

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

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

Organization Name: **Virginia Health Operations LLC**

Date of Inspection: **03-17-2025**

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.		

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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, staff admissions, and failure to follow policy, the provider substantiated A#20240045. • Employee #1, Employee #2, and Employee #3 did not successfully stop Individual #1 from ingesting an unknown amount of pills from the Med room. The Med room was left unlocked and accessible to Individual #1. Additionally, it was determined that the CPI hold implemented by staff was not secure enough. • Individual #1's right to be free of neglect was violated.	PR) 04/07/2025 10/20/2024 - replaced the front door to one that would lock more securely 10/29/2024 - repaired locks on the med cabinets 11/08/2024 - issued disciplinary action to the employee who left the med room door open CPI was implemented; however, client was able to overtake the staff who implemented CPI. Ultimately, the incident could have been prevented had the med room door been locked. OHR/OLR) Accepted 04/24/2025	11/8/2024

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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				