

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

Name of Location of Facility: J. D. McCarty Center
Norman, Oklahoma

Dates of Visit: October 24, 2007 & October 25, 2007

Oversight Reviewers: Jenifer K. Cooks, Oversight Specialist

Focus of Visit: Unannounced Routine Visit

Date: December 13, 2007

Introduction

The Office of Juvenile System Oversight (OJSO) began an unannounced visit to J. D. McCarty Center on October 24, 2007. The purpose of the visit was to assess compliance with established responsibilities, facility policy and procedures, and rehabilitation licensing standards for specialized hospitals under the authority of the Oklahoma State Board of Health. The census on the day of the visit was 32.

Interviews Conducted

- Entry interview with the Director of Nursing
- All six of the verbal residents
- Eight direct care staff
- Exit interview with the Director of the J. D. McCarty Center

Documents Reviewed

- License to Conduct and Maintain a Specialized Hospital dated February 1, 2007, through January 31, 2008
- Five personnel files
- Agreement for Educational Services between Norman Public School, Independent District I-29 and J. D. McCarty Center dated July 1, 2007, through June 30, 2008
- Menu for one month
- Resident Roster
- Four resident charts
- Restraint/seclusion log
- Time-out log for June 21, 2007, through October 25, 2007
- Individualized weekly schedules for 32 residents

- Direct Care Specialist schedule for September 30, 2007, through November 10, 2007
- Nurse's schedule for September 30, 2007, through November 10, 2007
- Medication administration log for September and October 2007 for five residents

Findings

Staff Interviews

The OJSO interviewed a total of eight direct care specialists. The interviews focused on quality of life, safety and health of residents. Seven of the eight employees interviewed were unable to describe the grievance procedure. Three employees mentioned a video they had been shown regarding the grievance process, however, they still did not have a clear understanding of the grievance process after viewing the video. Three of eight staff interviewed stated that the facility did not allow time out to be used, and one interviewee denied knowing if the policy allowed for time out. Three of the eight interviewees did not know if the policy and procedures at J.D. McCarty allowed any kind of restraint to be used.

Resident Interviews

The OJSO interviewed six residents. Due to the special needs or ages of the residents at J.D. McCarty, these were the only residents who were able to be interviewed. Questions pertained to the quality of life at the facility and the safety and health of the residents. All of the residents interviewed stated they felt their needs were being met, and they liked the people who cared for them. Of the six residents interviewed, all six identified a specific staff person as someone with whom they could talk if something was going on they did not like or if someone was not taking care of them.

Resident Charts

Four resident charts were reviewed: (1) one chart was missing a physician's signature; (2) four charts were missing signatures on the physical and speech therapist notes; (3) two charts were missing documentation regarding discharge planning; (4) two charts were missing documentation regarding discharge planning on the treatment plan reviews.

Personnel Files

Five personnel files were reviewed. One of the five employees, hired on September 5, 2006, had been arrested in 2000 for domestic assault and battery and had received a one-year deferred sentence for a misdemeanor conviction. On November 2, 2005, this same employee was charged with felony larceny from a house. The employee plead guilty and again received a deferred sentence. On August 22, 2005, this employee was charged with two counts of second-degree burglary. Although the employee plead guilty to both counts, sentences are pending. There was no documentation in the personnel file

indicating that any of these issues had been explored by the facility before hiring this person.

Areas of Concern

The last OJSO oversight visit at J D McCarty occurred in June 2007. During the last visit, the OJSO had concerns that staff did not understand the grievance procedure. Training had occurred regarding the grievance procedures since the last oversight visit; however, seven of eight staff interviewed still did not have an understanding of the grievance process. The responses by staff interviewees also indicated there was a lack of understanding regarding restraint/seclusion and time out policy.

Violation

The J.D. McCarty Center's policy, 6020.46, regarding Pre-Employment Background Check, states "If the results of a criminal arrest check reveal that an applicant for employment has been convicted of the following offenses, the Agency shall not hire the person into a probationary or permanent status: in part, (j) burglary in the first or second degree." An employee was hired with three convictions for criminal felonies. Two of the convictions were for burglary in the second degree and the third felony conviction was for larceny from a house.

J.D. McCarty personnel informed the OJSO that facility policy would be reviewed and rewritten to be more specific regarding the criminal conviction issue.