review. The facility found the allegation against Employee 1 to be not substantiated for sexual abuse. However, Lunenburg Child Protective Services disallowed Employee 1's return to work and continued with their investigation. On March 7, 2023, CPS found for Level 3 Sexual abuse against Employee 1. On receipt of this notification from CPS, Employee 1's employment at Three Rivers Treatment Center was terminated.	6/9/2023

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		enforcement that: - Employee #1 touched Individual #1's breast area while pulling Individual #1's bra over their breast. - Employee #1 pulled up Individual #1's pants. - Employee #1 sat on Individual #1's bed for over fifteen minutes while Individual #1 "came on to" Employee #1. Based on the documentation reviewed and discussion with Individual #1 and the LDSS representative, a preponderance of evidence exists which supports a substantiated finding that: Employee #1 knowingly, recklessly, or intentionally performed acts that caused or might have caused psychological harm or injury to a person receiving care or treatment for mental illness, intellectual disability, or substance abuse.	PR2: On receipt of CPS findings, Three Rivers Leadership conducted a review of the facility's screening procedures for applicants, investigative procedures during abuse/neglect allegations, and guidelines for interaction with residents. The training department will provide mandatory sex trafficking training to all floor staff and supervisors. Employees will be encouraged to address only residents of the same gender in on-to-one conversations and whenever possible utilize an employee witness when residents of an opposite gender in their rooms. Three Rivers will continue to screen applicants using a third-party vendor who screens for county, state, federal and OIG records, education and references. CPS screening will continue, as well as state and FBI fingerprinting captures by Field Print. Three Rivers will continue to meet or exceed applicant screening requirements. PR3: The Director of Human Resources will be monitoring the attendance of sex trafficking training monthly to ensure completion. The Director will also continue to review each employee applicant's screening weekly prior to employment being offered to applicants. PR4: June 9, 2023 OHR/OLR) Accepted 05/05/2023	

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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.				
_____ Andrea Milhouse, Human Rights		_____ (Signature of Organization Representative)		_____ Date
C = Substantial Compliance, N = Non Compliance, NS = Non Compliance Systemic, ND = Non Determined				