

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

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

Dates of Visit: June 23, 2008

Oversight Reviewer: Jenifer K. Cooks and Harold Jergenson
Oversight Specialists

Focus of Visit: Announced Routine Visit

Date: October 28, 2008

Introduction

The Office of Juvenile System Oversight (OJSO) conducted a routine unannounced visit to the J. D. McCarty Center on June 23, 2008. 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 Department of Health. The facility is licensed for 36 beds. The census on the day of the visit was 30.

Interviews Conducted

- Entry interview with the Director of the J. D. McCarty Center
- Five residents
- Seven direct care staff
- Exit interview with the Director of the J. D. McCarty Center

Documents Reviewed

- Census which included residents' birth dates and admission dates
- Nursing Staff Work Schedule dated June 22, 2008 through August 2, 2008
- Individualized weekly schedules for 30 residents
- License to Conduct and Maintain a Specialized Hospital dated February 1, 2008, through January 31, 2009, with a maximum of thirty-six (36) residents
- Contract between Norman Public Schools and the J. D. McCarty Center
- J. D. McCarty Center policy 6020.46: Pre-employment Background Checks
- J. D. McCarty Center policy 3035.7: Use of Time Out

- J. D. McCarty Center policy 3035.5: Use of Restraint in Emergency Situations
- Time-out log for February 14, 2008, through June 21, 2008
- Office of Client Advocacy (OCA) log for January 2008 through May 2008
- Patient Incident Reports from March 4, 2008 through May 29, 2008
- Employee Incident Reports from March 2, 2008 through May 31, 2008
- Restraint/seclusion log
- Five resident files
- Six personnel files

Findings

Resident Interviews

The OJSO interviewed five residents. Due to the special needs or ages of the residents at the J. D. McCarty Center, only a few residents were interviewed. The interview questions pertained to the residents' perceptions regarding safety, program services, resident rights, discipline practices, quality of life, 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 five residents interviewed, all five identified a specific staff person as someone with whom they could talk regarding their concerns.

Staff Interviews

The OJSO interviewed a total of seven direct care specialists. The interview questions pertained to the staff members' perceptions regarding resident rights, discipline policies, and other program issues. There were no concerns or policy issues identified during staff interviews.

Resident File Review

Five resident files were reviewed. The OJSO noted:

- Documentation in one file was missing signatures for the occupational, physical and speech therapists' progress notes.
- Documentation in two files was missing signatures by the providers on the initial treatment plan as well as the reviews.

Personnel File Review

Five personnel files were reviewed. There were no concerns or policy issues identified during the personnel file review.

Areas of Concern

1. Five of the staff members interviewed, mentioned communication between and among the administration, the psychiatric department, therapists and direct care staff needed improvement.
2. A resident had been bathed in a household disinfectant by a staff member who had been working a shift other than the staff person's usual shift.

Because the staff person was not typically responsible for bathing residents, the staff person had not been familiar with the location of bathing products.

Violations

An incident where a resident had been bathed in a household disinfectant had not been reported to the Oklahoma Department of Human Services (OKDHS). OKDHS policy, OAC 340:2-3-33, Procedure for reporting suspected abuse, neglect, verbal abuse, caretaker misconduct, and exploitation, (a), Reporting requirements and reportable incidents, (1), states, "Persons having reason to believe that a minor is a victim of abuse or neglect are required by Section 7103 of Title 10 of the Oklahoma Statutes to promptly report it to the Oklahoma Department of Human Services (OKDHS)." OKDHS policy, OAC 340:2-3-33, (a), (3), states, "In addition, employees of OKDHS, Department of Rehabilitation Services (DRS), Department of Mental Health and Substance Abuse Services (DMHSAS), Office of Juvenile Affairs (OJA), and the J.D. McCarty Center who have reason to believe that caretaker misconduct, as defined in OAC 340:2-3-2, with regard to a client has occurred promptly refer it to OCA intake."

Summary

The last OJSO oversight visit at the J. D. McCarty Center occurred in October 2007. During that visit, the OJSO had concerns regarding pre-employment background checks because facility records indicated an employee had been hired although three convictions for criminal felonies were on the employee's record. J. D. McCarty personnel had informed OJSO that facility policy would be reviewed and rewritten to be more specific regarding the criminal conviction issue. Policy 6020.46 was revised by J. D. McCarty and a copy of the revised policy was reviewed by the OJSO. Also during that previous visit, the OJSO had concerns regarding staff lack of understanding of the grievance procedure as well as the restraint/seclusion, time out policy. Policy 3035.5 and Policy 3035.7 had been revised and copies of the revised policies were provided to the OJSO. All staff interviewed had a clear understanding of the new policies.