

DEPARTMENT OF SOCIAL SERVICES

Community Care Licensing Division
Statewide Children's Residential Program
Out-of-State Certification Unit
744 P Street, Sacramento, CA 95814 ~ MS 19-50



June 29, 2009

Mr. Bud Patterson, Executive Director
Normative Services, Inc.
5 Lane Lane
Sheridan, WY 82801

SUBJECT: Annual Certification Renewal

Dear Mr. Patterson,

Pursuant to California Family Code Section 7911 et al., this is official notification that Normative Services' (NSI's) certification by the California Department of Social Services (CDSS) is continued through February 15, 2010. This approval is based on inspections and evaluations conducted November 13-14, 2008 and April 6-7, 2009.

Certification by the CDSS is contingent upon NSI's continued compliance with the State of Wyoming's licensing requirements as well as California's.

California licensing standards require that all serious incidents be reported to CDSS' Out-of-State Placement Policy Unit for each child in care regardless of whether he or she is a California placement. Incident reporting shall include the following:

- a. Deaths
- b. Suicide attempts
- c. Suspected physical, sexual or psychological abuse
- d. Epidemic outbreaks and catastrophes
- e. Injuries and illnesses that require hospitalization or medical treatment (beyond first aid.)
- f. Use of restraint (whether or not they result in an injury to a child.)
- g. Any unusual incident or absence that threatens the physical or emotional health or safety of a child.

Certification will be reviewed annually. We will be following our Department policy which authorizes us to inspect facilities with or without appointment as necessary.

If you have any questions, please contact certification analyst Carol Lancaster at (916)838-5751 or myself at (916) 327-8763.

Sincerely,

A handwritten signature in black ink, appearing to read "Mei Yuk Kung".

MEI YUK KUNG, Program Chief

cc: CA Deputy Compact Administrator, Children and Family Services Division, Out-of-State Placement Policy Unit

FACILITY EVALUATION REPORT

FACILITY NAME: NORMATIVE SERVICES, INC.	FACILITY NUMBER: 602300007
ADMINISTRATOR: CAL FURNISH	FACILITY TYPE: 731
ADDRESS: 5 LANE LN.	TELEPHONE: (307) 674-6878
CITY: SHERIDAN	STATE: WY
CAPACITY: 76 132	CENSUS: 43
TYPE OF VISIT: Case Management	ANNOUNCED
MET WITH: Bud Patterson, NSI Exec. Director;	DATE: 07/08/2009
Kendall Payne, VP Sequel Youth Services;	TIME BEGAN: 10:00 AM
	TIME COMPLETED: 12:00 PM

NARRATIVE1 PURPOSE OF VISIT:

2

3 As mandated by California law, this annual review was performed at Normative Services Incorporated (NSI) by
4 the undersigned analyst for the purpose of re-certification by the California Department of Social Services
5 (CDSS) to verify that the facility was continuing to:

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- have adequate and appropriate resources to provide safe, suitable 24-hour residential care, supervision and treatment services to youth/clients in care.
- remain in substantial compliance with California licensing standards and regulations as well as remaining licensed and in good standing with the licensing authorities of the state of geographical location - - in this case, the state of Wyoming.

It should be noted that typically, the re-certification review is completed in one visit. However, this year's re-certification process was extended and delayed for an extensive period of time. The delay occurred in light of many administrative changes occurring at the facility and an investigative inquiry by Wyoming licensing authorities beginning the month prior concerning a significant increase in the number of physical restraints performed by staff at the facility in 2008. Incidentally, re-certification was placed "on hold" pending the completion and findings of Wyoming authorities' into the aforementioned area. Prior to that occurring however, events and incidents occurred at the facility in January and February 2009 which resulted in numerous complaint allegations being reported to both Wyoming authorities and the CDSS which required investigation.

As a result, this year's re-certification evaluation entailed two on-site visits (November 13-14, 2008; April 6-7, 2008) - - the latter being conducted concurrently while investigating complaint allegations made by a California placing agency and former youth in care.

Note: Reference the CDSS CERTIFICATION HISTORY section of this report for more information and findings relative to Wyoming complaint investigations; and. CDSS Complaint Investigation Reports corresponding to complaint #41-CR-20090202123028 taken 2/2/2009 for findings by CA Licensing

SUPERVISOR'S NAME: Mei Yuk Kung**TELEPHONE:** (916) 327-8763**LICENSING EVALUATOR NAME:** Carol Lancaster**TELEPHONE:** (916) 838-5751**LICENSING EVALUATOR SIGNATURE:**

DATE: 07/08/2009

I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 07/08/2009

This report must be available at Child Care and Group Home facilities for public review for 3 years.

FACILITY EVALUATION REPORT (Cont)

FACILITY NAME: NORMATIVE SERVICES, INC.

FACILITY NUMBER: 602300007

VISIT DATE: 07/08/2009

NARRATIVE

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PROGRAM DESCRIPTION:

Normative Services Inc. (NSI,) established in April of 1990 is a private, non-profit organization offering treatment and educational services on its rural, campus setting in the foothills of the Big Horn mountains near Sheridan, Wyoming to male and female youth, ages 10 to 18 with behavioral and/or mental health challenges. The following continuum of services is offered

- Residential care and treatment for up to 132 students.
- Accredited on campus schooling including services for students with special educational needs.
- High level of structure and supervision while maintaining a homelike atmosphere.
- On campus medical services
- Full range of psychiatric and psychological services including testing and assessment.
- Student government through the NSI Wolves Club, which is actively involved in maintaining the day-to-day activities and quality of the program.
- Speciality groups focusing on chemical dependency, delinquent behavior, victimization, anger control, sexual perpetration, psychological/emotional difficulties and other problem areas.
- State-of-the-art computer labs in each educational site.
- Vocational and living skills curriculum with emphasis on development of essential skills needed to live independently.
- In-home support; parent groups; supervised home visits with transportation provided
- transitional living; outreach/community-based services
- relapse prevention; tracking of students for two years following discharge
- training/consultation to other agencies and programs
- NSI alumni association
- child placing agency services

The cornerstone of NYS' treatment philosophy is the establishment and maintenance of a positive normative culture. Diversified treatment focusing on growth through group and peer interaction in an open setting provides opportunities for change. Norms (expected behavior) are maintained by utilizing positive peer pressure to confront negative behavior and by modeling pro-social behavior.

[NOTE: For a complete description and overview of NSI's program, purpose, methods and goals, reference the initial (1999) CDSS certification report.]

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FACILITY REPRESENTATIVE SIGNATURE:



DATE: 07/07/2009

FACILITY EVALUATION REPORT (Cont)CCLD Regional Office, 8745 FOLSOM BLVD., #130
SACRAMENTO, CA 95826

FACILITY NAME: NORMATIVE SERVICES, INC.

FACILITY NUMBER: 602300007

VISIT DATE: 07/08/2009

NARRATIVE**1** CDSS CERTIFICATION HISTORY:**2****3****4****5****6****7****8****9****10****11****12****13****14****15****16****17****18****19****20****21****22****23****24****25****26****27****28****29****30****31****32**

Originally certified by the CDSS February 15, 2000, NSI has been successful in being recertified annually and, prior to 2008, has had very few problems, concerns, areas of licensing non-compliance and/or substantiated findings of child abuse since being certified. In light of their success and a continuing and increasing demand for the services they provide, NSI has experienced much growth and expansion.

When initially evaluated for certification by the CDSS in September 1999, the facility had a licensing/certification capacity of 76; with three California probation placements in care. In November 2008, the facility's licensed capacity was 132 -- 48 of these clients being California youth placed by the following California placement agencies: Alameda County Probation (1); Marin County Probation (2); Riverside County Social Services (1); Sacramento County Probation (12); San Bernardino County Probation (1); San Francisco County Probation (6); San Joaquin County Probation (8); San Mateo County Probation (1); San Luis Obispo County Probation (1); Santa Clara County Probation (11); Santa Clara County Mental Health(1); Santa Cruz County Probation (2); Shasta County Probation (1); Ventura County Probation (1).

In January and February 2009, as a result of numerous youth in care having been discharged by NSI as program failures; not being amenable to treatment, or being removed by placement officials due to ongoing complaint investigations and concern for their health and/or safety, the number of California youth in placement dropped to 36.

On April 6, 2009, during the undersigned analyst's second visit to the facility, the facility census was down to 47: 20 youth being from California. To date, the census and number of youth in placement from California has remained relatively stable at those numbers.

In hindsight and upon analysis, the problems experienced by NSI over the last year are not entirely surprising or unusual. Given the continuing growth the facility has experienced and an "oversaturation" of more difficult clients in higher numbers than experienced in years past, problems with such a population can, and do, occur. Collectively, the clients in residence have come to represent a different demographic -- that being of a more sophisticated, conduct disordered adjudicated delinquent -- many of whom foster continuing ties and associations within the juvenile gang subculture that they find difficult to sever or remain free from the influence of. Needless to say, such clients are more anti-social, more defiant to staff, and much more difficult for staff to effectively manage, control and provide treatment services to within a non-secure residential program such as NSI.

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FACILITY NAME: NORMATIVE SERVICES, INC.

FACILITY NUMBER: 602300007

VISIT DATE: 07/08/2009

NARRATIVE**1 LOCAL/STATE LICENSING INFORMATION AND OTHER ACCREDITATIONS:**2
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Despite 2008 and the first part of 2009 being fraught with unwelcome events, difficult clients to manage and investigations, the facility's licensing status with Wyoming licensing authorities has remained unchanged. NSI continues to be certified by the State of Wyoming Department of Family Services (WY DFS) to provide residential care and treatment to 132 youth. There are seven living units/houses throughout the campus. Each house is certified individually as a "Residential Treatment Center. The most recently issued licenses are dated April 15, 2008 and are good for two years or until April 15, 2010.

In March 2009, Wyoming licensing concluded their investigations into events and allegations reported October of 2008 through that time. The following is the allegations investigated with their findings:

1. A student was not receiving proper education as required by law; IEP not being followed. Findings: **Unsubstantiated**
2. Students are being restrained without justification. Findings: **Substantiated** (In four incidents the criteria that allow physical restraints had not been met.
3. Students are being humiliated, belittled and ridiculed. Findings: **Unsubstantiated.**
4. Staff are not writing accurate (incident/restraint) reports: Findings: **Substantiated**
5. Incident Reports are not being received by WY authorities or placing agency (i.e., probation officer or social worker) within required time frame. Findings: **Substantiated.**
6. Clients being denied access to PO. Findings: **Unsubstantiated.**
7. Not allowing mother to have a phone call with her son. Findings: **Unsubstantiated.**
8. Peer restraining peer while staff watched. Findings: **Unsubstantiated.**

In response to these findings, NSI submitted a corrective action plan March 25, 2009. The plan was subsequently accepted by Wyoming Licensing.

NSI continues to be certified and accredited by the following other entities:

- Wyoming Board of Education -- Certificate of Full Accreditation granted (August 13, 2007.)
- Centers for the Application of Prevention Technologies , Mental Health and Substance Abuse Services Division -- Certification (September 12, 2007.)
- The Joint Commission -- Behavioral Health Care Accreditation (April 13, 2007.)

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FACILITY, PHYSICAL PLANT, PROGRAM AND PLAN OF OPERATION REVIEW:

In August 2008, the facility underwent a change in executive director/administrator from Cal Furnish to Bud Patterson. There have also been changes in group living director and at lower levels of management. A new administrative organizational chart and personnel roster was provided.

In an effort to reduce the number of restraints and associated injuries, the facility has adopted JKM Training Inc.'s Safe Crisis Management model. This training model heavily emphasizes de-escalation techniques. Training for all staff began on September 24th, 2008 and NSI has four staff trained as trainers for this technique.

The facility is additionally working on changes to improve policies relative to the following areas: (Note: These changes correspond to plans of correction in connection with recent investigative findings of Wyoming authorities.)

- Current admission policies to effectively "screen out" referrals who may need a more secure and controlled setting than NSI offers.
- Closely reviewing students who have required multiple restraints for appropriateness of placement.
- Increased training and efficiency in critical incident reporting.
- Development of programming for students to include careers and technical training, intramurals and community involvement.
- Develop a helpful and "peer review" like relationship with other behavioral programs within the state of Wyoming.
- Increase human resources training and oversight with regard to hiring practices, staff supervision and performance reviews and documentation of training.

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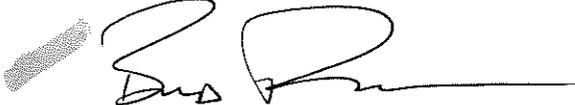
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FACILITY EVALUATION REPORT (Cont)

FACILITY NAME: NORMATIVE SERVICES, INC.

FACILITY NUMBER: 602300007

VISIT DATE: 07/08/2009

NARRATIVESCOPE OF RE-CERTIFICATION REVIEW:

As previously mentioned, this year's re-certification review spanned from November 2008 to May 2009 due to concerns and matters requiring investigation by both Wyoming and CA authorities between those dates. In summation, the re-certification review involved many extensive interviews with current and former NSI clients and staff; CA placement officials (i.e., Probation Departments); and Wyoming licensing and child protective authorities. In addition to such interviews, the re-certification review also entailed:

- Two site visits conducted: November 13-14, 2008; and April 6-7, 2008. Collection of updated and current organizational and program information material.
- Tour/physical inspection of facility and grounds: Assessment of residences and accommodations; physical plant - i.e., facility grounds, buildings and residences, cafeteria.
- Discussions with new Director Bud Patterson concerning the program, as well as various policies and procedures, staffing levels, etc.
- Review and discussion of Incident Reporting Procedures.
- Review of client files.
- Review of personnel files.

FINDINGS; AREAS OF CONCERN AND/OR THOSE REQUIRING CORRECTION:

During this year's evaluation in which complaint allegations were concurrently being investigated, several areas of concern and/or non-compliance were identified which must be addressed and corrected:

1. Serious Incident/Restraint Reporting: To gain full compliance relative to this area, an accurate incident report must be submitted on each incident occurring and in a timely manner. This was not found to be the case during the last certification period: Some incidents were not reported at all; some were not reported in a timely fashion; and some reports did not contain complete and/or accurate information.
2. Emergency Interventions (Performance of Physical Restraints): Group home staff may be justified/excused in using emergency interventions which include restraint only if:
 - The restraint is reasonably applied to prevent a child exhibiting assaultive behavior from exposure to immediate injury or danger to himself, herself or others; and
 - The force used does not exceed that reasonably necessary to avert the injury or danger; and
 - The danger of the force applied does not exceed the danger being averted; and
 - The duration of the restraint ceases as soon as the danger of harm has been averted.

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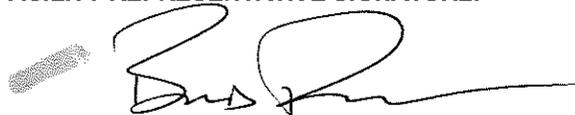
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NARRATIVE

1 Additionally, prior to physical restraint:
2 • facility staff must use a continuum of interventions, starting with the least restrictive intervention. More
3 restrictive interventions may be justified only when less restrictive techniques have been attempted and
4 were not effective and the youth continues to present an imminent danger for injuring or endangering
5 himself, herself or others;
6 and:
7 • emergency intervention techniques or holds not approved for use as part of the licensee's emergency
8 intervention plan must not be used at any time.
9 and:
10 • No facility personnel must use emergency intervention techniques unless the training instructor has
11 certified in writing that the facility personnel have successfully completed the emergency intervention
12 training.
13
14 It should be noted that in late 2008, the facility did adopt a new emergency intervention model -- JKM Training
15 Inc., Safe Crisis Management and all staff reportedly received training and certification in these methods.
16 However, additional temporary support staff came to the facility from the other Sequel programs (Clarinda,
17 Woodward, Mingus Mountain) in January 2009 and, although these staff may have been experienced and
18 seasoned staff, they had not been certified in the Safe Method and were involved in numerous restraints.
19 When interviewed, some of these support staff related to this undersigned when questioned about restraint
20 training, that they had only a 30 minute training session on the restraint they were to use at NSI. Obviously,
21 this does not suffice for being trained in the Safe method or any other method.
22
23 Lastly, NSI's admission process need to be re-visited. Although this analyst is aware that this is being done in
24 relation to Wyoming licensing's complaint findings, new and current admission policies and procedures that
25 will enhance the likelihood that the clients taken are suitable (and will be amenable) for the program offered is
26 key to future success.
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CERTIFICATION DECISION:

Contingent upon the facility developing and providing up-to-date policies and practices relative to the following areas and satisfying the plans of corrections relative to substantiated complaint findings, certification is continued:

- Develop and provide an Emergency Intervention Plan that meets CA licensing requirements.
- Develop and provide new admission and screening procedures to enhance the likelihood that new clients will be suitable for the program and that the facility can adequately meet client needs and effectively manage behaviors.
- Develop and provide new Incident Reporting policies and procedures illustrating the CA licensing requirements relative to this area will successfully be met.

The due date for this plan of correction is: August 1, 2009

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