

OFFICE OF THE COURT MONITOR FOR THE WELSCH CONSENT DECREE

STATEWIDE AND COMMUNITY COMPLIANCE ISSUES

DECEMBER, 1983

ISSUES RAISED:	180
ISSUES RESOLVED:	100
ISSUES OUTSTANDING:	80

OUTSTANDING STATEWIDE AND COMMUNITY COMMUNITY COMPLIANCE ISSUES

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OUTSTANDING STATEWIDE AND COMMUNITY COMPLIANCE ISSUES

ISSUE 1 (PARAGRAPH 89 F) DPW LEGISLATIVE PROPOSALS DO NOT DEAL WITH DISINCENTIVES.

Source: Plaintiff/A. Noot 10/22/80.

Action Taken: 95E Notice 1/23/81. Hearing 3/13/81; Hearing Findings, Court Hearing, Court Order 1/13/82.

ISSUE 2 (PARAGRAPH 89 B) DPW LEGISLATIVE PROPOSALS DO NOT MEET ADDITIONAL DAC NEED FOR PARAGRAPHS 22, 24, 26.

Source: Plaintiff/A. Noot 10/22/80.

Action Taken: 95E Notice 1/23/81. Hearing 3/13/81; Court Order 1/13/82.

ISSUE 4 (PARAGRAPH 103) ALLEGED COMPLIANCE WITH EXECUTIVE ORDER INTERFERING WITH CONSENT DECREE COMPLIANCE.

Source: Plaintiff/monitor 10/31/80.

Action Taken: March 13, 1981 hearing.

ISSUE 6 (PARAGRAPH 89 F) ALLEGED FAILURE TO DEAL WITH DISPROPORTIONATE SHARE OF DAC SERVICES. SEE ISSUE #1.

Source: Plaintiff/A. Noot 11/5/80.

Action Taken: March 13, 1981 monitor hearing #1, Court Order 1/13/82.

ISSUE 7 (PARAGRAPH 35) ALLEGED FAILURE TO PROVIDE PROPOSAL ON
NUMBER OF LICENSORS NEEDED FOR ICF-MR FACILITIES.

Source: Plaintiff/A. Noot 11/5/80.

Action Required: Monitor evaluation of numbers of licensors
needed to effectively perform assigned tasks.

ISSUE 10 (PARAGRAPH 60) ALLEGED VIOLATION OF STAFF TRAINING
REQUIREMENT DUE TO BUDGET CUTS.

Source: Plaintiff/A. Wrobel 11/5/80.

Action Required: Monitor review of staff training budget trends.

ISSUE 17 (PARAGRAPH 89 F) ALLEGED FAILURE TO REMOVE INCENTIVE FOR
STATE HOSPITAL PLACEMENT. SEE ISSUE #1.

Source: Plaintiff/A. Noot 1/14/81.

Action Taken: March 13, 1981 monitor hearing, Court Order
1/13/82. (See Issue 1)

ISSUE 18 (PARAGRAPH 89, 95E) LEGISLATIVE PROPOSAL ADEQUACY.

Source: Monitor/DPW (Noot) 1/23/81.

Action Taken: Monitor letter outlining alleged non-compliance
and Paragraph 95 timetable. Hearing before Monitor 3/13/81,
11/3/81 hearing. Court Order 1/13/82. (See Issue 1)

ISSUE 19 (PARAGRAPH 16) ADMISSION OF THREE PERSONS TO MOOSE LAKE STATE HOSPITAL FOR BEHAVIOR PROBLEMS.

Source: Monitor/DPW (Wrobel) letter 1/30/81.

Action Requested: Description of steps to avert state hospital placements; possible through residences working with mental health centers.

ISSUE 20 (PARAGRAPH 26, 89 B, F) ALLEGED FAILURE TO PROVIDE FUNDS FOR COMMUNITY BASED SERVICE DEVELOPMENT.

Source: Plaintiff/monitor 2/9/81.

Action Taken: March 13, 1981 Monitor Hearing, Court Order 1/23/82.

ISSUE 22 (PARAGRAPH 60) POSSIBLE VIOLATION OF FUNDING NECESSARY FOR INSERVICE TRAINING IN BUDGET PROPOSAL.

Source: Plaintiff letter 2/9/81.

ISSUE 23 (PARAGRAPH 61) POSSIBLE VIOLATION OF CONSULTANT SERVICES FUNDING LEVEL IN BUDGET PROPOSAL.

Source: Plaintiff letter 2/9/81.

ISSUE 24 (PARAGRAPH 63) POSSIBLE VIOLATION OF PROVISION OF INDIVIDUAL HABILITATION PROGRAMS IMPLIED IN BUDGET PROPOSAL.

Source: Plaintiff letter 2/9/81.

ISSUE 25 (PARAGRAPH 64) POSSIBLE VIOLATION OF PROVISION OF INDIVIDUALLY ADAPTED WHEELCHAIRS TO CLASS MEMBERS IN BUDGET PROPOSAL.

Source: Plaintiff letter 2/9/81.

Action Taken: Request to DPW to respond to four plaintiff concerns on wheelchairs sent 3/82.

ISSUE 27 (PARAGRAPH 67 02B) POSSIBLE VIOLATION OF OBLIGATION TO PROVIDE INTENSIVE BEHAVIOR MANAGEMENT PROGRAMS DUE TO BUDGET PROPOSAL.

Source: Plaintiff letter 2/9/81.

ISSUE 28 (PARAGRAPH 24) POSSIBLE FAILURE TO PROVIDE FOR DEVELOPMENT OF ICF-MR FACILITIES FOR CLASS MEMBERS IN BUDGET PROPOSALS.

Source: Plaintiff letter 2/9/81.

ISSUE 29 (PARAGRAPH 34, 35) INSUFFICIENT FUNDS FOR LICENSOR FUNCTIONING AND TRAINING IN BUDGET PROPOSAL.

Source: Plaintiff letter 2/9/81.

Action Requested by Plaintiff: Stress compliance problems posed by a failure to ensure an effective licensing arm at the state level. See also issue 7.

ISSUE 39 (PARAGRAPH 22) DISCHARGES AGAINST TEAM DECISION BY COUNTY (WILLMAR).

Source: State Hospital MR Program Directors Meeting 3/4/81.

Action Requested: Notification of placements against team decision.

ISSUE 40 (PARAGRAPH 21) ANNUAL ASSESSMENT OF COMMUNITY SERVICE NEEDS.

Source: State Hospital MR Program Directors Meeting 3/4/81.

Action Requested: Include type and scope of services for person to function in the community and statement as to why person placed in state hospital originally.

ISSUE 41 (PARAGRAPH 81) MINIMIZATION OF PSYCHOTROPIC MEDICATIONS - CAMBRIDGE STATE HOSPITAL.

Source: Plaintiff letter 3/6/81.

Action Requested by Plaintiff: Consider whether to extend drug order to Cambridge State Hospital.

Action Taken: Plaintiff letter 4/22/81. DPW/plaintiff letter 10/4/81 - will not agree to stipulate to extension. Plaintiff letter 3/4/82 - open to 12/31/82. See issue 61. Plaintiff request 12/23/82.

ISSUE 42 (PARAGRAPH 88, 89 B) MONITORING OF EXPENDITURE LEVELS FOR SERVICES AT COUNTY LEVEL BEFORE AND AFTER CSSA.

Source: Monitor/DPW (Wrobel) 3/10/81.

Action Taken: DPW/monitor meeting 3/17/81 question of adequacy of DAC monitoring under Minn. Stat. 252.21. CSSA monitoring reports by Connie Cobb, Tony Shoshtak (297-2192). Court Order 1/13/82.

ISSUE 43 (PARAGRAPH 89 F) FINANCIAL INCENTIVE FOR STATE HOSPITAL OVER COMMUNITY PLACEMENT.

Source: Monitor/DPW (Wrobel) 3/10/81.

Action Taken: 3/13/81 hearing before monitor; awaits motion to endorse recommendation for new proposals to Legislature. Court Order 1/13/82. See issues 1, 17.

ISSUE 45 (PARAGRAPH 22 E) COMMUNITY PLACEMENT EVALUATIONS NOT RESPONSIVE IN CONTENT TO REQUIREMENTS.

Source: Monitor/DPW (Wrobel) 3/10/81.

Action Taken: (1) Letter Monitor/Commissioner DPW 2/19/81 (81-8): Regarding evaluations overdue beyond 90 days; request steps taken or planned to remedy situation. (2) DPW/Monitor Meeting 3/17/81: Instructions will be sent to state hospitals on doing IHP at discharge plan: 60-day followup format will relate ISP, IHP to what is delivered and comment on gaps; a form will be drafted to address this need. (3) DPW/Monitor Meeting 3/30/81: Decision by DPW coordinating committee to put out interim set of instructions on 60-day followup very soon. Instructions are to go to Chief Executive Officers. (4) DPW/Monitor Meeting 4/7/81: Monitor has written Commissioner Noot outlining 15 evaluations over 90 days overdue. (5) Letter Monitor/Commissioner DPW 4/17/81 (81-53): Fifteen overdue placement evaluations; Paragraph 95 provisions. (6) Letter Wrobel/Monitor 4/23/81: Outlined responsibilities for ensuring that evaluations are completed on a timely basis. (7) Letter Kohnstamm/Monitor 4/24/81: Reiterated Department responses and steps. (8) Memo D. Boland/CEOs 5/8/81: Outlines proceeding for ensuring evaluations by the 90th day are completed

for each placement. (9) Monitor/Wrobel letter 5/12/81: Acknowledged receipt of 8 evaluations overdue 90 days or more with 5 outstanding at MLC. (10) DPW/Monitor meeting 5/20/81: Instructional bulletin has gone out on evaluations; counties should be providing adequate evaluations. MR Division is to review a format for ensuring adequate coverage in the review of appropriateness of community placement. (11) DPW/Monitor meeting 11/2/81: Department Bulletin #81-53 responds to identify responsibilities on late evaluations. Monitor will provide format to state hospital program directors and counties with below par evaluations on a routine basis. Current status: pending.

ISSUE 47 (PARAGRAPH 21) USE OF ANNUAL ASSESSMENTS OF STATE HOSPITAL RESIDENTS BY COUNTIES IN PLANNING.

Source: Monitor/DPW (Wrobel) 3/10/81.

Action Taken: (1) DPW/Monitor meeting 3/17/81: County use of annual assessments to be covered in instructional bulletin on MDPS - will be reiterated. Department plan is to develop detailed Social Service Manual material on planning of services and case management in April and schedule regional workshops in June. Workshops will be conducted by the MR Division staff including the TAP group. Dr. Wray will be asked to review the manual prior to distribution. (2)

Monitor/Commissioner letter 5/18/81 (Chrono 81-89): Request description of steps taken to comply with Paragraph 21. (3) DPW/Monitor meeting 5/20/81: Monitor has written to Commissioner Noot requesting a description of steps taken to comply with Paragraph 21 in use of assessments by counties and central office. (4) Letter Commissioner/Monitor 5/27/81: Outline of steps pursuant to Paragraph 21. (5) DPW/Monitor Meeting 11/2/81: Monitor impression not happening in manner specified in 5/27/81 letter. Will raise on factual basis as issue of compliance. TAP staff to look into it; possible training topic for counties in planning. (6) Letter copy Bock to Monitor 8/13/82: Reporting form for annual assessments. (7) Letter Monitor to Bock 8/19/82: Annual assessments for planning.

ISSUE 49 (PARAGRAPH 89 B) FUNDING LEVELS FOR DEVELOPMENTAL
ACHIEVEMENT CENTER SERVICES.

Source: Monitor/DPW Meeting 3/30/81.

Action Taken: March 13, 1981 Court Monitor hearing and
recommendations; subsequent Court Order 1/13/82.

ISSUE 50 (PARAGRAPH 24, 26) APPROPRIATENESS OF IN-HOME DAY
PROGRAM.

Source: Monitor/DPW meeting 3/30/81.

ISSUE 55 (PARAGRAPH 68 B) BEHAVIOR MANAGEMENT PROGRAMS EMPLOYING
SEPARATION REQUIRE DOCUMENTATION OF WITHDRAWAL FROM POSITIVE
REINFORCEMENT.

Source: Plaintiff letter 4/10/81.

Action Taken: Monitor request for proposals sent to each state
hospital; working with each state hospital using separation to
install documentation systems.

ISSUE 61 (PARAGRAPH 81) EXTENSION OF PSYCHOTROPIC MEDICATION
MINIMIZATION TO CAMBRIDGE STATE HOSPITAL.

Source: DPW (Kohnstamm)/Monitor letter 4/24/81.

Action Taken: DPW expert panel recommendations by 6/12/81.
Conference 4/13/81 - Plaintiff requested stipulation to
extension. See also issue #41.

ISSUE 65 (PARAGRAPH 63) ADEQUACY OF INDIVIDUAL HABILITATION PLANS.

Source: Plaintiff letter to DPW (Kohnstamm) 5/4/81.

Action Requested by Plaintiff: Request guidelines for individual habilitation plans.

ISSUE 67 (PARAGRAPH 22E, 23) EVALUATIONS OF COMMUNITY PLACEMENTS OVERDUE AT MINNESOTA LEARNING CENTER.

Source: Monitor/DPW meeting 5/5/81.

Action Taken: Monitor recommendation to Court that evaluations for MLC only for ICF-MR, not for juvenile correction facilities. Letter Monitor/DPW concerning overdue evaluations 12/15/81. See issues 31, 34, 44.

ISSUE 70 (PARAGRAPH 67 02A) PROPOSAL FOR COMMITTEE TO REVIEW PROLONGED USAGE OF RESTRAINT FOR CLIENTS AT STATE HOSPITALS.

Source: Monitor/DPW Meeting 5/20/81.

Action Taken: Boland/Monitor letter 7/4/81: intention to develop policy soon; Monitor/Boland letter 10/8/81 requesting meeting on process. Requested policy statement from DPW 1/13/82 memo to DPW (Wrobel).

ISSUE 72 (PARAGRAPH 70, 71) PROPOSAL TO MODIFY REQUIREMENT ON REPORTING OF RESTRAINT USE IN STATE HOSPITALS.

Source: Monitor/DPW meeting 5/20/81.

Action Taken: In report to Court, recommend simplification of requirement for progress note entry for repetitive use of restraint 12/15/81. Recommended in second Report to Court.

ISSUE 73 (PARAGRAPH 16, RO 5B) DOCUMENTATION OF EXPLORATION OF COMMUNITY OPTIONS PRIOR TO COMMITMENT AND ADMISSION TO STATE HOSPITALS.

Source: Monitor/DPW meeting 5/20/81.

ISSUE 74 (PARAGRAPH 16, RO 5B) ADMISSIONS TO STATE HOSPITALS BECAUSE OF BEHAVIOR PROBLEMS.

Source: Monitor/DPW meeting 5/20/81.

Action Taken: DPW/Monitor Meeting 5/20/81: State hospital admission policy might require description of steps taken by DAC and residential providers to manage behavior problems of clients prior to demission from community programs (Flick v. Noot also). Since admissions often are court-based, necessary to intervene prior to state hospital admissions process - communications with local social services agencies and county court systems to sensitive them to alternatives.

Monitor/Wrobel Letter (Chrono 81-65): Washington County letter from Elma Walter regarding assistance in dealing with behavior management problems of several clients in the community. Requested identification of resources by TAP staff to meet challenges in letter and inform parties of availability of resources.

Flick v. Noot et al No 4-78 Civil 359 1979. Section IV C 1. "If advance warning of the possibility for revocation becomes apparent to any of the participants involved in the patient's treatment plan, the patient and all participants shall be informed and every effort made to prevent the conditions which make the revocation necessary. The individual identified in the plan as responsible for monitoring and supervising the implementation of the after care plan shall be responsible to inform all involved individuals, including the patient and shall coordinate all efforts. If such efforts are not sufficient and it appears that revocation is indicated, a revocation shall be submitted to the state hospital medical director."

Action Requested: Monitor/DPW (Wrobel) memo 1/13/82 - Department statement of steps with respect to admissions for behavior problems.

ISSUE 79 (PARAGRAPH 30) POSSIBLE CUT IN STAFF OF MR DIVISION,
DPW.

Source: Plaintiff letter 7/7/81.

Action Requested by Plaintiff: Request clarification of
positions which remain.

ISSUE 85 (PARAGRAPH 63, 64) ADEQUACY OF PHYSICAL THERAPY SERVICES
TO PHYSICALLY HANDICAPPED STATE HOSPITAL RESIDENTS.

Source: Plaintiff letter 8/14/81.

ISSUE 86 (PARAGRAPH 28-33) CORRESPONDENCE OF ASSIGNED
RESPONSIBILITIES AND DECREE DUTIES OF TECHNICAL ASSISTANCE STAFF.

Source: Plaintiff letter 8/14/81.

ISSUE 87 (PARAGRAPH 16) ROUTINE USE OF FARIBAULT STATE HOSPITAL
FOR RESPITE CARE FOR BRAILLE SCHOOL STUDENTS.

Source: Plaintiff letter 8/14/81.

ISSUE 90 (PARAGRAPH 26) STATEWIDE REDUCTIONS OF DEVELOPMENTAL
ACHIEVEMENT CENTER SERVICES.

Source: Monitor 10/1/81.

Action Taken: Meyer/Wrobel memo 1/19/82 outlining cutbacks made.

ISSUE 98 (PARAGRAPH 26) IN-HOME DAY PROGRAM APPROPRIATENESS.

Source: Monitor/DPW (Wrobel) memo 1/13/82.

Action Requested: DPW issue a statement on the appropriateness of in-home day programs for mentally retarded persons in light of county responsibility for placement evaluation. See issue 50.

ISSUE 100 (PARAGRAPH 64) WHEELCHAIR PROVISION TO STATE HOSPITAL RESIDENTS.

Source: Plaintiff letter 3/15/82.

Action Requested by Plaintiff: 1) Random survey of adaptations of wheelchairs. 2) Request Commissioner to provide clear standards on reimbursements. 3) Request 7 state hospitals to provide statement on difficulties in authorization for MA. 4) Ramification of use of state hospital funds for chairs.

Action Taken: Monitor/DPW (Kohnstamm) letter 3/26/82.

ISSUE 102 (PARAGRAPH 89) MONITORING MECHANISM FOR DAC EXPENDITURES AND ADDITIONAL CAPACITY.

Source: Monitor/DPW Liaison Meeting 4/29/82.

Action Taken: May 4, 1982 meeting to discuss draft of proposal. Court Order 1/13/82.

See issue 42.

ISSUE 105 (PARAGRAPH 24) STATUS OF FOSTER CARE LICENSURE EFFORT.

Source: Monitor 5/18/82.

Action Requested: In second report to Court, recommended parties stipulate on topic in light of failure of state to develop a rule.

ISSUE 106 (PARAGRAPH 26, 102) SUPPLEMENTARY REPORTING ORDER ON COMMUNITY SERVICES.

Source: Plaintiff letter 7/22/81.

Action Requested: Recommendation to the court of supplementary reporting order.

ISSUE 107 (PARAGRAPH 24, 26) REQUEST FOR ISSUANCE OF NONCOMPLIANCE DECLARATION.

Source: Plaintiff letter 7/23/82.

Action Requested: Issue noncompliance declaration on actions to fulfill paragraphs 24 and 26.

ISSUE 108 (PARAGRAPH 88, 90) DPW LEGISLATIVE PROPOSALS FOR 1983 SESSION.

Source: Plaintiff letter 7/19/82.

Action Requested: Begin inquiry into action under Paragraphs 88 and 90.

ISSUE 109 (PARAGRAPH 30) MENTAL RETARDATION DIVISION STAFFING.

Source: Plaintiff letter 7/19/82.

Action Requested: Monitor ask Commissioner to list positions in the Mental Retardation Division. See also #79.

Action Taken: Noncompliance Notice 9/16/82. Memo Wrobel/Wray 1/13/83 Re: Posting vacancy. Memo Wray/Wrobel 1/20/83 Re: Freeze impact.

ISSUE 111 (PARAGRAPH 22 E) EVALUATION OF COMMUNITY PLACEMENTS FROM MINNESOTA LEARNING CENTER.

Source: Letter Commissioner Noot to Wray 8/16/82.

Action Requested: Exemption of MLC from evaluation requirement to other than Rule 34 facilities.

Action Taken: Letter to P. K. Kohnstamm 9/1/82.

ISSUE 118 (PARAGRAPH 17-20) EXTENSION OF CHILD'S STAY AT A STATE HOSPITAL: FARLEIGH, DICK; DOB: 3/17/67; DA: 3/11/81 (Brainerd State Hospital Issue 118).

Source: Monitor 10/9/82.

Action Taken: Hearing 2/22/83 at Brainerd State Hospital. Extension until 6/30/83; extension expired.

Action Required: Futher action before monitor.

ISSUE 124 (PARAGRAPH 17-20) EXTENSION OF CHILD'S STAY AT A STATE HOSPITAL: UTEs, KRISTIE; DOB: 4/7/71; DA: 4/16/82 RESPITE; 5/13/82 INFORMAL (Cambridge State Hospital Issue 41).

Source: Monitor 10/9/82.

Action Taken: Anoka County extension request 1/13/82. One year residency at 5/13/83.

ISSUE 126 (PARAGRAPH 17-20) EXTENSION OF CHILD'S STAY AT A STATE HOSPITAL: JONES, JONATHAN; DOB: 6/26/70; DA: 12/1/80 (Faribault State Hospital Issue 181).

Source: Monitor 10/9/82.

Action Taken: Hearing 3/22/83. Extension until 6/30/83; extension expired.

Action Required: Further action before the monitor.

ISSUE 129 (PARAGRAPH 17-20) EXTENSION OF CHILD'S STAY AT A STATE HOSPITAL: REGNIER, KENNETH; DOB: 9/2/66; DA: 4/18/81 (Faribault State Hospital Issue 179).

Source: Monitor 10/9/82.

Action Taken: Hearing 2/8/83. Extension to 9/1/83. Extension expired.

ISSUE 131 (PARAGRAPH 17-20) EXTENSION OF CHILD'S STAY AT A STATE HOSPITAL: PLUTSHACK, ROBERT; DOB: 11/17/74; DA: 11/16/81 (Faribault State Hospital 185).

Source: Monitor 10/9/82.

Action Taken: Hearing 3/22/83. Extension until 9/30/83; extension expired.

Action Required: Further action before the monitor.

ISSUE 137 (PARAGRAPH 17-20) EXTENSION OF CHILD'S STAY AT A STATE HOSPITAL: KJELLERUP, TODD; DOB: 1/29/65; DA: 1/6/81 (Fergus Falls State Hospital Issue 181).

Source: Monitor 10/9/82.

Action Taken: Hearing 2/23/83; extension to 10/31/83; extension expired.

Action Required: Further action before the monitor.

ISSUE 138 (PARAGRAPH 17-20) EXTENSION OF CHILD'S STAY AT A STATE HOSPITAL: STENSRUD, TAMARA; DOB: 7/3/66; DA: 8/6/82 (Willmar State Hospital Issue 48).

Source: Monitor 10/9/82.

ISSUE 139 (PARAGRAPH 63) RAMSEY COUNTY SUSPENSION OF 100 PERSONS FROM ACTIVE CASELOADS AT CAMBRIDGE.

Source: Monitor 10/22/82.

Action Taken: Memo Stevens/Gordon 4/20/82.

ISSUE 141 (PARAGRAPH 95 E) INITIAL NOTICE OF NONCOMPLIANCE ISSUED FOR LICENSOR (PARAGRAPH 35).

Source: Plaintiff letter 11/10/82.

Action Requested: Issue notice of noncompliance 11/18/82.

Action Taken: Informal conference held 12/9/82. Department agreed to provide management plan by 1/15/83. Plan received 1/15/83.

ISSUE 145 (PARAGRAPH 26) PROGRAMS OF CLASS MEMBERS AT OTTER TAIL LAKE RESIDENCE.

Source: Plaintiff letter 12/20/82.

Action Requested: Review programs of two class members at Otter Tail Lake Residence.

ISSUE 148 (PARAGRAPH 24) NO DAY PROGRAM FOR KIMBERLY LORENCE FROM WILLMAR STATE HOSPITAL.

Source: Plaintiff letter 10/18/82.

Action Requested: Monitor review of situation.

Action Taken: Memo 11/15/82 from DPW.

ISSUE 149 (PARAGRAPH 17-20) ADMISSION OF ANTHONY MAKOUSKY TO FFSH 8/31/82 - CHILD (Fergus Falls State Hospital Issue 185).

Source: Plaintiff letter 1/12/83.

Action Requested: Monitor confer with DPW central office personnel on community placement needs.

ISSUE 150 (PARAGRAPH 22 E) PLACEMENT EVALUATION FOR DANIEL KUTZ:
ALLEGATION THAT SOCIAL WORKER FROM ST. LOUIS COUNTY DID NOT VISIT
PROGRAM.

Source: Plaintiff letter (cc Wrobel) 1/28/83.

Action Requested: DPW in supervisory role determine if social
worker visited and if not, provide direction to ensure future
visits as required.

ISSUE 151 (PARAGRAPH 22 E) COMMUNITY PLACEMENT EVALUATION FOR
ELAINE RAINEY AT OAKRIDGE HOME - QUESTION WHETHER VISIT ACTUALLY
MADE.

Source: Monitor 2/14/83.

Action Requested: DPW in supervisory role determine if social
worker visited and if not, provide direction to ensure future
visits as required.

ISSUE 154 (PARAGRAPH 17-20) EXTENSION REQUEST FOR CHILD AT STATE
HOSPITAL: CLIFFORD COPLEY; DOB: 1/11/67 (Cambridge State
Hospital Issue 76).

Source: Monitor letter 3/3/83.

ISSUE 162 (PARAGRAPH 17-20) EXTENSION REQUEST FOR CHILD AT STATE
HOSPITAL: STROMGREN, BOBBY; DOB: 7/6/66; DA: 5/27/82 (Fergus
Falls State Hospital Issue 190).

Source: Marshall County extension request 6/21/83.

ISSUE 164 (PARAGRAPH 17-20) EXTENSION REQUEST FOR CHILD AT STATE HOSPITAL: HARTSOCK, WILLIAM; DOB: 8/22/70; DA: 11/15/82 (Brainerd State Hospital Issue 149).

Source: Cass County extension request 8/25/83.

ISSUE 166 (PARAGRAPH 24, 26) ADEQUACY OF DAY PROGRAM FOR PATRICIA WELSCH.

Source: Plaintiff letter 2/3/83.

Action Requested: Monitor review for compliance.

ISSUE 167 (PARAGRAPH 17-20) EXTENSION REQUEST FOR CHILD AT STATE HOSPITAL: WATELAND, SCOTT; DOB: 7/11/81; DA: 9/29/82, DD: 8/12/83, READMIT 9/20/83 (MLC). (Brainerd State Hospital Issue 153).

Source: Clay County extension request 10/5/83.

ISSUE 168 (PARAGRAPH 26) DAY PROGRAM FOR PERSONS IN NURSING HOMES (SEE WSH #3, 5).

Source: Monitor 10/28/83.

ISSUE 169 (PARAGRAPH 26) COMMUNITY PROGRAM MANAGEMENT OF BEHAVIOR PROBLEMS (see WSH #45).

Source: Monitor 10/29/83.

ISSUE 170 (PARAGRAPH 24) ADEQUACY OF RESIDENTIAL SERVICES AT
HEARTHSIDE HOMES, TOWER, MINNESOTA.

Source: Plaintiff letter 11/1/83.

Action Requested: Monitor request Commissioner to have review of
facts made.

Action Taken: Monitor letter to Commissioner 11/1/83; 11/29/83.

ISSUE 171 (PARAGRAPH 24) ADEQUACY OF RESIDENTIAL PLACEMENT AT
MAKI HOME.

Source: Plaintiff letter 11/1/83.

Action Requested: Monitor have Commissioner request review of
facts.

Action Taken: Monitor letter to Commissioner 11/8/83; 11/29/83.

ISSUE 172 (PARAGRAPH 26) ADEQUACY OF DAY PROGRAM AT FLOODWOOD
DAC.

Source: Plaintiff letter 11/1/83.

Action Requested: Monitor have Commissioner request review of
facts.

Action Taken: Monitor letter to Commissioner 11/8/83; 11/29/83.

ISSUE 173 (PARAGRAPH 22 E) ADEQUACY OF COMMUNITY PLACEMENT EVALUATIONS.

Source: Plaintiff letter 10/18/83.

Action Requested: Ask Commissioner to direct Ramsey County to redo evaluations and resubmit.

Action Taken: Monitor letter to Frank Giberson 11/1/83; 11/19/83.

ISSUE 174 (PARAGRAPH 24, 26) ADEQUACY OF COMMUNITY PLACEMENT FOR BEATRICE JOHNSON DISCHARGED FROM FERGUS FALLS STATE HOSPITAL (FFSH Issue #203).

Source: Plaintiff letter 11/21/83.

Action Requested: Monitor issue 95e notice.

Action Taken: Monitor issued fifteenth 95e notice.

ISSUE 175 (PARAGRAPH 24, 26) ADEQUACY OF COMMUNITY PLACEMENT FOR KRISTINE LABUDA AT DEMAR CHILDREN'S HOME (children's file).

Source: Plaintiff letter 8/9/83.

Action Requested: Demar respond to factual claims made in letter.

Action Taken: Demar response 8/18/83.

Action Required: Monitor site visit to review program.

ISSUE 176 (PARAGRAPH 24, 26) ADEQUACY OF COMMUNITY PLACEMENT FOR
MICHAEL PUGH AT DEMAR CHILDREN'S HOME (children's file).

Source: Plaintiff letter 8/9/83.

Action Requested: Demar respond to factual claims made in
letter.

Action Taken: Demar response 8/18/83.

Action Required: Monitor site visit to review program.

ISSUE 177 (PARAGRAPH 24) APPROPRIATENESS OF RESIDENTIAL PROGRAM
FOR BETH B. AT SHINGLE CREEK OPTION.

Source: Plaintiff letter 9/9/83.

Action Requested: Monitor review of program.

Action Required: Monitor site visit.

ISSUE 178 (PARAGRAPH 22E) ADEQUACY OF COMMUNITY PLACEMENT
EVALUATION FOR EARL B. PLACED AT PINE COUNTY GROUP HOME.

Source: Plaintiff letter 11/17/83 (filed CSH).

Action Requested: Monitor bring to attention of CSH and DPW for
action.

Action Taken: Monitor letter to F. Giberson 11/29/83 requesting
12/6/83 meeting on criteria for discharge plans and placement
evaluations.

ISSUE 179 (PARAGRAPH 16, REPORTING ORDER 5B) RESPITE ADMISSION FROM ICF/MR TO WILLMAR STATE HOSPITAL FOR KENNETH B (WSH Issue #54).

Source: Monitor 10/23/83.

Action Taken: WSH response to request 11/14/83 indicating disagreement with admission "Ken should have been returned to the facility . . ."

Action Requested:

ISSUE 180 (PARAGRAPH 16, REPORTING ORDER 5B) ADMISSION OF DANIEL R. 7/22/83 (WSH Issue 55).

Source: Monitor 10/28/83.

Admitted to control excessive fluid intake in community but WSH response 11/15/83 that, "Excessive fluid intake is not a problem behavior, and there has been no need to program for this."

Action Requested:

II. CHILDREN IN STATE HOSPITALS WHO HAVE NOT AS YET HAD A
MONITOR HEARING CONDUCTED FOR THEM.

1. Clifford Copley (CSH) Admitted 11/14/81, 1/20/83
2. William Hartsock (BSH-MLC) Admitted 11/15/82
3. Anthony Makousky (FFSH) Admitted 8/31/82
4. Tamara Stensrud (WSH) Admitted 8/6/82
5. Bobby Stromgren (FFSH) Admitted 5/27/82
6. Kristie Utes (CSH) Admitted 4/16/82
7. Scott Wateland (BSH-MLC) Admitted 9/29/82, 9/20/83

III. CHILDREN FOR WHOM RECOMMENDATIONS HAVE BEEN MADE TO THE
COURT.

1. Dick Farleigh
2. Abe Jones
3. Todd Kjellerup
4. Robert Flutshack
5. Kenneth Regnier

IV. LIST OF CHILDREN IN STATE HOSPITALS SINCE SEPTEMBER 15,
1980 FOR OTHER THAN RESPIRE CARE.

CLIFFORD COPLEY DOB: 1/11/67 DA: At MLC on and off since
11/4/80. Now at CSH since 1/20/83.

APPLICATION FOR EXTENSION: RECEIVED

COUNTY: RAMSEY CONTACT: MR. DELL EVANS 298-5109. PROB'N OFF.

STATUS: OFFICE OF MONITOR REPLY SENT 4/15/83. UNDER COURT
JURISDICTION WITH COURT HEARING SCHEDULED FOR JULY.

DICK FARLEIGH DOB: 3/17/67 DA: 3/11/81 SH: BSH-BLDG 7;
BSH Issue 118

APPLICATION FOR EXTENSION: RECEIVED 1/3/83

COUNTY: SAINT LOUIS CONTACT: ALAN NETLAND (218) 726-2000

STATUS: HEARING HELD 2/22/83; RECOMMENDATIONS TO COURT ON
5/11/83; EXTENSION UNTIL 6/30/83.

* EXTENSION EXPIRED 6/30/83; 90 DAY EXTENSION RECEIVED 7/5/83;
ADDITIONAL 30 DAY EXTENSION RECEIVED 10/3/83.

WILLIAM HARTSOCK DOB: 8/22/70 DA: 11/15/82 SH: BSH-MLC

APPLICATION FOR EXTENSION: RECEIVED 8/25/83

COUNTY: CASS CONTACT: BOB CEVEN, JR. (218) 547-1340

STATUS: Office of Monitor reply 8/30/83. Ceven telephone
response on 9/8/83. Discharge planned for 12/83.

ABE JONES DOB: 6/26/70 DA: 12/1/80 SH: FSH

APPLICATION FOR EXTENSION: RECEIVED 9/13/82

COUNTY: DODGE CONTACT: BARB ERICKSON (507) 635-2211

STATUS: HEARING HELD 3/22/83; Extension until 6/30/83.

Recommendations and stipulation sent to Court 5/11/83.

* EXTENSION EXPIRED 6/30/83; SECOND EXTENSION REQUESTED.

TODD KJELLERUP DOB: 1/29/65 DA: 1/6/81 SH: FFSH

APPLICATION FOR EXTENSION: RECEIVED 10/21/83

COUNTY: STEVENS CONTACT: MARK LEE (612) 589-1481

STATUS: HEARING HELD 2/23/83; Extension until 10/31/83.

Recommendations and stipulation to Court 5/11/83.

* STATE HOSPITAL RESIDENCY OVER ONE YEAR.

ANTHONY MAKOUSKY DOB: 1/25/68 DA: 8/31/82 SH: FFSH

APPLICATION FOR EXTENSION: 6/7/83

COUNTY: BECKER CONTACT: Jeanne Teiken () 847-5684

STATUS: MONITOR REPLY 8/10/83.

* STATE HOSPITAL RESIDENCY OVER ONE YEAR.

ROBERT FLUTSHACK DOB: 11/17/74 DA: 11/16/81 SH: FSH

APPLICATION FOR EXTENSION: RECEIVED SEPTEMBER 30, 1982

COUNTY: WINONA CONTACT: BEVERLY EL-AFANDI (507) 452-8200

STATUS: HEARING 3/22/83; RECOMMENDATIONS SENT TO COURT 7/19/83;
EXTENSION UNTIL 9/30/83.

* STATE HOSPITAL RESIDENCY OVER ONE YEAR.

KENNETH REGNIER DOB: 9/2/66 DA: 4/18/81 SH: FSH

APPLICATION FOR EXTENSION: RECEIVED

COUNTY: DAKOTA CONTACT: MAGGIE MILLER 457-0677

STATUS: HEARING HELD 2/8/83; STIPULATION AND ACTION PLAN AGREED
TO BY PARTIES; ALLEGED INTERNAL MONITORING DEFICIENCIES AT
FARIBAULT STATE HOSPITAL TO BE RESOLVED; Extension to 9/1/83;
Recommendations and stipulation to Court 5/11/83. Discharged to
Willmar State Hospital on 11/10/83.

* STATE HOSPITAL RESIDENCY OVER ONE YEAR.

TAMARA STENSRUD
Issue 48

DOB: 7/3/66 DA: 8/6/82 SH: WSH; WSH

APPLICATION FOR EXTENSION: 5/9/83

COUNTY: YELLOW MEDICINE CONTACT: Carol Anderson (612) 564-2211

STATUS: Office of Monitor reply 5/18/83.
* STATE HOSPITAL RESIDENCY OVER ONE YEAR.

BOBBY STROMGREN

DOB: 7/6/66 DA: 5/27/82 SH: FFSH

APPLICATION FOR EXTENSION: 6/21/83

COUNTY: MARSHALL CONTACT: Laurie Christianson, SW
(218)745-5124 or
(218)745-5125

STATUS: Extension request had cc. to parties. Monitor
acknowledgement letter to Christianson on 8/30/83.
* STATE HOSPITAL RESIDENCY OVER ONE YEAR.

KRISTIE UTES

DOB: 4/7/71 DA: 4/16/82 SH: CSH

APPLICATION FOR EXTENSION: RECEIVED 1/14/83

COUNTY: ANOKA CONTACT: Barbara KOROBCEK 421-4760
ext. 1402

STATUS: MONITOR RESPONSE 1/20/83

* STATE HOSPITAL RESIDENCY OVER ONE YEAR.

SCOTT WATLAND DOB: 7/11/71 DA: 9/29/82, DD: 8/12/83,
READMIT: 9/20/83 SH: BSH-MLC

APPLICATION FOR EXTENSION: Received 10/5/83.

COUNTY: Clay CONTACT: Vicki Haugen 218/299-5200

STATUS: Discharge is planned for December. Telephone response.

OFFICE OF THE COURT MONITOR FOR THE WELSCH CONSENT DECREE

COMPLIANCE ISSUES AT BRAINERD STATE HOSPITAL

NOVEMBER, 1983

ISSUES RAISED: 154

ISSUES RESOLVED: 151

ISSUES OUTSTANDING: 3

OUTSTANDING COMPLIANCE ISSUES AT BRAINERD STATE HOSPITAL = 3

20 (PARAGRAPH 67 02B)

153 (PARAGRAPH 17-20)

154 (PARAGRAPH 101)

OFFICE OF THE MONITOR: OUTSTANDING BRAINERD STATE HOSPITAL ISSUES

ISSUE 20 (PARAGRAPH 67 02B) INTENSIVE BEHAVIOR MANAGEMENT PROGRAM NOT IN PLACE FOR JOHN REED, BUILDING 6.

Source: Plaintiff letter 12/22/80.

Actions Taken: Site visit 1981, IHP reviewed; BSH response documenting program steps 10/28/83.

Action Required: Monitor review program onsite with staff and observe.

ISSUE 153 (PARAGRAPH 17-20) ADMISSION OF CHILD - SCOTT WATELAND - TO BSH-MLC ON 9/29/82 AND 9/20/83 (Statewide Issue 167).

Source: Letter from Haugen (Clay County) 10/5/83.

Action Requested: BSH response on program recommendations from plaintiff when presented.

ISSUE 154 (PARAGRAPH 101, REPORTING ORDER 7B) ORGANIZATIONAL CHART FOR BSH DOES NOT SHOW NUMBER OF FULL-TIME EQUIVALENT POSITIONS ALLOCATED TO SUBCOMPONENTS.

Source: Monitor 11/8/83.

Action Requested: BSH submit chart showing FTE's as required by November 30, 1983.

OFFICE OF THE COURT MONITOR FOR THE WELSCH CONSENT DECREE

COMPLIANCE ISSUES AT CAMBRIDGE STATE HOSPITAL

NOVEMBER, 1983

ISSUES RAISED:	116
ISSUES RESOLVED:	88
ISSUES OUTSTANDING:	28

OUTSTANDING COMPLIANCE ISSUES AT CAMBRIDGE STATE HOSPITAL = 28

2 (Paragraph 81)	4 (Paragraph 21)
7 (Paragraph 68 B)	8 (Paragraph 67)
16 (Paragraph 67 02A)	17 (Paragraph 68)
19 (Paragraph 67)	20 (Paragraph 67 E)
21 (Paragraph 67 D)	29 (Paragraph 63)
63 (Paragraph 63, 67, 68)	66 (Paragraph 75)
75 (Paragraph 64)	76 (Paragraph 17-20)
91 (Reporting Order 101)	95 (Paragraph 63)
96 (Paragraph 67, 68)	97 (Paragraph 63)
107 (Paragraph 101, R.O. 7B)	108 (Paragraph 63)
109 (Paragraph 101, R.O. 5C)	110 (Paragraph 22)
111 (Paragraph 22)	112 (Paragraph 22)
113 (Paragraph 22)	114 (Paragraph 22)
115 (Paragraph 63)	116 (Paragraph 16)

OFFICE OF THE MONITOR: OUTSTANDING CAMBRIDGE STATE HOSPITAL ISSUES

ISSUE 2 (PARAGRAPH 81) REQUEST FOR EXTENSION OF DRUG ORDER TO CAMBRIDGE.

Source: Plaintiff letter 8/14/81.

Actions Taken: Systematic drug reduction study undertaken 10/15/81 memo Argetsinger and Kalachnik/interested parties. CSH response 5/31/83 from Jonathan Balk on statement of intention; monitor consultant visit; Monitor consultant visit 11/8-9/83.

Action Required: Consultant report; agreement between parties.

ISSUE 4 (PARAGRAPH 21) ADEQUACY OF ANNUAL ASSESSMENTS.

Source: Monitor/Stevens call 10/27/81.

Actions Taken: Assessments modified by 2/11/82.

Action Required: Monitor review sample of records prior to resolving.

ISSUE 7 (PARAGRAPH 68 B) DOCUMENTATION THAT SEPARATION CONSTITUTES REMOVAL FROM AN ENVIRONMENT WHICH AFFORDS POSITIVE REINFORCEMENT.

Source: Monitor/Offerman 1/29/82.

Action Plan: Memorandum of intention on documentation by February 20, 1982. Materials submitted; agreement of second version 3/23/82.

Action Requested: Cambridge submit brief statement on how documentation required is met by November 30, 1983.

ISSUE 8 (PARAGRAPH 67) INAPPROPRIATE TARGET BEHAVIOR FOR GEORGE CHARLES FOR TIME OUT CHAIR - RESTRAINT INCLUDES "ATTEMPTS."

Source: Monitor site visit 1/20/82.

Action Taken: Issues response - refusal to comply August 12, 1982.

Action Required: Monitor review client file.

Action Requested: Cambridge indicate whether "attempts" are still followed by restraint chair use by November 30, 1983.

ISSUE 16 (PARAGRAPH 67 02A) SUBMISSION OF DOCUMENTATION ON PROLONGED USE OF RESTRAINT.

Source: Monitor site visit 2/11/82.

Action Requested: Submit record as required for persons with prolonged restraint as required.

Action Taken: August 12, 1982 issues response - will list each instance and report over 15 minutes.

Action Required: Monitor review status of plan of action.

ISSUE 17 (PARAGRAPH 68) DEFINITION OF MEDICAL RESTRAINT IN PRACTICE AT CAMBRIDGE.

Source: Monitor site visit 2/11/82.

Action Required: Monitor review on-site.

ISSUE 19 (PARAGRAPH 67) INAPPROPRIATE TARGET BEHAVIOR DEFINITION
FOR USE OF MECHANICAL RESTRAINT FOR MARY SULLIVAN.

Source: Plaintiff letter 3/31/82.

Action Requested by Plaintiff: Monitor review program.

Action Required: Monitor review program.

ISSUE 20 (PARAGRAPH 67 E) LIMITATION OF AGGRESSION PROGRAM TO
RESIDENTIAL PROGRAM INCONSISTENT WITH CONSENT DECREE FOR MARY
SULLIVAN.

Source: Plaintiff letter 3/31/82.

Action Requested by Plaintiff: Monitor review program.

Action Required: Monitor review program.

ISSUE 21 (PARAGRAPH 67 D) ADEQUACY OF POSITIVE PROGRAM DRD 30
MINUTES, 15 COMPLIANCE TRIALS PER DAY UNDER DECREE FOR MARY
SULLIVAN.

Source: Plaintiff letter 3/31/82.

Action Requested by Plaintiff: Monitor review program.

Action Required: Monitor review program.

ISSUE 29 (PARAGRAPH 63) ADEQUACY OF INDIVIDUAL HABILITATION PROGRAM FOR CHARLES RIERSON.

Source: Plaintiff letter 6/17/82.

Action Required: Monitor conference with appropriate program personnel on program report.

ISSUE 63 (PARAGRAPH 63, 67, 68) BEHAVIOR MANAGEMENT PROGRAMS: JUDGEMENT OF EFFICACY; RELATIVELY HIGH USE OF AVERSIVE PROCEDURES.

Source: Plaintiff letter 1/21/83.

Action Requested: Monitor review sample of programs.

ISSUE 66 (PARAGRAPH 75) ADEQUACY OF BEHAVIOR PROGRAMS WITH MEDICATION CUT FOR MS. HAGERT.

Source: Plaintiff letter 1/21/83.

Action Requested: Monitor review 1035 (1/26/83; 2/12/83).

ISSUE 75 (PARAGRAPH 64) PROVISION OF VAC-PAC FOR WHEELCHAIR ADAPTATION FOR JEAN ELLIOTT.

Source: Monitor 2/25/83.

Action Requested: CSH statement on reduction of Medical Assistance payment issue. (Memo Quintus to Bush 1/6/83).

Action: CSH response 5/31/83 from Ruth Quintus - bill for vac pac not paid.

State Level Issue:

ISSUE 76 (PARAGRAPH 17-20) ADMISSION OF CHILD - CLIFFORD COPLEY - TO CSH.

Source: Monitor 3/31/83.

Action Requested: CSH response to recommendations on program and placement needs by plaintiff when provided.

Action: CSH response in 5/31/83 letter from MHTS. Response to IPP in 6/20/83 and 8/3/83 memos.

ISSUE 91 (REPORTING ORDER 101) INJURY TO GLENDA GALLAGHER.

Source: Monitor 6/22/83.

Action Requested: Since no written program for SIB, statement of corrective action by 9/15/83.

Action Taken: CSH response 9/15/83; 10/25/83.

Action Required: Monitor review 10/12/83 communication board program onsite and confer with staff.

ISSUE 95 (PARAGRAPH 63) IPP FORMAT RECOMMENDATIONS.

Source: Plaintiff letter to J. Balk 6/14/83.

Action: Monitor discuss letter with J. Balk, CEO. Six recommendations made in letter.

ISSUE 96 (PARAGRAPH 67, 68) SEPARATION/SECLUSION ROOM ISSUE.

Source: Long/Wray letter 7/1/83.

Action:

ISSUE 97 (PARAGRAPH 63) ADEQUACY OF PROGRAM FOR STEVEN HANSON.

Source: Plaintiff letter 8/8/83.

Action: Monitor discussion of program with supervisory staff at CSH. (CSH letter in response 8/12/83 McHugo.)

ISSUE 107 (PARAGRAPH 101, REPORTING ORDER 7B) UP-TO-DATE ORGANIZATIONAL CHART FOR CAMBRIDGE SHOWING FULL-TIME EQUIVALENT POSITIONS PER SUBCOMPONENT NOT SUBMITTED.

Source: Monitor 11/9/83.

Action Requested: Cambridge State Hospital submit chart as required by Reporting Order at page 5 by November 30, 1983.

ISSUE 108 (PARAGRAPH 63) ADEQUACY OF PROGRAM FOR JOHN COUPE ADMITTED 7/8/83 IN DEALING WITH MAJOR PRESENTING PROBLEM.

Source: Monitor 11/9/83.

Action Required: Monitor review of program discussion with staff.

Actions Requested: Cambridge outline current programs for John by November 30, 1983.

ISSUE 109 (PARAGRAPH 101, REPORTING ORDER 5e) DATE OF BIRTH OMITTED FROM DISCHARGE MATERIALS FOR KIMBERLY RICHARDSON (DISCHARGE 6/27/83), CLAYTON HEIDENREICH (DISCHARGE 6/28/83), PETER PERKINS (DISCHARGE 4/11/83), AND MARILYN TRADER (DISCHARGE 4/13/83).

Source: Monitor 11/9/83.

Action Requested: Cambridge submit date of birth for above individuals by November 30, 1983.

ISSUE 110 (PARAGRAPH 22) EVALUATION OF COMMUNITY PLACEMENT FOR JEAN PRISH PLACED ON MARCH 28, 1983 AT MAINSTREAM, INC. IN RAMSEY COUNTY NOT PROVIDED.

Source: Monitor 11/9/83.

Action Requested: Cambridge request evaluation of community placement from Ramsey County and notify Commissioner of Public Welfare of overdue evaluation.

ISSUE 111 (PARAGRAPH 22) EVALUATION OF COMMUNITY PLACEMENT FOR MARILYN TRADER PLACED AT ALICE HANEY HOME ON 4/13/83 BY HENNEPIN COUNTY OVERDUE.

Source: Monitor 11/9/83.

Action Requested: Cambridge ask county to provide evaluation and notify Commissioner of overdue status.

ISSUE 112 (PARAGRAPH 22) EVALUATION OF COMMUNITY PLACEMENT FOR NATHANIEL GARCIA PLACED AT PEOPLE'S CHILD CARE ON 7/11/83 BY RAMSEY COUNTY OVERDUE.

Source: Monitor 11/9/83.

Action Requested: Cambridge ask county to provide evaluation and notify Commissioner of overdue status.

ISSUE 113 (PARAGRAPH 22) EVALUATION OF COMMUNITY PLACEMENT FOR PETER WOLF PLACED AT BRIGHTER DAY RESIDENCY ON 7/22/83 BY PINE COUNTY OVERDUE.

Source: Monitor 11/9/83.

Action Requested: Cambridge ask county to provide evaluation and notify Commissioner of overdue status. (u/29/83)

Action Taken: CSH called to clarify that admission was respite for two days; therefore no evaluation required.

Resolved: 11/29/83

ISSUE 114 (PARAGRAPH 22) EVALUATION OF COMMUNITY PLACEMENT FOR NIRAPHANH INSOMPHU PLACED AT EAU CLAIRE ACADEMY ON 8/31/83 BY RAMSEY COUNTY OVERDUE.

Source: Monitor 11/9/83.

Action Requested: Cambridge ask county to provide evaluation and notify Commissioner of overdue status.

ISSUE 115 (PARAGRAPH 63) INJURY REPORT FOR JANET KELLEN (9/25/83, 7:20 p.m.) NOTED HIGH FREQUENCY OF SELF-INJURIOUS BEHAVIOR ON SHIFT BUT STAFF "DID NOT HAVE SPECIFIC INSTRUCTIONS ON WHAT TO DO."

Source: Monitor 11/9/83.

Action Requested: Cambridge statement on corrective plan of action regarding crisis back up in such circumstances by November 30, 1983.

ISSUE 116 (PARAGRAPH 16) ADMISSION REPORTED FOR TRACY RUTLEDGE ON 6/1/83 AND 9/3/83 WITH NO DISCHARGE IN BETWEEN. NO REPORTS SUBMITTED.

Source: Monitor 11/10/83.

Action Requested: Cambridge clarify admission and discharge situation and submit admission and discharge notes by November 30, 1983.

117 PAR 22E ~~THE~~ ADEQUACY OF COMMUNITY PLACEMENT EVALUATION FOR EARL BORCHARD. (SW ISSUE 178)

Source: Plaintiff letter 11/12/83

Action Requested ~~by Plaintiff~~ ^{by Plaintiff} Monitor bring to attention of CSH and DPW for action.

Action ~~Being~~ Taken: Monitor letter to F. Giberson 11/29/83 requesting 12/6/83 meeting on criteria.

Action Requested: CSH request resubmission after results of 12/6/83 meeting on criteria transmitted by monitor to CSH.

OFFICE OF THE COURT MONITOR FOR THE WELSCH CONSENT DECREE :

COMPLIANCE ISSUES AT FARIBAULT STATE HOSPITAL

DECEMBER, 1983

ISSUES RAISED:	210
ISSUES RESOLVED:	181
ISSUES OUTSTANDING:	29

OUTSTANDING ISSUES AT FARIBAULT STATE HOSPITAL = 29

35 (Paragraph 53)	37 (Paragraph 53)
40 (Paragraph 53)	44 (Paragraph 57)
46 (Paragraph 51)	47 (Paragraph 45)
54 (Paragraph 63)	55 (Paragraph 82)
87 (Paragraph 64)	120 (Paragraph 63)
122 (Paragraph 63)	129 (Paragraph 65)
131 (Paragraph 65 A)	144 (Paragraph 63)
152 (Paragraph 68 B)	174 (Paragraph 63)
175 (Paragraph 63)	181 (Paragraph 17)
184 (Paragraph 101)	185 (Paragraph 17)
189 (Paragraph 16)	192 (Paragraph 63)
194 (Paragraph 63)	195 (Paragraph 63)
206 (Paragraph 67 02B)	207 (Paragraph 63)
208 (Paragraph 26)	209 (Paragraph 26)
210 (Paragraph 22E, 23)	

OUTSTANDING FARIBAULT STATE HOSPITAL ISSUES

ISSUE 35 (PARAGRAPH 53) MANAGEMENT STAFF NOT APPROPRIATE FOR SUPERVISORY STAFF LISTING FOR ORVILLE BERG, REHAB. THERAPY DIRECTOR - FORM 5, P. 1.

Source: Plaintiff letter 2/24/81.

Action Taken: FSH memo dated 11/30/83 indicating view that inclusion is appropriate.

Action Required: Monitor review definition and inclusion with parties.

ISSUE 37 (PARAGRAPH 53) SUPERVISORY STAFF IN NURSING DEPARTMENT POSSIBLY AN ISSUE, FORM 3, P. 1.

Source: Plaintiff letter 2/24/81.

Action Taken: FSH memo dated 11/30/83 indicating proposed reporting system for nursing staff.

Action Required: Monitor review with parties.

ISSUE 40 (PARAGRAPH 53) HUMAN SERVICES SPECIALISTS NOT TO BE TREATED AS SEMI-PROFESSIONALS BUT ARE ON FORM 4, P. 3. DEFINITION 7, 10.

Source: Plaintiff letter 2/24/81.

Action Taken: FSH memo 11/30/83 indicating that professionals claimed only if they have a two year degree.

Action Required: Monitor confer with parties on matter prior to decision.

ISSUE 44 (PARAGRAPH 57) RECREATION AIDES. FSH MUST USE THE POSITIONS REPORTED AS DIRECT CARE AS RECREATION AIDES. RECREATION THERAPISTS MEET 52 OR 54 AND 57 NOT 53 AND 55.

Source: Plaintiff letter 2/24/81.

Action Taken: FSH memo 11/30/83 indicating position on recreation staff arrangement.

Action Required: Monitor confer with parties on matter prior to decision.

ISSUE 46 (PARAGRAPH 51) SOCIAL WORKER: SOCIAL WORKER SUPERVISOR
DEAN NELSON NOT APPROPRIATE ON 6-C MEETING 51.

Source: Plaintiff letter 2/24/81.

Action Taken: FSH memo 11/30/83 indicating position to count as supervisor.

Action Required: Monitor confer with parties on matter prior to decision.

ISSUE 47 (PARAGRAPH 45) SUPPORT STAFF TO BE REPORTED ON A
BUILDING BY BUILDING BASIS FORM 7.

Source: Plaintiff letter 2/24/81.

Action Taken: FSH memo 11/30/83 indicating position on staffing arrangement.

Action Required: Monitor confer with parties on matter prior to decision.

ISSUE 54 (PARAGRAPH 63) ADEQUACY OF INDIVIDUAL HABILITATION
PROGRAM FOR MICHAEL UNTINEN (BIRCH) SELF-INJURY.

Source: Plaintiff letters 4/24/81 and 9/20/83.

Action Requested: Monitor review Michael's program to determine whether an intensive behavior management program is in place (GS Bev Riechous, Psychologists - G. Michelson, T. Chamberlin).

Action Taken: FSH retained Dr. Richard Foxx who provided 6/3/83 consultant report. Monitor letter to FSH 9/29/83 detailing dramatic increase in restraint and requesting plan of action. FSH response 10/10/83.

Action Required: During or after Dr. Foxx's second visit, observation and record review by monitor.

ISSUE 55 (PARAGRAPH 82) PRIVACY TO BE PROVIDED IN TOILETING AND BATHING BY JULY 1, 1981.

Source: Plaintiff letter 4/24/81.

Action Requested: Hold FSH responsible for meeting that target date (L. McHugo, Asst. Admin.).

Action Required: Monitor onsite observation of privacy arrangements in buildings.

ISSUE 87 (PARAGRAPH 64) 95 WHEELCHAIRS WHICH REQUIRE ADAPTATIONS STILL OUTSTANDING (See Issue 188).

Source: Plaintiff/monitor 5/20/81.

Action Taken: Consultant visit June 1983. Monitor letter to FSH 11/29/83 with consultation report requesting a response.

Action Requested: Monitor actions at Faribault State Hospital, retain consultant and do spot check of adaptations. FSH response to consultant report when issued.

ISSUE 120 (PARAGRAPH 63) POSSIBLE INCONSISTENCY IN PROGRAM APPLICATIONS FOR ROBERT KNUDSON (LAUREL).

Source: Plaintiff/Faribault 6/26/81.

Action Requested: Review program. Not on restraint or separation program.

Action Required: Monitor observe program and review records.

ISSUE 122 (PARAGRAPH 63) ADEQUACY OF TOTAL PROGRAM FOR NORMAN PRICE (LAUREL).

Source: Plaintiff/Faribault 6/26/81.

Action Requested: Review program. Site visit 10/8/82. No longer on an aversive program.

Action Required: Monitor review program onsite.

ISSUE 129 (PARAGRAPH 65 A4, 66, 67) MEDICAL RESTRAINT USE IN RESIDENTIAL BUILDING POLICY CLARIFICATION.

Source: Monitor 9/81.

Discussed in O. Lyle/Monitor memo 8/21/81.

Action Required: Monitor review restraint policy in several buildings.

ISSUE 131 (PARAGRAPH 65 A) CLARIFICATION OF MEDICAL RESTRAINT POLICY AND PRACTICE IN LIGHT OF DECREE REQUIREMENTS.

Source: Monitor 10/1/81.

See O. Lyle memo 8/21/81.

Action Required: Monitor review restraint procedure in several buildings.

ISSUE 144 (PARAGRAPH 63) TRANSFER OF LANETTA FARR FROM ROCHESTER - CURRENT HABILITATION PROGRAM (Willow Building).

Source: Monitor from admission reports 11/1/81.

Action Required: Monitor review adequacy of individual habilitation program.

ISSUE 152 (PARAGRAPH 68 B) NO DOCUMENTATION THAT USE OF SEPARATION WOULD CONSTITUTE WITHDRAWAL FROM A SITUATION WHICH AFFORDS POSITIVE REINFORCEMENT FOR JESSIE MEIKLE.

Source: Monitor site visit 2/12/82.

Action Requested: Provide documentation for separation showing withdrawal from positive reinforcement for this and all separation programs. Request implementation status.

Action Taken: Memo Lyle/Turnbull 2/12/82, 2/17/82 to Monitor. Memo Lyle/Wray 6/30/82. Site visit 10/8/82. Requested WAM data be submitted.

Action Required: Monitor review data for separation programs.

ISSUE 174 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR KEVIN ERICKSON.

Source: Plaintiff letter 5/19/82.

Action_Required: Monitor confer with program staff.

ISSUE 175 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR GRETCHEN WASSERMAN.

Source: Plaintiff letter 5/19/82.

Action_Required: Monitor confer with program staff.

ISSUE 181 (PARAGRAPH 17) ONE YEAR STAY FOR CHILDREN: JONATHAN JONES (Statewide Issue 126).

Source: Letter Erickson (Dodge County)/Wray 9/9/82.

Action_Requested: Extension of one year limit.

Action_Taken: Hearing 3/22/83; extension until 6/30/83.
Extension expired 6/30/83.

Action_Required: Further proceedings before monitor.

ISSUE 184 (PARAGRAPH 101) JANUARY 1982 - AUGUST 1982: 44 INJURIES INCLUDING 43 FRACTURES, ONLY 13 OBSERVED.

Source: Monitor review 9/29/82.

Action_Required: Monitor review with FSH management.

Action_Taken: Site visit 10/8/82. Dates on state hospital injuries provided to Dr. Foni, Medical Director for review. FSH memo 11/30/83.

Action_Requested: FSH statement of internal definition of 'serious' and instructional memo issued to staff to implement modified definition by January 15, 1983.

ISSUE 185 (PARAGRAPH 17) ONE YEAR STAY FOR CHILDREN: ROBERT PLUTSHACK (Statewide Issue 131).

Source: Letter El-Afandi (Winona) to Wray 9/29/82.

Action Requested: Extension of one year limit.

Action Taken: Hearing 2/8/83; extension to 9/1/83; extension expired.

Action Required: Further proceedings before monitor.

ISSUE 189 (PARAGRAPH 16) ADMISSION FOR RESPITE CARE TO VISIT FRIENDS: LESTER BLUHM.

Source: Monitor 11/19/82.

Action Requested: Review by state guardianship head requested 11/82 (S. Bengtson).

Action Taken: Memo Bengtson to Turnbull 11/29/82 indicating respite placement was appropriate.

State issue on commitment act changes re: admission.

ISSUE 192 (PARAGRAPH 63) PROGRAM FOR ROBERT PLUTSHACK.

Source: Plaintiff letter 12/3/82.

Action Requested: FSH response to three specific plaintiff claims (see also issue 185).

Action Taken: Response received.

Action Required: Further proceedings before monitor.

ISSUE 194 (PARAGRAPH 63) PRESENT PROGRAM FOR THERESA HYNES (POPPY BUILDING).

Source: Plaintiff letter 2/4/83; Monitor 3/1/83.

Action Required: Monitor review program; past psychotropic medication record.

ISSUE 195 (PARAGRAPH 63) INDIVIDUAL PROGRAM FOR KEITH HOLMES
(MAPLE BUILDING).

Source: Plaintiff letter 2/7/83, 10/4/83; Monitor 3/1/83.

Action Requested: Monitor review program.

Action Taken: FSH response requested by 3/18/83; monitor request
for additional response 10/12/83, FSH response 10/27/83.

Action Required: Monitor observation, record review on-site.

ISSUE 206 (PARAGRAPH 67 02B) INTENSIVE BEHAVIOR MANAGEMENT
PROGRAM FOR LORI GINTER.

Source: Plaintiff letter 9/20/83.

Action Taken: Monitor letter to FSH 9/29/83 requesting plan of
action in view of increasing restraint usage; FSH response
10/10/83.

Action Required: Monitor on-site observation and record review.

ISSUE 207 (PARAGRAPH 63) FAILURE TO MEET HABILITATION
REQUIREMENTS FOR KENNETH IVERSON, PINE HOUSEHOLD II.

Source: Plaintiff letter 10/4/83.

Action Requested: Monitor determine facts and take action as
indicated.

Action Taken: Monitor letter 10/12/83; FSH response 10/27/83.

Action Required: Monitor observation and record review on-site.

ISSUE 208 (PARAGRAPH 26) APPROPRIATENESS OF INTERIM PLACEMENT OF
TIMOTHY FRIEDE AT S.W.A.N. PROGRAM IN MINNEAPOLIS.

Source: Monitor 12/11/83.

Action Requested: FSH statement on the nature of the program and
whether it is appropriate by January 15, 1984.

ISSUE 209 (PARAGRAPH 26) APPROPRIATENESS OF INTERIM PLACEMENT OF JEFFREY NELSON AT S.W.A.N. PROGRAM IN MINNEAPOLIS.

Source: Monitor 12/11/83.

Action Requested: FSH statement on the nature of the program and whether it is appropriate by January 15, 1984.

ISSUE 210 (PARAGRAPH 22E, 23) COMMUNITY PLACEMENT EVALUATION NOT RECEIVED FOR SUSAN SCHOTT DISCHARGED 3/14/83.

Source: Monitor 12/11/83

Action Requested: Faribault notify Commissioner of Public Welfare as required.

ISSUE 211 (PARAGRAPH 67) REQUEST TO USE MECHANICAL RESTRAINT FOR GLORIA O. OUTSIDE PERMITTED TARGETS

Source: M. Franz, FSH, letter 12/1/83.

Action Taken: Monitor request to Assistant Commissioner Sandberg for Russel Tyler to review program and make recommendations.

ISSUE 212 (PARAGRAPH 63)

Source: Plaintiff letter 12/ /83.

Action Requested:

OFFICE OF THE COURT MONITOR FOR THE WELSH CONSENT DECREE

COMPLIANCE ISSUES AT FERGUS FALLS STATE HOSPITAL

DECEMBER 1983

ISSUES RAISED:	203
ISSUES RESOLVED:	158
ISSUES OUTSTANDING:	45

OUTSTANDING COMPLIANCE ISSUES AT FERGUS FALLS STATE HOSPITAL = 45

3 (Paragraph 72)	4 (Paragraph 72)
6 (Paragraph 21)	25 (Paragraph 54)
27 (Paragraph 48)	28 (Paragraph 101)
29 (Paragraph 101)	30 (Paragraph 101)
39 (Paragraph 37)	41 (Paragraph 63)
42 (Paragraph 63)	43 (Paragraph 63)
44 (Paragraph 63)	45 (Paragraph 63)
46 (Paragraph 63)	71 (Paragraph 67 D 1)
95 (Paragraph 67 D)	96 (Paragraph 67 J)
102 (Paragraph 67 J)	109 (Paragraph 67 F)
133 (Paragraph 22 E)	134 (Paragraph 26)
162 (Paragraph 55 B)	173 (Paragraph 22)
176 (Paragraph 26)	178 (Paragraph 63)
181 (Paragraph 17-20)	184 (Paragraph 21)
185 (Paragraph 17-20)	187 (Paragraph 16)
188 (Paragraph 16)	190 (Paragraph 17-20)
191 (Paragraph 16)	192 (Reporting Order 101)
193 (Reporting Order 780)	194 (Reporting Order 101)
195 (Paragraph 22, 24)	196 (Paragraph 16, 24, 26)
197 (Paragraph 22)	198 (Paragraph 16)
199 (Paragraph 16)	200 (Paragraph 26)
201 (Paragraph 64)	202 (Paragraph 63)
203 (Paragraph 24, 26)	

OUTSTANDING FERGUS FALLS STATE HOSPITAL ISSUES

ISSUE 3 (PARAGRAPH 72) BEHAVIOR MANAGEMENT: COMPOSITION OF THE COMMITTEE CONCERN - NO ONE COMMITTEE HAS ALL MEMBERS REQUIRED BY THE DECREE.

Source: Plaintiff letter 2/9/81.

Action Taken: At 9/20/82, two committees. Behavior management and Human Rights Committee. Several differences on recommendations in past year. FFSH response 5/12/83.

Action Required: Monitor review changes in policy and procedure.

ISSUE 4 (PARAGRAPH 72) BEHAVIOR MANAGEMENT: MR. ROBERT HOFFMAN, CEO, HAS FINAL SIGN OFF ON PROGRAMS.

Source: Plaintiff letter 2/9/81.

Action Taken: At 9/20/82, Mr. Hoffman signs mechanical restraint and separation programs. FFSH response 5/12/83.

Action Required: Monitor review.

ISSUE 6 (PARAGRAPH 21) ANNUAL ASSESSMENT OF SCOPE AND TYPE OF SERVICES REQUIRES ADDITIONAL INFORMATION FOR COMPLETENESS.

Source: Plaintiff letter 2/9/81.

Action Taken: FFSH response 2/17/83 requesting conference during site visit; FFSH response 5/12/83 citing no state guidelines.

Action Required: Monitor review sample of annual assessments.

ISSUE 25 (PARAGRAPH 54, REPORTING ORDER 7A) STAFF REPORTING: DPS REPORTING.

Source: Plaintiff letter 2/12/81.

Action_Taken: FFSH response 5/12/83, "state compliance issue."

Action_Required: Monitor confer with state DPW and plaintiff counsel.

ISSUE 27 (PARAGRAPH 48) DENTAL SERVICES LISTS ONE DENTIST.

Source: Plaintiff letter 2/13/81.

Action_Requested: Determine whether additional services are provided by other dentists.

Action_Taken: FFSH response 5/12/83, "monitor should review with the Medical Director."

Action_Required: Monitor review.

ISSUE 28 (PARAGRAPH 101) STAFFING REPORTS: JANUARY 1981 FORM 1 FOR RPS SEMI-PROFESSIONAL.

Source: Plaintiff letter 2/13/81.

On staffing form 1 the figure '30' appears for RPS Semi-Professional but footnote 6 to form 1 refers to the requirement of paragraph 53 that no more than 25 percent of the RPS Supervisory/Professional/Semi-Professional staff may be used in the semi-professional category as defined in paragraph 10. Staffing Form 3 lists no semi-professional staff. Assuming the accuracy of the entries made, the entry on Form 1 by RPS Semi-Professional should be '0'.

Action_Taken: FFSH response 5/12/83 "issues 28-30 are state compliance issues".

Action_Required: Monitor confer with state DPW and plaintiff counsel.

ISSUE 29 (PARAGRAPH 101) STAFFING REPORTS: FORM 5 LISTS 7 PERSONS IN HST TO HSS SENIOR CLASS UNDER SEMI-PROFESSIONAL STAFF.

Source: Plaintiff letter 2/13/81.

Action Taken: FFSH response 5/12/83 "issues 28-30 are state compliance issues".

Action Required: Monitor confer with state DPW and plaintiff counsel.

ISSUE 30 (PARAGRAPH 101) STAFFING REPORTS: DOUBLE COUNT OF 37.5% DPS/SUP/PROF/SEMI-PROF NOT APPROPRIATE IN LIGHT OF ISSUE 29.

Source: Plaintiff letter 2/13/81.

Action Taken: FFSH response 5/12/83 "issues 28-30 are state compliance issues".

Action Required: Monitor confer with state DPW and plaintiff counsel.

ISSUE 39 (PARAGRAPH 37) STAFF REPORT: FORM 7 REPORT DOES NOT ALLOW FOR ASSESSMENT OF FOOD SERVICE WORKER ASSISTANTS TO UNITS.

Source: Plaintiff letter 2/13/81.

Action Taken: FFSH response 2/17/83; request meeting with monitor at next site visit; FFSH response 5/13/83.

Action Required: Monitor review and request for actions.

ISSUE 41 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR SHEILA HEDLINE (AAC-3EL) CONSTRAINED PROGRAMS AND SELF-STIMULATORY BEHAVIOR.

Source: Plaintiff letter 4/7/81.

Action Requested by Plaintiff: Consider efficacy of programs in conjunction with skills training; review program and implementation. (Mike Frich, BA supervisor.)

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review.

ISSUE 42 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR MITCHELL BURSS (ACPH) FOR SELF-STIMULATORY BEHAVIOR.

Source: Plaintiff letter 4/7/81.

Action Requested by Plaintiff: Consider efficacy of programs in conjunction with skills training; review program and implementation. (Mike Frich, BA supervisor.)

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review.

ISSUE 43 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR RENEE HASBARGEN SEVERE GAIT PROBLEM.

Source: Plaintiff letter 4/7/81.

Action Requested by Plaintiff: Review program and implementation.

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review.

ISSUE 44 (PARAGRAPH 63) ADEQUACY OF ADULT SCHOOL PROGRAMS -
STANDARDIZED OR INDIVIDUALIZED.

Source: Plaintiff letter 4/7/81.

Action Requested by Plaintiff: Review a number of programs in
Adult School.

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review.

ISSUE 45 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR
MITCHELL BURSS (ACPH).

Source: Plaintiff letter 4/7/81.

Action Requested by Plaintiff: Review program to determine
whether individual needs are being met.

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review.

ISSUE 46 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR
JEANNE BORMANN (ACMH).

Source: Plaintiff letter 4/7/81.

Action Requested by Plaintiff: Review program of ACPH residents
to determine whether individual needs are being met.

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review.

ISSUE 71 (PARAGRAPH 67 D1) IN RESTRAINT PROGRAM FOR BRUCE MARTINI, NO JUSTIFICATION FOR USE IN EXCESS OF 15 MINUTES.

Source: Plaintiff letter 6/22/81.

Action Taken: ACTION PLAN 6/2/81 Part 2; ACTION PLAN 6/23/81 Part 3. At 9/20/82; has gone over 15 minutes several times; FFSH response 5/12/83.

Action Required: Monitor review of program.

ISSUE 95 (PARAGRAPH 67 D) YAC POSITIVE PROGRAMS UNIFORM ACROSS PERSONS - ADEQUACY OF PROCEDURES TO REPLACE MALADAPTIVE TARGET.

Source: Plaintiff letter 6/22/81.

Action Taken: ACTION PLAN 6/2/81 part 3; ACTION PLAN 6/29/81 part 1, FFSH response 5/12/83.

Action Required: Monitor review programs.

ISSUE 96 (PARAGRAPH 67 J) IN YAC NO SCHEDULE SPECIFIED IN PROGRAM, NO DATA COLLECTION PROVIDED FOR COMMITTEE.

Source: Plaintiff letter 6/22/81.

Action Taken: ACTION PLAN 6/2/81 Part 3, FFSH response 5/12/83.

Action Required: Monitor review programs.

ISSUE 102 (PARAGRAPH 67 J) PUBLIC SCHOOL DATA NOT INCORPORATED FOR YAC LILAC PROGRAMS; QUESTION ADEQUACY OF EVALUATION OF PROCEDURES.

Source: Plaintiff letter 6/22/81.

Action Requested: Program director attempt to produce agreement with school on shared data. School progress on a quarterly basis.

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review of data system.

ISSUE 109 (PARAGRAPH 67 F) NO DOCUMENTATION OF EFFICACY OF PAST PROGRAMS IN MOST CASES; FEW GRAPHS IN SUBMISSIONS JUSTIFYING RESTRAINT/SEPARATION.

Source: Plaintiff letter 6/22/81.

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review sample of programs.

ISSUE 133 (PARAGRAPH 22 E) EVALUATION OF COMMUNITY PLACEMENT FOR ROY OLSON 1/7/82 NOT RESPONSIVE TO WHETHER PLANNED SERVICES WERE DELIVERED.

Source: Monitor/Hoffman memo 2/18/82.

Action Requested: Submission of report responsive to requirement (D. Aanes and J. King).

Action Taken: Request by monitor to Mr. Hoffman, 9/23/82. FFSH response 5/12/83 "adequacy of placement evaluations and placements is beyond our control."

Action Required: Monitor request of Commissioner.

ISSUE 134 (PARAGRAPH 26) COMMUNITY PLACEMENT EVALUATION FOR RICHARD MEADER INDICATES NO DAY PROGRAM "PUZZLES."

Source: Monitor/Hoffman memo 2/18/82.

Action_Required: Monitor discussion with D. Aanes; review of discharge plan.

Action_Taken: Request by monitor to Mr. Hoffman, 9/23/82. FFSH response 5/12/83 "adequacy of placement evaluations and placements is beyond our control."

Action_Required: Monitor request of Commissioner.

ISSUE 162 (PARAGRAPH 55 B) FOLLOW ALONG OF STAFF FROM RESIDENTIAL TO DAY TIME PROGRAMS.

Source: Monitor/Hoffman memo 3/23/82.

Action_Taken: FFSH response 5/12/83 "monitor review current practice."

Action_Required: Monitor review of number and percentage of follow along. (YAC: 3 staff accompany 21 adult students.)

ISSUE 173 (PARAGRAPH 22) DISCHARGE OF IRA WHITMER TO WILLMAR HEALTH CARE CENTER BECAUSE "HE CANNOT BENEFIT ANY LONGER FROM DEVELOPMENTAL PROGRAMMING."

Source: Monitor 5/82.

Action_Requested: Review evaluation in community and past Fergus Falls State Hospital record. Monitor review required.

Action_Taken: FFSH response 5/13/83 "adequacy of placement evaluations and placements is beyond our control."

Action_Required: Monitor request from Commissioner.

ISSUE 176 (PARAGRAPH 26) RONALD JELSING, 49 YEARS OLD, DISCHARGED TO MEMORIAL NURSING HOME, LONG PRAIRIE.

Source: Monitor review 8/4/82.

Action Requested: Statement from R. Hoffman as to conformity of action with paragraph 26 of the Decree requiring developmental or work program.

Action Taken: FFSH response 5/12/83 "adequacy of placement evaluation and placement is beyond our control."

Action Required: Monitor request of Commissioner.

ISSUE 178 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR KELLY BERG (ACMH - WESTWARD HD TRANSFERRED TO YAC - BIRCHOR LILAC).

Source: Plaintiff letter 7/30/82.

Action Taken: FFSH response 5/12/83.

Action Required: Monitor review of program and confer with program staff.

ISSUE 181 (PARAGRAPH 17-20) EXTENSION OF STAY, PROGRAM AT STATE HOSPITAL FOR KJELLERUP, TODD (DOB 1/29/65, DA 1/6/81, Statewide Issue 137).

Source: Monitor 10/82.

Action Required: Monitor review of SH program; time line for community placement.

Action Taken: FFSH response 5/12/83, "we shouldn't be obligated to develop services for a class of clients we are not to serve in the near future."

ISSUE 184 (PARAGRAPH 21) ASSESSMENT OF INDIVIDUAL NEEDS FOR
COMMUNITY PLACEMENT: e.g., Carla Hodge CTAC-3.

Source: Plaintiff letter 1/12/83.

Action Requested: Response from FFSH to recommendation for more
precise analysis of individual needs.

Action Taken: FFSH response 5/12/83 citing no state guidelines.

Action Required: Monitor review sample of community needs
statements.

ISSUE 185 (PARAGRAPH 17-20) ADMISSION OF ANTHONY MAKOUSKY TO
FFSH: ESTABLISHMENT OF PROGRAM NEEDS IN COMMUNITY (Statewide
Issue 149).

Source: Plaintiff letter 1/12/83.

Action Requested: Monitor discuss issues with appropriate Fergus
Falls State Hospital and DPW personnel.

Action Taken: FFSH response 5/12/83, "we shouldn't be obligated
to develop services for a class of clients we are not to serve in
the near future."

ISSUE 187 (PARAGRAPH 16) ADMISSION OF DOUGLAS RAATIKKA 12/30/82.

Source: Monitor 3/2/83.

Action Requested: FFSH submit preadmission meeting note for
Douglas.

Action Taken: FFSH response 5/12/83 indicating refusal to
"second guess" counties on admissions as to whether "no
appropriate community placement is available."

ISSUE 188 (PARAGRAPH 16) ADMISSION OF PHILLIP BATTERS 1/6/83 DUE TO REFUSAL OF PHYSICIAN TO SIGN FORM 1503 AT PROJECT NEW HOPE.

Source: Monitor 3/2/83.

Action Taken: FFSH response 5/12/83 indicating refusal to "second guess" counties on admissions as to whether "no appropriate community placement is available."

ISSUE 190 (PARAGRAPH 17-20) ADMISSION OF CHILD - BOBBY STROMGREN - ONE YEAR STAY LIMIT (DA: 5/27/82 - Statewide Issue 162).

Source: Christianson (Marshall County) extension request 6/2/83.

Action Requested: FFSH response to plaintiff counsel program recommendations when presented (8/18/83 letter).

ISSUE 191 (PARAGRAPH 16) ADMISSION OF KATHLEEN CORYELL 3/4/83 WITHOUT COUNTY INVOLVEMENT AND WITH POSSIBLE ALTERNATIVES.

Source: Monitor 9/26/83.

Action Requested: FFSH statement on this issue prior to non-compliance determination.

ISSUE 192 (REPORTING ORDER 101) CENSUS NUMBERS DISCREPANCY: COVER SHEET INDICATES 246; UNITS TOTAL 245 (March 1983).

Source: Monitor 9/26/83.

Action Requested: FFSH list visits on line with each unit on sheet with unit by unit numbers (as provisional discharges are now).

ISSUE 193 (REPORTING ORDER 7B) FFSH ORGANIZATIONAL CHARTS FAILED TO LIST POSITIONS AS REQUIRED (received 4/27/83, 7/20/83).

Source: Monitor 9/26/83.

Action Requested: FFSH include position numbers as required by Reporting Order 7B in future organizational charts.

ISSUE 194 (REPORTING ORDER 101) CENSUS NUMBERS AT APRIL 30, 1983; 244 on cover sheet, 240 by units.

Source: Monitor 9/26/83.

Action Requested: FFSH list visits on line with each unit on sheet with unit by unit numbers (as provisional discharges are now).

ISSUE 195 (PARAGRAPH 22, 24) DISCHARGE OF CATHERINE KLOECKNER WITHOUT FOLLOWUP SERVICES 4/8/83.

Source: Monitor 9/26/83.

Issue of 'voluntary' status adults and provisions of Paragraphs 63, 24, 26 at FFSH.

Action Required: Monitor confer with state DPW on law and with plaintiff counsel.

ISSUE 196 (PARAGRAPH 16, 24, 26) ADMISSION OF MELVIN LAMAR 2/28/83 OVER TEAM CONCLUSION HE WAS NOT MENTALLY RETARDED AND WAS INAPPROPRIATELY PLACED.

Source: Monitor 9/26/83.

Action Required: Monitor confer with State DPW and plaintiff counsel on law prior to non-compliance declaration.

ISSUE 197 (PARAGRAPH 22) ADEQUACY OF DISCHARGE PLANNING FOR ELIAS DOTEN. SAID TO BE "NOT SEXUAL" BUT RETURNED FOR DISROBING AND PUBLIC MASTURBATION.

Source: Monitor 9/26/83.

Action Required: Monitor review program record for Elias.

ISSUE 198 (PARAGRAPH 16) QUESTION APPROPRIATENESS OF ADMISSION OF BOB ESCHEN 6/28/83 BY GRANDMOTHER.

Source: Monitor 9/26/83.

Action Required: Monitor confer with State DPW and plaintiff counsel on law prior to non-compliance declaration.

ISSUE 199 (PARAGRAPH 16) ADMISSION OF BOB ESCHEN.

Source: Monitor 10/28/83.

Action Requested: FFSH statement on compliance with Paragraph 16 - no other community alternative.

ISSUE 200 (PARAGRAPH 26) PLACEMENT OF TED MARTINSON.

Source: Monitor 10/30/83.

Action Requested: FFSH statement on their compliance with day program requirement.

ISSUE 201 (PARAGRAPH 64) WHEELCHAIR ADAPTATION FOR LINDA
OSMONDSON.

Source: Monitor 10/30/83.

Action Requested: FFSH statement of timeline to meet her need
for appropriately adapted chair.

ISSUE 202 (PARAGRAPH 63) MACDONALD/WRAY LETTER RE: PARAGRAPH 63.

Source: Plaintiff letter 8/18/83.

Action Requested: FFSH response to factual claims made in
plaintiff letter prior to monitor site visit.

Action Required: Monitor discussion with CEO after response.

ISSUE 203 (PARAGRAPH 24, 26) ADEQUACY OF COMMUNITY PLACEMENT FOR
BEATRICE JOHNSON DISCHARGED FROM FERGUS FALLS STATE HOSPITAL (SW
Issue 174).

Source: Plaintiff letter 11/21/83.

Action Requested: Monitor issue 95e notice.

Action Taken: Monitor issued fifteenth 95e notice.

OFFICE OF THE COURT MONITOR FOR THE WELSCH CONSENT DECREE

COMPLIANCE ISSUES AT MOOSE LAKE STATE HOSPITAL

NOVEMBER, 1983

ISSUES RAISED: 139

ISSUES RESOLVED: 106

ISSUES OUTSTANDING: 33

OUTSTANDING COMPLIANCE ISSUES AT MOOSE LAKE STATE HOSPITAL = 33

22 (Par 67 02B)	48 (Par 67 0)	64 (Par 67 02B)
76 (Par 63)	77 (Par 63)	79 (Par 63)
80 (Par 63)	81 (Par 63)	91 (Par 63)
92 (Par 63)	93 (Par 63)	95 (Par 21)
96 (Par 63)	97 (Par 63)	98 (Par 63)
99 (Par 63)	112 (Par 63)	118 (Par 63)
123 (Par 63)	125 (Par 46)	126 (Par 63)
128 (Par 63)	129 (Par 63)	130 (Par 63)
131 (Par 63)	132 (Par 63)	133 (Par 63)
134 (Par 63)	135 (Par 63)	136 (Par 63)
137 (Par 63)	138 (Par 63)	139 (Par 63)

OFFICE OF THE MONITOR: OUTSTANDING MOOSE LAKE STATE HOSPITAL
ISSUES

ISSUE 22 (PARAGRAPH 67 02B) INTENSIVE BEHAVIOR MANAGEMENT PROGRAM
NOT IN PLACE FOR BRUCE CARLSON (Building 2, Apartment 1).

Source: Plaintiff letter 12/22/80.

Action Requested by Plaintiff: Review file and establish
timeline for implementing intensive program.

Action Taken: ACTION TAKEN 7/17/81 due 8/17/81 on
day/residential consistency and program update.

ISSUE 48 (PARAGRAPH 67 D) INTENSIVE BEHAVIOR MANAGEMENT PROGRAM
FOR BRUCE CARLSON (Building 2, Apartment 1).

Source: Plaintiff letter 3/24/81.

Action Requested by Plaintiff: Review program in particular
detail.

ISSUE 64 (PARAGRAPH 67 02B) INTENSIVE BEHAVIOR MANAGEMENT PROGRAM
FOR BRUCE CARLSON (Building 2, Apartment 1).

Source: Plaintiff letter 5/20/81.

Action Requested by Plaintiff: Determine whether intensive
program has been instituted.

Action Required: Review program.

Action Taken: Program reviewed 3/3/82. Plaintiff letter 7/2/81
p. 2; Turgeon/Monitor memo 2/11/82.

ISSUE 76 (PARAGRAPH 63) HABILITATION PROGRAM ADEQUACY FOR CLAIR ANDERSON (Building B, Apartment D).

Source: Plaintiff letter 7/2/81.

Action Requested by Plaintiff: Monitor to conduct indept review of program to determine whether requirements have been met.

Action Taken: MLSH response 10/28/83 - he is on "maintenance programs."

Action Required: Monitor review of program.

ISSUE 77 (PARAGRAPH 63) HABILITATION PROGRAM ADEQUACY FOR DAVID BECKSTROM (Building 8, Apartment C).

Source: Plaintiff letter 7/2/81.

Action Requested by Plaintiff: Monitor to conduct indept review of program to determine whether requirements have been met.

Action Taken: MLSH response 10/28/83; token economy in place.

Action Required: Monitor review of program.

ISSUE 79 (PARAGRAPH 63) HABILITATION PROGRAM ADEQUACY FOR ALLEN BODELL (Building 2, Apartment 4).

Source: Plaintiff letter 7/2/81.

Action Requested by Plaintiff: Monitor to conduct indept review of program to determine whether requirements have been met.

Action Taken: MLSH response 10/28/83.

Action Required: Monitor review program.

ISSUE 80 (PARAGRAPH 63) HABILITATION PROGRAM ADEQUACY FOR KEITH HUNTER (Building 8, Apartment B).

Source: Plaintiff letter 7/2/81.

Action Requested by Plaintiff: Monitor to conduct indepth review of program to determine whether requirements have been met.

Action Taken: MLSH response 10/28/83; program plan modified.

Action Required: Monitor review of program.

ISSUE 81 (PARAGRAPH 63) HABILITATION PROGRAM ADEQUACY FOR STEPHEN PUGLISI (Building 2, Apartment 1).

Source: Plaintiff letter 7/2/81.

Action Requested by Plaintiff: Monitor to conduct indepth review of program to determine whether requirements have been met.

Action Taken: MLSH response 10/28/83.

Action Required: Monitor review of program.

ISSUE 91 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR JOANNA COOLEY (Building 2, Apartment 2).

Source: Plaintiff (Macdonald)/Wray letter 4/29/82.

Action Required: Monitor review of program discussion with MLSH staff.

Action Requested: MLSH response to 10/11/83 memo on site visit by 10/31/83.

ISSUE 92 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR DAVID COUNTER (Building 8, Apartment A ?).

Source: Plaintiff (Macdonald)/Wray letter 4/29/82.

Action Taken: MLSH response 10/28/83.

Action Required: Monitor review program.

ISSUE 93 (PARAGRAPH 63) ADEQUACY OF TEAM ANALYSIS AND INTERPRETATION OF PROGRAM DATA IN DOCUMENTATION.

Source: Plaintiff (Macdonald)/Monitor letter 4/29/82.

Action Taken: MLSH response 10/28/83 indicating statement on ITP addressing this area.

Action Required: Monitor review of sample program file, discussion with MLSH staff.

ISSUE 95 (PARAGRAPH 21) ANNUAL ASSESSMENT OF COMMUNITY PLACEMENT NEEDS DID NOT RECOMMEND SPECIFIC THERAPY SERVICES.

Source: Plaintiff (Macdonald)/Monitor letter 4/29/82.

Action Taken: MLSH response 10/28/83 indicating intent to broaden description of services in brief narrative.

Action Required: Monitor followup on assessments.

ISSUE 96 (PARAGRAPH 63) ORGANIZATION AND ADEQUACY OF PROGRAM DATA FOR DAC AND RESIDENTIAL SETTINGS.

Source: Plaintiff (Macdonald)/Monitor letter 4/29/82.

Action Taken: MLSH response 10/28/83 indicating changes have been made.

Action Required: Monitor review of sample program data, discussion with MLSH staff.

Action Requested: MLSH incorporate policy on integration of data from day and residential programs and of coordinated review.

ISSUE 97 (PARAGRAPH 63) PROGRAM PRIORITIES DID NOT REFLECT ADEQUATE CONSIDERATION OF SKILL DEVELOPMENT FOR LEAST RESTRICTIVE ENVIRONMENT.

Source: Plaintiff (Macdonald)/Monitor letter 4/29/82.

Action Taken: MLSH response 10/28/83 indicating general improvements made, possible additional consultation.

Action Required: Monitor review of sample programs.

ISSUE 98 (PARAGRAPH 63) INTERVENTION PLANS LACK FULL TASK ANALYSIS, DISCUSSION OF TEACHING STRATEGIES, BEHAVIOR DESIRED OR NUMBER OF LEARNING TRIALS.

Source: Plaintiff (Macdonald)/Monitor letter 4/29/82.

Action Taken: MLSH response 10/28/83 indicating many concerns of letter addressed.

Action Required: Monitor review of plans, discussion with MLSH staff.

ISSUE 99 (PARAGRAPH 63) NEED FOR ADDITIONAL PROGRAMS TO DEVELOP POSITIVE BEHAVIORS AND FILL IN DEAD TIME IN DAC AND RESIDENTIAL.

Source: Plaintiff (Macdonald)/Monitor letter 4/29/82.

Action Taken: MLSH response 10/28/83; staff time use review underway.

Action Required: Monitor sample teaching time proportion in day and residential settings.

ISSUE 112 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR JOAN JOHNSON (Building 8, Apartment).

Source: Plaintiff (Macdonald) letter 7/1/82.

Action Taken: MLSH response 10/28/83 citing new programs in place.

Action Required: Monitor review of program.

ISSUE 118 (PARAGRAPH 63) PROGRAM INCONSISTENCY: STEVEN CUIILLIERRIER 9/9/82 - 19 TARGETS BUT REINFORCED ON 4 OF 6 HOURLY INTERVALS (Building 2, Apartment 4).

Source: Plaintiff letter 9/20/82.

Action Requested: Response to allegation and statement of corrective action.

Action Taken: MLSH response 1/20/83, 10/28/83 MLSH memo.

Action Required: Monitor review time sampling and frequency data.

ISSUE 123 (PARAGRAPH 63) VISIT TO APARTMENT 1, BUILDING 2, 3:15 p.m., SEPTEMBER 10, 1982: PROGRAM ACTIVITIES OBSERVED.

Source: Plaintiff letter 9/20/82.

Action Taken: MLSH response 1/21/83. Plan of action. Conference requested with monitor on next visit to review report. MLSH response 10/28/83 indicating small group activity with specific staff assignments.

Action Requested: Statement of corrective actions taken and planned.

ISSUE 125 (PARAGRAPH 46) UNLICENSED PHYSICIAN AT MOOSE LAKE STATE HOSPITAL.

Source: Plaintiff letter 8/10/83.

Action Taken: MLSH response 10/28/83; active recruitment underway for fully licensed physician.

Action Requested: Monitor discuss with Mr. Milczark and Central Office personnel.

ISSUE 126 (PARAGRAPH 63) LIMITED STAFF-RESIDENT INTERACTIONS OBSERVED.

Source: Plaintiff letter/consultant report 5/27/83.

Action Taken: MLSH response 10/28/83 on staff time use.

Action Requested: MLSH plan of action.

Action Required: Monitor discuss with MLSH staff time use versus resident engagement with others and activities for plan of action.

ISSUE 128 (PARAGRAPH 63) INTEGRATION OF TEAM RECOMMENDATIONS INTO TRANSDISCIPLINARY PLAN.

Source: Plaintiff letter/consultant report 5/27/83.

Action Taken: MLSH response 10/28/83 indicating plans in place.

Action Required: Monitor and MLSH discuss plan of action.

ISSUE 129 (PARAGRAPH 63) LACK OF LEISURE SKILLS TRAINING VERSUS USE OF CURRENT SKILLS.

Source: Plaintiff letter/consultant report 5/27/83.

Action Taken: MLSH response 10/28/83 indicating focus to be switched from 538 to 537 forms.

Action Required: MLSH and monitor discuss plan of action.

ISSUE 130 (PARAGRAPH 63) INDIVIDUALIZED PROTECTION PLAN UNDER VULNERABLE ADULTS PROTECTION.

Source: Plaintiff letter/consultant report 5/27/83.

Action Requested: MLSH plan of action. MLSH reviewing ITP plan.

Action Taken: MLSH response 10/28/83 attaching VAPA form.

Action Required: Monitor review sample of VAPA plans.

ISSUE 131 (PARAGRAPH 63) INDIVIDUAL HABILITATION PROGRAM FOR JIM ERSBO ISSUES (Building 2, Apartment 1).

Source: Plaintiff letter/consultant report 5/27/83.

Action Taken: MLSH response 10/28/83.

Action Required: Monitor review program.

ISSUE 132 (PARAGRAPH 63) INDIVIDUAL HABILITATION PROGRAM FOR ALLEN BODELL ISSUES (Building 2, Apartment 4).

Source: Plaintiff letter/consultant report 5/27/83.

Action_Taken: MLSH response 10/28/83; DAC reorganization planned.

Action_Required: Monitor review program.

ISSUE 133 (PARAGRAPH 63) INDIVIDUAL HABILITATION PROGRAM FOR TERRY HILLIER ISSUES (Building 8, Apartment F).

Source: Plaintiff letter/consultant report 5/27/83.

Action_Taken: MLSH memo 10/28/83; program plans modified.

Action_Required: Monitor review of program.

ISSUE 134 (PARAGRAPH 63) INDIVIDUAL HABILITATION PROGRAM FOR RANDALL DELGER ISSUES (Building 8, Apartment C).

Source: Plaintiff letter/consultant report 5/27/83.

Action_Taken: MLSH response 10/28/83.

Action_Required: Monitor review of program.

ISSUE 135 (PARAGRAPH 63) OFF TASK AND NO TASK BEHAVIOR IN DAC, AGE APPROPRIATE TASKS.

Source: Plaintiff letter/consultant report 5/27/83.

Action_Requested: MLSH plan of action.

ISSUE 136 (PARAGRAPH 63) INADEQUATE PROGRAMS: DEFINITIONS, MEASUREMENT TECHNIQUES AND INADEQUATELY SKILLED STAFF APPLYING PROGRAMS.

Source: Plaintiff letter/consultant report 5/27/83.

Action Requested: MLSH plan of action.

Action Taken: MLSH response 10/28/83 indicating staff consultant hired to review numbers and kinds of professional staff.

ISSUE 137 (PARAGRAPH 63) ADEQUACY OF INAPPROPRIATE URINATION PROGRAM FOR MARY BARTLETT (Building 2, Apartment 1).

Source: Plaintiff letter/consultant report 5/27/83.

Action Requested: MLSH plan of action.

ISSUE 138 (PARAGRAPH 63) ADEQUACY OF PROGRAM FOR JOANNA COOLEY REGARDING PROTECTION OF OTHERS FROM HARM.

Source: Plaintiff letter 9/15/83.

Action Requested: Monitor review present and past programs and make recommendations.

Action Taken: MLSH memo 10/28/83 indicated program change had been made, behavior modification training, day program rearrangement underway.

ISSUE 139 (PARAGRAPH 63) ADEQUACY OF INDIVIDUAL ABUSE PREVENTION PLANS AT MOOSE LAKE STATE HOSPITAL.

Source: Plaintiff letter 9/15/83.

Action Taken: MLSH response 10/28/83 attaching VAPA form.

Action Required: Monitor review sample of VAPA plans.

OFFICE OF THE COURT MONITOR FOR THE WELSCH CONSENT DECREE

COMPLIANCE ISSUES AT GLACIAL RIDGE TRAINING CENTER

WILLMAR STATE HOSPITAL

DECEMBER 1983

ISSUES RAISED: 62

ISSUES RESOLVED: 54

ISSUES OUTSTANDING: 8

OUTSTANDING COMPLIANCE ISSUES AT WILLMAR STATE HOSPITAL = 8

35 (Paragraph 63)

36 (Paragraph 63)

37 (Paragraph 63)

48 (Paragraph 17-20)

59 (Paragraph 63)

60 (Paragraph 63)

61 (Paragraph 63)

62 (Paragraph 63)

OFFICE OF THE MONITOR: OUTSTANDING WILLMAR STATE HOSPITAL ISSUES

ISSUE 35 (PARAGRAPH 63) ADEQUACY OF HABILITATION PROGRAM FOR
CAROL BUERMAN (Northstar-Little Dipper)

Source: Plaintiff letter 5/14/82.

Action Requested: As preface to monitor visit, WSH indicate
program changes from 5/14/82 to present. Response requested by
November 15, 1983. (Done).

Action Taken: WSH response 11/14/83 including Annual Program
Plan.

Action Required: Monitor review of programs; consultant
recommendations on habilitation programs (See WSH Issue 60).

ISSUE 36 (PARAGRAPH 63) ADEQUACY OF INDIVIDUAL HABILITATION
PROGRAM FOR LONNIE WERNER (Viking/Sleepy Hollow; DAC/FLT).

Source: Plaintiff letter 7/28/82.

Action Requested: As preface to monitor visit, WSH indicate
program changes from 5/14/82 to present. Response requested by
November 15, 1983. (Done).

Action Taken WSH response including Annual Program Plan
11/14/83.

Action Required: Monitor review of programs; consultant
recommendations on habilitation programs (See WSH Issue 60).

ISSUE 37 (PARAGRAPH 63) ADEQUACY OF INDIVIDUAL HABILITATION
PROGRAM FOR LEROY KELLEN (Morning Star).

Source: Plaintiff letter 7/28/82.

Action Requested: As preface to monitor visit, WSH indicate program changes from 5/14/82 to present. Response requested by November 15, 1983. (Done).

Action Taken WSH response including Annual Program Plan 11/14/83.

Action Required: Monitor review of programs; consultant recommendations on habilitation programs (See WSH Issue 60).

ISSUE 48 (PARAGRAPH 17-20) ADMISSION OF CHILD - TAMARA STENSRUD -
TO WSH ON 8/6/82 from Yellow Medicine County (Arrowhead Cottage
15) (Statewide Issue 138).

Source: Monitor review 9/28/82.

Action: Site visit to GRTC 9/29/82. Received request for extension on 5/9/83. Monitor response 5/18/83; WSH response 11/14/83.

Action Required: Additional formal compliance proceedings to establish timeline for appropriate community placement.

WSH ISSUE 59 (PARAGRAPH 63) APPROPRIATENESS OF HABILITATION
PROGRAM FOR KENNETH REGNIER, (CHILD) AT GLACIAL RIDGE TRAINING
CENTER (ELMWOOD COTTAGE)

Source: Monitor 11/29/83

Action Taken: Site visit November 30, 1983. Site visit note:

This note is based on a visit to Kenny's unit, a meeting with Kenny, discussion with staff, and attendance at a Team Meeting for Kenny on November 30, 1983. Twelve people attended the team meeting including three persons from the local school district.

Intervention Procedures. As discussed with Mike Gimpl, psychologist, it was concluded that the program in place when Kenny arrived of 15 minute blanket wrap precluded a maximal number of learning trials and that two minutes was therefore preferable. It was noted that he sought out the blanket freely and staff found the blanket procedure clumsy to implement. Given the likelihood that the blanket was a reinforcer, the blanket is taken away contingent upon self-injurious behavior and he was given the blanket following two minutes without behavior targets. An 'x' was taped on a chair and he was given a blanket and a hug

if he went there.

Facial touches, except for certain exceptions such as removing food from the notch in his lip, are followed by manual hold on a floor mat. During the manual hold on the mat a cloth scented with mint or banana, to which Kenny has an aversion, is placed near his face but no closer than six inches. Upon release from the manual hold he is directed to an activity or given an object such as a block in his hands.

Kenny began at Glacial Ridge with a twenty-four hour 1:1 staff person until November 28 when the night shift 1:1 was stopped based on a judgment that it was no longer necessary. It was decided that any further reduction in 1:1 be done in a gradual way and that reduction be looked at as a possibility after another week has passed.

Possible Antecedents to Self-Injury. Julie Helslin, Behavior Analyst, is looking into whether there are reliable antecedents to self-injury. Possible at present are squinting, puckering of the mouth and tightness of facial musculature. This is being followed up on.

Reinforcers. A list of 19 individualized reinforcers for Kenny was on the clipboard used by his 1:1. He likes to rub his stomach with a particular type of match book. There were three dislikes listed: not having his way, smell of mint and banana, and drilling (loud noise). He sometimes likes to manipulate wooden blocks, is fascinated by snowflakes.

Progress Report. The report on his self-injurious behavior indicated that 12 of the 19 days he had been at Glacial Ridge had been behavior problem free. On the seven days on which problem behaviors occurred, the greatest number was 74 facial touches. A data sheet showing the morning, afternoon and night number of manual holds, blanket reinforcers and a graph of the number of holds and of blanket reinforcers is attached.

Health Status. The injury to Kenny's lip and mouth are healed as well as it will. He requires plastic surgery to close the gap in his lip. This surgery will be done when his behavior has been stabilized for some time. A clinic visit in the Twin Cities was postponed because of a snowstorm.

Medications. Atavan, said to be highly addicting, was gradually reduced and eliminated as was Thorazine. A tremor was noticed which might have been due to residual Thorazine in his body even after it was discontinued. Haldol is being used.

Day Program. For the first three weeks Kenny had a day program consisting of activities on the living unit and weather permitting of visits to shopping and other community sites. Discussion at the team meeting was directed to his day program and it was decided to start him in the TMR classroom on Monday December 5, 1983 at 8:30 a.m. Glacial Ridge is to provide

transportation initially. Two persons are required to manage his behavior - one to put in a protective bite block to prevent self-injury and to control the upper half of his body and another to control the bottom half of his body during a manual hold.

Placement. It was estimated that Kenny would be placed in two months. The county social worker, Maggie Miller, had been called but because she was not available plans for placement could not be discussed at this time.

Additional Action Requested: WSH notification of monitor when timeline established for community placement

ISSUE 60 (PARAGRAPH 63) IN DAY AND RESIDENTIAL COMPONENTS OF HABILITATION PROGRAMS THE FUNCTIONAL OR PRACTICAL CHARACTER OF SKILLS BEING TAUGHT.

Source: Monitor 11/30/83

Action Required: Monitor or consultant review of sample of programs for 'functionality' and recommendations for team consideration at Glacial Ridge. (Dr. Eric Rudrud as likely consultant). Monitor recommend relevant resource materials to GRTC.

Action Requested: WSH perform internal review of goals selected for training in light of functionality criterion.

ISSUE 61 (PARAGRAPH 63) INTEGRATION OF COMMUNICATION AND OTHER GOAL AREAS INTO DAY AND RESIDENTIAL PROGRAMS TO EXTEND TRAINING BEYOND RELATIVELY RARE AND BRIEF TRAINING SESSIONS.

Source: Monitor 11/30/83.

Action Required: Monitor or consultant review of sample of communication programs for integration into day and residential programs. (Dr. Joe Reichle as likely consultant). Monitor recommend relevant resource materials to GRTC.

Action Requested: WSH perform internal review integration of communication and other specialized service goals into day and residential programs.

ISSUE 62 (PARAGRAPH 63) FREQUENCY AND QUALITY OF TEACHING
INTERACTIONS IN DAY AND RESIDENTIAL PROGRAMS AND OF SOCIAL
INTERACTION WITH PEER OR STAFF IN EVENING AND WEEKEND PERIODS.

Source: Monitor 11/30/83.

Action Required: Monitor or consultant sample interactions
across several environments and make recommendations as
indicated. Monitor recommend relevant resource materials to
GRTC.

Action Requested: WSH review possible measurement systems for
sampling interactions on an intermittent basis as an adjunct to
existing program effectiveness measures.
