

Three points center, LLC

1500 E 2700 S, Hurricane, UT 84737 (Washington County)
(435) 632-7767

- (90210) DT - Day Treatment (05/31/2021)
- (63382) OT - Outpatient Treatment :Renewal: (05/31/2021)
- (52339) RT - Residential Treatment :Renewal: (05/31/2021)
- (52340) TS - Therapeutic School :Renewal: (05/31/2021)

Name of this Investigation:

client injury during restraint

* Start Date:

11/13/2019

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* Lead Assignment:

Robert Jones

Licensors:Kelly Anderson

Entered By:Serena HubertIntake

Source:

Provider Incident Report (e.g., incident report)

Other Regulatory Agency (e.g., DCFS, JJS, Law Enforcement)

Public/Other (e.g., complaint, news report)

Date of Incident:

11/12/2019

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Date Reported:

11/13/2019

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Notification: The provider reported within one business day.

Reported By:

Thane Palmer

Contact Info:

User Email: tpalmer@threepointscenter.com

User Phone: 4354674760

Summary of Issue:

On 11-12-19 at approximately 1400 hours some of the boys were attending history class with teacher Kevin Puzey. Kevin had prepared a lesson on 'division' with the agenda of speaking about the Civil War and slavery. Kevin had prepped for this class and asked Group Leader Robert Vail to speak with the boys about some of his life experiences. Kevin was aware of some of the issues the boys in this group were having regarding the use of racially inappropriate language between each other and so he knew to be extra aware while teaching. The boys were having a difficult time in general that day and some were struggling with paying attention in class as well as some personal issues. Boys were in and out of class and staff were doing their best to manage them safely. At some point student [REDACTED] comes back into the class and starts verbally attacking student [REDACTED] for something [REDACTED] had supposedly said. Apparently, the students became upset with [REDACTED] because he was accused of saying a racial slur and this upset them. Student [REDACTED] walked out of the class after yelling at [REDACTED] and when [REDACTED] came returned, he went directly to [REDACTED] and began yelling at him. (It was not confirmed who made the racial slur. Kevin heard someone but did not know who said it.)

When [REDACTED] came in and headed for [REDACTED] staff Robert stepped in between [REDACTED] and [REDACTED] and attempted to redirect [REDACTED] and to protect [REDACTED]. Kevin stopped teaching and stepped in to assist afraid that [REDACTED] was going to stand up and go after [REDACTED]. All the boys started getting mad at [REDACTED]. Staff Shirley and Robert tried to get [REDACTED] to walk away as Kevin became concerned that [REDACTED] was going to take after [REDACTED]. For [REDACTED] protection [REDACTED] placed [REDACTED] in a PRT hold in hopes to keep him safe and away from the other students. Staff Shirley took a hold of [REDACTED] arm in hopes to coax him away from [REDACTED]. At this time [REDACTED] began yelling and both [REDACTED] and [REDACTED] walked towards Kevin and [REDACTED] managed to hit [REDACTED] in the forehead while [REDACTED] continued to yell. Staff attempted to remove both [REDACTED] and [REDACTED] from the room but that created a struggle between [REDACTED] and the staff in the doorway.

[REDACTED] still being held by Kevin, yelled something at either [REDACTED] or [REDACTED] when [REDACTED] jumps up and charges across the room after [REDACTED]. [REDACTED] is stopped by student [REDACTED] who was sitting quietly in his chair. [REDACTED] breaks free from the staff and charges back into the room heading for [REDACTED]. [REDACTED] again stops from attacking [REDACTED] as Robert chased [REDACTED] in attempts to stop him as well. Once [REDACTED] was stopped by [REDACTED] he turns and begins throwing tables and chairs as additional staff respond to the room to assist. Asst. Group Living Director Wyatt Bendall is one of the responding staff. He sees Robert attempting to control [REDACTED] attack on [REDACTED] and immediately determines [REDACTED] is the greatest threat and needed to be removed from the room. Wyatt attempted to place [REDACTED] in a PRT hold to escort him from the room however, [REDACTED] was able to pull one of his arms free. Wyatt was still able to maintain a single arm PRT hold and some control of [REDACTED] and removed him from the room. As Wyatt was escorting [REDACTED] out of the room three more staff enter the room and were able to get the remaining students removed and calm. Wyatt wanted [REDACTED] away from the situation as quickly as possible as well as not left in the hallway, so he escorted [REDACTED] down the hall and into his office where other students were not around. Staff Nathan was in the hallway and was able to maintain a visual on Wyatt and [REDACTED] in the office. [REDACTED] continued to struggle, yell and tried to pull away from Wyatt all the way to the office. Wyatt decided to place [REDACTED] into a sitting position on the floor however in the process [REDACTED] dropped his body weight knocking Wyatt off balance and throwing himself onto his stomach. While on the ground Wyatt re-positioned himself and went to place [REDACTED] into a behind the back bent wrist in hopes to gain better control and start deescalating. Instead, [REDACTED] pulled his arm away from Wyatt and in the process, Wyatt felt several pops from [REDACTED] arm. Wyatt immediately reacted to the sound and straightened [REDACTED] arm laying it on the ground gently. Both Janzy and therapist Aubrey Sullivan walked into the office and Wyatt immediately told them to go and get nurse Amber.

Amber responded to the room where [REDACTED] and Wyatt were in and accessed [REDACTED] arm. It was determined [REDACTED] needed to be seen by a doctor immediately and was transported by staff to instacare for further examination. The examination showed that [REDACTED] elbow was dislocated and broke. The doctor fixed the dislocation. An appointment has been set up for surgery on Friday to address the break. [REDACTED] was returned to the facility and given appropriate care. After Amber made the decision that [REDACTED] needed to be taken in she called [REDACTED] mother and let her know [REDACTED] was being taken in for medical attention. Clay Spencer, [REDACTED] therapist also called the mother and gave her more information. She has also been given full details of the examination and treatment.

At 12:07pm today I called [REDACTED] and gave them a full report of the harm to [REDACTED] arm. Brittany, the [REDACTED] reported they are opening a case on the situation. [REDACTED]

Clients Involved:

[REDACTED]

Licensees, Staff, and Witnesses Involved:

Teacher Kevin Puzey, Group Leader Robert Vail, Staff Shirley Barlow, Asst. Group Living Director Wyatt Bendall, [REDACTED], [REDACTED]

Licensee Follow-Up

Actions Taken by Licensee:

1. All related video footage has been reviewed and saved by Heidi Palmer, Safety and Security Coordinator.
2. The Treatment Team has reviewed the incident. We have determined that staff acted quickly to keep students safe and to calm down a very volatile situation. Appropriate staffing levels were in direct supervision of the students and many staff were readily available to help with the needed intervention. Wyatt did his best to operate within our trained protocols for physical interventions. He also physically intervened when there was a clear and imminent danger to a student in accordance with Utah Code. All staff who used a physical intervention have been trained in Handle With Care by our certified trainer, Heidi Palmer
3. [REDACTED] was given immediate medical attention and taken directly to Insta-care to receive medical intervention.
4. [REDACTED] was called and given a full report.
5. As this was a very volatile situation the involved staff have been given needed support.

Actions Planned by Licensee:

1. [REDACTED] will receive all the needed medical attention and care.
2. Additional training will be given to all involved staff by Heidi Palmer on de-escalation principles.

3. TPC will fully cooperate with all [REDACTED] investigations, etc.

Additional Comments:

[REDACTED]

Office Follow-Up

Investigate Within:

On-site within 3 business days

Priority Due Date:

11/19/2019

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Document Admin Staffing:

Conduct investigation, ensure staff has proper training and all staff have required BCI's. Review Video of fight and ensure there was proper staffing ratios. Coordinate with [REDACTED]

Date Priority Met:

11/15/2019

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QA Monitoring

Activity Log:

Add

Date	Time	Type	Who
01/27/2020	09:50	Other Licensee Contact	Robert Jones
01/07/2020	09:53	Other Licensee Contact	Robert Jones
11/27/2019	09:52	Collateral Contacts	Robert Jones
11/15/2019	08:59	Site Visit - Unscheduled	Robert Jones
11/14/2019	03:45	Collateral Contacts	Robert Jones

Documents:

Add

Date	Name	Comment
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01/29/2020	email correspondence	delete
01/27/2020	████ case summary	delete
01/27/2020	Staff Training Handle with Care	Staff roster and training compliance delete
11/27/2019	email request for BCI	delete
11/13/2019	IR email	delete

Violations:

Add

Violation Date	Rule#	Resolved Date
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01/29/2020

501-2-2 Core Rules. Program Administration.

01/27/2020 delete

Update Status

Findings

* Critical Incident:

A critical incident occurred related to this Investigation.

Yes

Type of Incident:

Serious Injury

Sites Affected:

Conclusion Summary:

In review of the information provided by Three Points Center all of the staff involved had the necessary training in Handle With Care. Further they are implementing a relationship based training to build relationships with staff to help the youth calm down faster and be less restive to redirection.

When Wyatt was attempting to use a control hold from Handle with Care he was standing and attempted to go to a seated position. As █████ was pulling away during this attempt his elbow became dislocated and fractured. The █████ case against Wyatt was not substantiated. It was determined that he acted properly in the situation.

Finalized Date: 01/29/2020