

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

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License #: 780-14-001

Organization Name: Liberty Point Behavioral Healthcare, LLC

Date of Inspection: 06-03-2022

Program Type/Facility Name: 14-001 Liberty Point Academy

<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	Liberty Point Academy This regulation was NOT MET as evidenced by: See OHR citation below.	PR) 07/07/2022 Addressed in next section. OLR) Accepted 07/08/2022	5/27/2022
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	Liberty Point Academy 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. CHRIS Abuse #20220303/Incident Date: 5.06.22 Provider has substantiated for verbal abuse based on the following:	PR) 07/01/2022 This allegation was founded as Employee #1 engage in both verbal and physical abuse. Employee #1 was released from employment on 5/27/2022. All employees are trained in the identification and reporting of abuse and neglect upon orientation and annually thereafter. Employee #3 reported this event as required. OHR/OLR) Accepted 07/07/2022	5/27/2022

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		- Individual #1 and Employee #2 reported that Employee #1 told Individual #1 the following: "[Employee #1] will get [Individual #2] to beat you up." CHRIS Abuse 20220304/Incident Date: 5.06.22 Provider has substantiated for verbal abuse based on the following: - Employee #3, Employee #4, Individual #3 and Individual #4 reported that Employee #1 called Individual #3 a racial slur ("taco"). Provider has substantiated for physical abuse based on the following: - Video footage revealed: - Employee #1 attempted to place Individual #3 in a standing physical hold, but was unsuccessful. Both Employee #1 and Individual #3 ended up on the couch. - Employee #1 was over top of Individual #3 while Individual #3 was in a seated position on the couch. - Employee #1 then draws right elbow back and then forward, striking Individual #3 around the stomach area. - Employee #3 stated the following during an interview: "[Employee #1] struck [Individual #3] in the stomach with light-medium force."		

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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.				
Tonya Carr, Legal Operations Manager		(Signature of Organization Representative)		Date
C = Substantial Compliance, N = Non Compliance, NS = Non Compliance Systemic, ND = Non Determined				