

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

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

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

Date of Inspection: **10-24-2023**

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: "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. Provider substantiated neglect based on the following: • Upon review of CHRIS entries A-20230046, A20230047, and A-20230048, the provider's investigation determined neglect was substantiated. ◦ Employee #1 brought contraband onto residential unit	PR) 11/27/2023 PR1: Neglect was substantiated as internal investigation found that a cigar blunt and been taken onto a residential unit in violation of the facility contraband policy. Employee 1 was suspended during the course of the investigation and on her return given a written warning that continued abusive and/or neglectful behavior could lead to termination of employment. PR2: Leadership reviewed the facility's contraband policy and found that the policy was in keeping with standards of care and not in need of revision. A shift debriefing was conducted by the Program Director and Program Supervisor and the policies on contraband and abuse/neglect were discussed with the staff. The Program Supervisor has begun a series of random visits of the night shift to ensure all policies and protocols have been implemented	9/14/2023

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		- Employee #1 failed to follow provider's policy for contraband - Upon review of the provider's written investigation summary dated 9/22/2023: - Reports received by supervisory staff indicate residents smoked the blunt - Eyewitness statements and staff admission revealed that contraband was taken onto the unit "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 abuse based on the following: - Upon review of statements taken by provider, statements from Individual #1, Individual #2, and Employee #1, there was preponderance of evidence to substantiate verbal abuse. - Per Individual #1's statement, Employee #1 was mad and said "whoever smoked my black, I'm going to kick their ass. I'm going to tear y'all's shit up. Y'all are ungrateful. I don't even now why I am here." - Per Individual #2's statement, Employee #1 said "so y'all stole my shit. It's crazy y'all steal from me when I am the nice staff. That's fucked up. I should take from y'all." - Per statement from Employee #2, Employee #1 seemed to be very irritated, kept repeating	and are being followed correctly. PR3: To ensure correct policy and protocols are being followed, the Program Supervisor will continue random inspections of the night shift, documenting findings with the Program Director and Human Resources Director as necessary. This audit procedure will be continuous on at least a monthly basis. PR4: September 14, 2023 OHR/OLR) Accepted 11/28/2023	

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		she will put hands on kids, calling other staff "B", kept fussing while kids were around saying she was about to tweak out. Based on preponderance of evidence, Employee #1 failed to ensure the health and safety of Individuals #1, #2, and #3 by failing to provide services necessary to the health, safety, or welfare of an individual and use of language that demeans, threatens, intimidates, or humiliates the person.		

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