

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES
OUT-OF-STATE CERTIFICATION REVIEW
OF
NORMATIVE SERVICES, INC.
SHERIDAN, WYOMING

Sept. 1999

BACKGROUND

Facility Information

Normative Services, Inc. (NSI) has five main residential cottages located at 5 Lane Ln. in Sheridan, Wyoming. There are four cottages for males and one cottage for females with a total license capacity of 76. NSI is also certified as a child placing agency and has an additional 24 residential placements in various foster homes within the community. NSI recruits, screens, trains, certifies, supervises, and financially supports families within the community who can provide such a setting. These placements are "transitional" in nature with the goal to return the student to their family or to independent living. Once a student has worked through the residential program he/she can be recommended for the transitional program. Students are usually placed with a foster family for approximately three or four months. Foster parents are subjected to the same application process as the NSI staff, which includes pre-screening for child abuse and criminal records for the state of Wyoming. Students who are placed in the transitional program (foster homes) are transported to the main campus where they participate in all the day treatment activities. Plans are currently underway to build one additional cottage for females on the main campus.

Support Agencies

NSI is licensed by the State of Wyoming Department of Family Services (DFS). They are also accredited by JCAHO, Child Welfare League of America (CWLA) and Wyoming Department of Education. DFS has jurisdiction over the NSI child placing agency, however, NSI is solely responsible and liable for the operation of the certified homes.

Wyoming DFS focuses primarily on licensing compliance issues. Complaints of a serious nature including physical or sexual abuse are received by the County branch of DFS. The complaints are then assigned to the CPS Special Investigations Unit for investigation.

DFS was contacted on September 9, 1999 by a member of the Out-of-State Certification Team (OSCT). Both the Licensing and CPS representatives stated that NSI has not been involved in any administrative or legal action that would have jeopardized its licensed operation. It is reported that NSI is a good operation and has been an asset to the community.

The Wyoming State Fire Marshal provided the fire clearance.

California Placing Agencies

At the time of the Certification review, there were three (3) California children in placement. Two (2) children were placed by Ventura County Probation, and one (1) child was placed by San Luis Obispo County Probation.

NORMATIVE SERVICES, INC. PROGRAM STATEMENT

The following summarizes the Normative Services, Inc. Program Statement and Program Manual.

Children Served

The Program Manual states, "Normative Services, Inc. (NSI) works with a variety of presenting problems in students ranging in age from six to eighteen, male or female. Some of the presenting problems include: poor impulse control, chemical abuse, various mental health disorders, history of sexual abuse and juvenile offending."

Program Description

The Program Statement states, "Normative Services, Inc. (NSI) is a private nonprofit agency responding to the specific needs of children and youth through specialized treatment programs. NSI has structured its services to accommodate the needs of the community's youth by initiating a balanced blend of counseling, educational services, and supportive living environments. NSI offers a diversified treatment program, which focuses on growth through group and peer interaction, in an open setting, providing opportunities for change.

The establishment and maintenance of a positive normative culture is the cornerstone of our philosophy. Norms are maintained by utilizing positive peer pressure to confront negative behavior. Personal student commitment, reward and sanction systems, and positive reinforcement techniques are tools used to strengthen and maintain culture.

NSI strives to create and maintain a safe and therapeutic environment in which the atmosphere for learning and growth can best occur. Once a youth enters the initial environment of stable norms, further student development within the technical and treatment aspects of the NSI program can take place. The implementation of successful aftercare plans capitalize on the ability to be independent, autonomous individuals who can be self-sustaining members of the community."

OUT-OF-STATE CERTIFICATION REVIEW FINDINGS

The Out-of-State Certification Team (OSCT) conducted a certification review September 13-16, 1999. A sample of nine (9) staff and three (3) children's files were reviewed, followed by ten (10) interviews with staff and two (2) interviews with children. An interview with the third California child was not conducted due to the child's recent date of admission, which was only two weeks prior to the date of this certification visit. Staff interviews included the admissions director (intake), nurse, psychiatrist, licensed therapist and director of education. A physical plant inspection of the entire facility was conducted. Members of the OSCT observed children in the daily living program and cafeteria setting. One team member observed students participating in a daily Guided Group Interaction (GGI), and sat in on an administrative Treatment Team meeting.

Program Overview

The program appears to effectively meet the individual needs of the children in placement. Based on a sociological model, NSI incorporates daily peer group confrontation sessions that address negative behaviors. These same behaviors are confronted throughout the entire day and evening by staff and peers. There are also specialized groups for sexual perpetrators and children with chemical dependency issues and men's and women's groups. More specific group work is provided on topics such as victimization, anger management, etc. Development of groups addressing victim awareness is being explored by NSI, as reported by one staff member.

Children are assigned a "one on one" counselor. The counselor is responsible for two children and meets with them weekly. The children, however, report that the counselor is available for private meetings throughout the day and is highly accessible. The one on one counselor is responsible for monitoring progress toward treatment goals and direct mentoring.

The children also meet with the Treatment Coordinator (TC) once a week. The TC acts as the child's case worker and has a higher level of experience and training than the counselor. The TC is part of the treatment team and confers with the Licensed Therapist and Psychiatrist regarding the child's progress on his or her treatment plan.

If it is determined that any child needs adjunctive therapy, he or she is seen by the Licensed Therapist no less than once every other week. All children on medication are usually seen by the Psychiatrist once a week, but not less than once a month.

The program statement needs to be more specific about the types of children the program is designed to treat. The target population is sex offenders and children in need of drug and alcohol treatment as stated in NSI's program manual. The program description also states that NSI accepts children six to eighteen who have been neglected or delinquent and who may have associated mental health problems.

The program review disclosed that the type of programming implemented was most effective with children who have some ego strength and have the capacity to form relationships with their peers. Those who would not benefit from programming would be children incapable of accepting confrontations (e.g., seriously depressed, suicidal, thought disordered), and those incapable of benefiting from the strong peer culture (those with severe attachment disorders).

For the benefit of Multi-Disciplinary Teams (MDT) in California, children classified with conduct disorders, aggression, oppositional-defiant and a history of criminal activity as well as mental health needs could be served by this program. The two programs that are most unique and a valuable resource for California placement agencies are the male sex offenders program and the house for girls with aggressive, violent, acting out tendencies and a history of probation offenses. This would not be an appropriate placement for a child with victimization issues, yet that is not clear in the program statement.

Issues Involving Personal Rights and Emergency Intervention

California licensing standards require that each child shall have personal rights which include, but are not limited to the following: to be accorded dignity in his/her personal relationships; to be accorded safe, healthful and comfortable accommodations, furnishings, and equipment to meet his/her needs; to wear his/her own clothes; to have access to individual storage space for his/her private use; to be free from unusual punishment, intimidation, coercion, threat, mental abuse, or other actions of punitive nature; to have access to telephones in order to make and receive confidential calls; to receive unopened correspondence unless prohibited by the court order or by the authorized representative.

California licensing standards require that each facility have an Emergency Intervention Plan. Emergency intervention techniques including manual restraint and use of protective separation may be justified if used to prevent a child exhibiting assaultive behavior from injuring or endangering himself, herself or others. Manual restraints must never be used to prevent a child from leaving the facility.

All information regarding Personal Rights including the visiting policy as stated in the admissions agreement shall be prominently posted in areas accessible to clients and their families.

1. Students who AWOL or attempt to AWOL have their personal clothing and shoes removed; students are then provided with a robe and gym uniform consisting of 1 pair of shorts, 1 T-shirt, 1 pair of socks and underwear. Additionally, all students in the same room have their shoes removed. Withholding clothing and/or shoes to prevent runaways is viewed by California and Federal authorities as a detention practice to which foster children shall not be subjected.
2. In the event of an AWOL, all staff available on campus including staff living nearby are notified and report to their designated areas. Once the student is located, staff implement level 6 (touch for attention). If the student displays any resistance, staff will resort to a level 7 (restraint) and physically escort the student back to the facility.
3. Students who self-mutilate will have their shoes and/or shoe laces removed. The student will be given a gym uniform (as described above), single comforter and 1 sheet. All other students sharing the room will have all personal belongings removed that are considered to be harmful to the student involved.
4. Four of the eighteen students who currently reside in the sex offenders cottage are subject to timed toileting. This has been confirmed through interviews of students, staff, and executive administrative staff. Student's files did not contain a treatment plan which addressed the need for timed toileting.
5. Telephone calls to families are monitored by staff. Staff openly monitor calls by listening in on other phone lines or by speaker phone.
6. Incoming and outgoing mail is monitored by staff. Staff screen mail by reading student's letters, particularly letters to and from personal friends.
7. Although students are provided a copy of their personal rights upon admission, there are no areas throughout the facility that display student rights where they are readily accessible for review.
8. Facility does not have an Emergency Intervention Plan.

Issues Involving Discipline Policies and Procedures

California licensing standards require the licensee to develop, maintain and implement written facility discipline policies and procedures. Staff, children, and authorized representatives shall receive copies of such policies and procedures.

9. Students indicate that they are not clear as to what consequences may result for certain rule infractions. Although staff provide a brief overview of the discipline policy at the time of admission, students are not provided a written copy.

Issues Involving Plan of Operation

California licensing standards require the licensee to develop and maintain on file a current, written definitive plan of operation. The plan of operation shall include a statement of admission policies and procedures regarding acceptance of clients and types of children to be served by the facility, including dependent, neglected, delinquent, pre-delinquent, physically handicapped, developmentally disabled, mentally disordered, or emotionally disturbed children. The plan of operation shall also include a description of services provided by the facility.

10. The intake criteria in the program statement does not clearly specify the behavioral characteristics that the program is designed to treat. Although the program manual describes specific populations, the program statement does not. Additionally, according to the program statement, "NSI works with a variety of presenting problems in students ranging in age from eight to eighteen." However, in the program manual it states, "the residential treatment facilities (RTF) are certified for students between the ages of six to eighteen who may be adjudicated and/or may have associated mental problems." Age range for students accepted into the program is not clear.
11. Although the NSI program manual describes transitional and independent living services, it does not provide specific information regarding the overall operation of the child placing agency services. More information needs to be included to address monitoring, admissions, and authorized representatives' involvement.

Issues Involving Personnel Requirements

California licensing standards require all personnel, including the licensee, administrator, staff, and volunteers, be in good health, and be physically, mentally, and occupationally capable of performing assigned tasks. Good physical health shall be verified by a health screening, including a test for tuberculosis performed by or under the supervision of a physician not more than 1 year prior to or 7 days after employment or licensure.

Facility personnel shall be competent to provide the services necessary to meet the individual client needs and shall, at all times, be employed in numbers necessary to meet such needs.

12. Staff as a whole are not required either by the agency or the State of Wyoming to have a health screening on file at the time of employment. Health screenings were not available for review.
13. Agency psychiatrist did not have an up-dated copy of renewal for his license on file. A copy of the valid license or certificate indicating that he is a licensed mental health care provider could not be verified.

Issues Involving Children's Records

California licensing standards require that a copy of the original needs and services plan be retained in the child's file; verification, signed by the child and his/her authorized representative(s), that they were offered the opportunity to participate in the plan development; and verification that the authorized representative(s) have approved the plan are also required.

California licensing standards require, if applicable, a copy of any custody orders and agreements with parent(s) or person(s) having legal custody.

California licensing standards require signed copies of the facilities policies and procedures regarding the child's removal and/or discharge; discipline; and complaints.

14. Although the treatment plans in the files were signed by the student, and in one case a copy of an invitation to an authorized representative to participate in the treatment plan development was observed, there was no written verification that these plans had been approved by the student's authorized representative(s).
15. Two of the three student files reviewed did not contain a copy of the court order.

Issues Involving Admission Agreements

California licensing standards require the licensee to maintain current individual written admission agreements with all clients or with their authorized representatives, if any. Payment provisions shall include: basic rate, optional service rate, payer, frequency of payment.

16. Two of the three student files reviewed did not contain admission agreements.

Issues Involving Buildings and Grounds

California licensing standards require the facility to be clean, safe, sanitary and in good repair at all times for the safety and well-being of clients, employees and visitors.

California licensing standards also require all clients to be protected against hazards within the facility through the provisions of providing an isolation room or area for ill clients.

17. The nurse's clinic area interior wall has extensive water damage exposing peeling paint, rust, mildew, and texture corrosion.
18. The facility does not have a designated area to sleep students who become ill and need isolation.

Issues Involving Bonding

California licensing standards require all facilities, other than governmental entities, who are entrusted to care for and control client's cash resources, have on file with the licensing agency a bond issued by a surety company to the state of California as principal.

19. No bond in the state of Wyoming is provided for safeguarding student money.

OTHER ISSUES/CONCERNS

The following issues are not violations of California licensing standards, however, are of concern to the California Department of Social Services (CDSS) and need to be addressed.

Issues Involving Mandated Reporting Requirements

20. NSI staff do not report suspected child abuse or neglect directly to CPS, instead, they report through a supervisory chain of command and rely on supervisors to report to CPS. Once the report has been made to the supervisor level, there is no follow-up by the individual who actually witnessed the incident to insure the proper and correct report has been made.

Issues Involving Personnel Duties

21. Staff are not specific in their documentation of daily progress notes to reflect the students progress on treatment plan goals. Specific incidents related to target behaviors were not noted.

CERTIFICATION DECISION

Normative Services, Inc. will be offered an opportunity to provide a plan of correction. The certification decision will be made following review of the submitted plan of correction.

PLAN OF CORRECTION ISSUES

Develop a plan of correction and implementation process that clearly responds to the issues in the Out-of-State Certification Review of Normative Services, Inc. The plan of correction must include, but not necessarily be limited to, the following elements:

1. Develop a plan to ensure students personal clothing and/or shoes are not removed to prevent AWOL's.
2. Develop an Emergency Intervention Plan in accordance with California licensing standards. This plan shall include how NSI will respond to runaway child(ren).
3. Develop a plan or provide information regarding how decisions are made with regard to the removal of a student's personal belongings (when a student has self-mutilated), particularly roommates who are not in danger of harming themselves. Include how NSI will ensure adequate care and supervision is provided and that there is no violation of personal rights.
4. Develop a plan that will not hold any student to a time restriction for use of toilet facilities. If it becomes necessary to monitor restroom breaks for individuals (i.e., sex offenders) whose behaviors warrant a need for supervision, develop a plan to ensure proper documentation occurs. (Include why there is a need for timed toileting, length of time allowed, and how supervision will be conducted). The plan must be approved by student's therapist and authorized representative.
5. Develop a plan to ensure that students will have access to a phone for confidential calls, provided that such calls are not prohibited by the student's needs and service plan; are not prohibited as a form of discipline; do not infringe upon the rights of other students; do not restrict availability of the telephone during emergencies; and are not prohibited by court order or by the student's authorized representative(s). Calls permitted to be prohibited as a form of discipline shall not include calls to the child's authorized representative or placement agency. Develop a plan to ensure proper documentation occurs.
6. Develop a plan that will ensure a student's right to receive and send unopened correspondence unless prohibited by court order or by the student's authorized representative(s).
7. Post a copy of the students Personal Rights in a common area so it is readily accessible to students.
8. Develop a plan to ensure that students receive a copy of the facility discipline policy.
9. Develop a plan to ensure that the intake criteria is clear in the program statement and addresses the behavioral characteristics that the program is designed to treat. Ensure that program statement and program manual are consistent.
10. Provide a complete overview of the child placing agency. Include all aspects of its licensing operation. Please include how often the foster homes are monitored and by whom? Are placing agencies and/or authorized representatives notified when a child is moved to the foster home? Include how supervision occurs, and are students ever left alone. What does NSI do with a student if a family leaves out of state for vacation or an emergency. Will the student have a bed available back at the main campus?

11. Develop a plan to ensure that staff receive a health screening performed by or under the supervision of a physician. You may request a waiver to have staff submit a self-assessed health questionnaire in lieu of undergoing a health screening. The health questionnaire must be reviewed, assessed and approved by or under the supervision of a physician. All medical and health screening information shall be maintained in staff's file and shall be made available to the OSCU for review.
12. Obtain a copy of the psychiatrist's license; include a copy for the file and submit a copy to OSCU.
13. Develop a plan to identify how a student's authorized representative will be involved in the development and approval of the treatment plan.
14. Develop a plan to ensure student files contain court orders and individualized admission agreements.
15. Provide a time frame by which the interior wall in the nurse's clinic will be repaired. Once completed, please send photographs of repair to the OSCU.
16. Develop a plan to ensure that students are afforded a place for isolation when illness occurs. Note: designated area may not be used for dual purposes.
17. Obtain a bond as required for facilities entrusted to care for and control students cash resources.