

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

Page: 1 of 4

License #: **3517-14-010**

Organization Name: **Virginia Health Operations LLC**

Date of Inspection: **11-01-2024**

Program Type/Facility Name: **14-010 Newport Academy- Creekside**

<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	Newport Academy- Creekside This regulation was NOT MET as evidenced by: See OHR citations below.		12/12/2024

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12VAC35-115-230. A. (3a) - Providers shall collect, maintain, and report the following information concerning abuse, neglect, and exploitation: 3. The investigating authority shall provide a written report of the results of the investigation of abuse or neglect to the director and human rights advocate via the department's web-based reporting application within 10 working days from the date the investigation began unless an extension has been granted (see 12VAC35-115-175). This report shall include: 3a. Whether abuse, neglect, or exploitation occurred;	N	Newport Academy- Creekside This regulation was NOT MET as evidenced by: - Investigation findings were due in CHRIS on 7/18/2024. The Investigations Findings section on CHRIS indicates that the investigation findings were entered in on 9/17/2024. · - Provider failed to report their investigation findings within 10 working days.	PR) 12/12/2024 Daily Flash minutes updated to include a review of CHRIS reports, who they are assigned to, whether the initial report has been completed, and whether they have been closed out (i.e. findings entered for Human Rights Abuse, Neglect and Complaint reports). Executive Director or designee facilitates Daily Flash meeting and will acquire this information from administrators on-call and will delegate assignments as needed to ensure findings are entered within 10 working days. OHR/OLR) Accepted 01/06/2025	12/12/2024

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Page: 3 of 4

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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	Newport Academy- Creekside 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. • Due to a preponderance of evidence, including witness statements and staff admissions, the provider has substantiated A#20240026. • It was reported that Individual #1 eloped from group home after watching another peer elope. Staff intervention was delayed due to facility van being blocked in by other parked cars. • As a result, Individual #1 right to be free of neglect was violated.	PR) 12/12/2024 Residential Director posted "Do Not Block" signs on the back of each facility vehicle and reviewed the expectation with the Creekside Residential Supervisor that no staff should ever block the van from being able to exit the parking lot. Residential Supervisor will communicate if the van is observed to be blocked and will hold staff accountable if they block van. OHR/OLR) Accepted 01/06/2025	12/5/2024

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