

**District West
Independent Oversight
Committee
2018/2019 Annual Report
Maricopa County (West Area)**

INTRODUCTION AND BACKGROUND:

The Independent Oversight Committee (IOC) formerly the Human Rights Committees, supported by the Arizona Department of Economic Security (DES), were established into law under A.R.S. 41-3801 and functions as an independent advisory and oversight committee to the Division of Developmental Disabilities (DDD). Independent Oversight Committees (IOC) were established to promote and protect the rights of members with developmental disabilities who receive services from the Division of Developmental Disabilities.

District West IOC is located on the west side of Maricopa County and extends south including portions of the Gila River Indian Reservation, to North Phoenix, and West to the border of Arizona. In 2018/2019 District West served over 10,000 members.

District West IOC continues to be one of the fastest growing districts in membership for the DES and DDD. The monthly meetings are held at the Peoria DES office in Peoria Arizona. The committee meets on the fourth Tuesday of month for approximately two hours.

RESPONSIBILITIES AND DUTIES OF THE INDEPENDENT OVERSIGHT COMMITTEES:

The Independent Oversight Committees (IOC) are made up of dedicated volunteers, who donate their time to serve the members within their districts. The IOC operates under the Open Meeting Laws of Arizona and follows specific IOC Guidelines created by their district. The District West Committee meets approximately ten times per year.

The committee provides independent oversight, review, research and makes recommendations to the Department of Developmental Disabilities. The committee reviews incidents of including Physical Abuse, Sexual Abuse and Other Abuse, Neglect, Accidental Injury, Missing Clients, Emergency Measures, Human Rights Violations, Medication Errors, Death, Suicide, Hospitalization, Incarcerations, Theft and Property Destruction. The committee members also review Behavior Plans (BPs) and make recommendations for changes.

DISTRICT WEST HUMAN RIGHTS COMMITTEE MEMBERSHIP:

The District West Independent Oversight Committee (IOC) is comprised of dedicated community members including parents, family members, professionals, and paraprofessionals who volunteer their time and knowledge to advocate for DDD members.

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Current members for the 2018/2019 year are: Diedra Freedman (De) (Chairperson), Pat Thundercloud (Vice Chairperson), Bernadine Henderson, Brad Doyle, Cynthia Macluskie, Laurene Zemis, Julie Heineking, Pam Grady, Michelle Lagas and Jennifer McNeil. All the current members have appointments by the Arizona Department of Administration or the Division of Developmental Disabilities if appointment was prior to August of 2019.

Recruitment efforts from Jan 2018 to June 2019 has gained 4 new members bringing the total current to 10 members.

DISTRICT WEST INDEPENDENT OVERSIGHT COMMITTEE VOLUNTEER HOURS:

The District West IOC volunteered 440 hours of their time in 2018

The District West IOC volunteered 530 hours from January to June 2019

INCIDENT REPORTS

District West IOC reviewed a total of 5652 Incident Reports (IRs) for over its 10,000 members from January 1st, 2018 to December 31st. District West IOC reviewed 4458 of IRs from January 2019 to June 30th, 2019.

In 2018 the District West IOC will begin to receive every type of Incident Report, including Physical Abuse, Sexual Abuse and Other Abuse, Neglect, Accidental Injury, Missing Clients, Emergency Measures, Human Rights Violations, Medication Errors, Death, Suicide, Hospitalization, Incarcerations, Theft and Property Destruction.

Beginning in August of 2018, the IOC started to receive all incidents and all reported incidents from phone, online and agencies were now generating reports to the Quality Assurance unit. This greatly increased the Incident Reports that the committee is presented since August 2018.

Behavior Plans

District West IOC reviewed a total of 348 Behavior Plans in 2018. The Committee reviewed 188 Behavior Plans from January 2019 to June 30th, 2019.

Pat Thundercloud continues to go to the Program Review Committee (PRC) meetings and had volunteered over 400 hours as an IOC member in 2018/2019. She is consistently involved in attending the PRC meetings and is an advocate for the process.

----- Forwarded message -----

From: **Diedra Freedman** <diedra.freedman@gmail.com>

Date: Mon, Sep 30, 2019 at 9:50 AM

Subject: DDD District West Independent Oversight Committee Concerns and Advice

To: Cheryl Lovell <clovell@azdes.gov>

Cc: Richard Kautz, A <RKautz@azdes.gov>, Barbara Crawford <bcrawford@azdes.gov>, Bernadine Henderson <bbhenderson51@msn.com>, Brad Doyle <bodoye1@aol.com>, Cynthia Macluskie <cynthia.marksmom@cox.net>, Julie Heineking <jheineking@yahoo.com>, Laurene Zemis <lauzrvr@gmail.com>, Pamela Grady <pamela.grady@estrellamountain.edu>, Patricia Thundercloud <thndmed@aol.com>

DDD Assistant Director Cheryl Lovell:

The District West Independent Oversight Committee looks forward to working with you to safeguard the Human Rights of DDD Members residing and receiving supports and services in DDD District West. We invite you to join us at one of our meetings the 4th Tuesday of each month beginning 5:30pm at the Peoria DES Office. In order to better assist DDD District West, we have the following concerns and advice:

1. We are concerned about the quality and quantity of DDD Providers, especially Direct Care Workers. A well trained and paid service delivery workforce is key to maximizing the quality of life for DDD Members, their families and our community. We advise that DDD rates be set at 100% of the most recent DDD Rate Rebase to better help DDD Qualified Vendors recruit, train and maintain the most qualified Direct Care Workers available.
2. We are concerned about our relationship with the DDD District West Team. Over the past few years, District West Program Manager Barbara Crawford has not attended a District West Independent Oversight Committee meeting (either in person or by phone) nor has she corresponded with any District West Independent Oversight Committee Members except for a brief hallway conversation after a DDD Advisory Committee Meeting with District West Chair Diedra Freedman. When we did invite Barbara Crawford to our April 2019 District West IOC Meeting, she insisted we submit any questions in writing, in advance. We did as requested. However, our questions were answered by Chris Deere, not Barbara Crawford, and neither attended our April 2019 District West IOC Meeting to discuss the answers to our questions.
3. We are concerned with our relationship with the District West Quality Improvement Team. While in recent months Ryk Scott from the District West Quality Improvement Team made a good faith effort to attend the District West IOC meetings by telephone, he no longer is employed as a member of the District West Quality Improvement Team. We appreciate that the new District West Quality Improvement Manager Delorah Grant attended our September 24th meeting. Delorah gave us an overview of the Quality Improvement process while answering our many questions. However, we remain concerned that when we ask questions of the District West Quality Improvement Team or make recommendations, we are reminded that the authority of the Quality Improvement Team is limited. The

Quality Improvement Team has no authority over, responsibility for, communication with or even collaboration with the specific DDD Member's (the individual involved in any Incident Report we may review) Support Coordinator or any Support Coordinator Supervisor. The silo-ing of the DDD bureaucracy, especially District West, severely hampers our ability to advise DDD District West regarding the protection of Members' Human Rights. We sincerely appreciate Delorah's offer to speak with her District West colleagues on behalf of any DDD Members for whom the IOC may have concerns. Unfortunately this Band-Aid approach reliant on the good will, institutional memory and personal relationships of one veteran manager does not cure the systemic issues and only safeguards the Human Rights of a select few DDD Members lucky enough to catch our attention.

4. We are concerned about DDD District West Members; especially those living in Group Homes, Adult Care Homes and Child Care Homes who have Behavior Plans reviewed by the District West Program Review Committee, receiving any and all medically necessary Behavior Health Supports and Services. As DDD/AHCCCS (including ALTCS) Members, they are entitled to Behavior Health Supports and Services from their Integrated Health Plan. We also are concerned about the quality of the Behavior Plans and whether any potential Human Rights violations are minimized as much as possible while still meeting the needs of the DDD Member.

5. We advise that we all work on building our relationships with the DDD District West Team by first increasing our communication and then increasing our trust and finally our collaboration as we work together to safeguard the Human Rights of DDD District West Members. We also advise the District West Team to find a way to work together as a united, collaborative, cohesive group when working with the District West IOC, District West Members and their families plus our community. We are not interested in getting in the middle of any DDD; especially Direct West, political or bureaucratic, systemic or territorial issues. Nor do we care what those challenges may be. It is not our job to navigate the silo-ed DDD bureaucracy. As volunteers, the DDD District West IOC Members hope to use our individual and collective resources, especially our time, as productively and efficiently as possible to help DDD safeguard the Human Rights of DDD Members.

6. Lastly, we are very concerned about how DDD maintains System Quality; especially how DDD classifies, collects and tracks incidents. We recognize the challenges of monitoring incidents without a standardized incident reporting form let alone a true electronic record system and a standardized electronic incident report system including a standardized electronic incident report form. We recommend that the AZ Legislature fund an integrated comprehensive electronic data base system for DDD used to store all records rather than the current paper file system. In the interim we advise that DDD develop and implement a new comprehensive searchable Quality Improvement System that properly classifies, collects and tracks incidents while transparently holding the DDD bureaucracy and individual DDD employees plus DDD Qualified Vendors (including the agencies and their individual employees) responsible and accountable for delivery of DDD Supports and Services in a way that safeguards Human Rights for all DDD Members.

Over the past few years we've tried our best to discuss these concerns and others, including those regarding specific HIPAA compliant redacted Incident Reports and Behavior Plans, with the DDD District West Team while trying our best to educate ourselves about the reality of how the DDD bureaucracy

actually works as compared to how it is supposed to work. Unfortunately, this learning experience has not always been made easier by the DDD District West Team despite the best efforts from our IOC Liaisons, especially Jeffery Yamamoto. The DDD District West IOC Members look forward to your assistance in changing the relationship between the DDD District West Team and the DDD District West Independent Oversight Committee so that in the future we all can collaborate better to safeguard the Human Rights of DDD Members residing and receiving supports and services in DDD District West. We would welcome and appreciate the attendance of Barbara Crawford and her District West Program Team at all of the District West Independent Oversight Committee meetings. We consider Delorah Grant's September 24th visit to be the strengthening of a cooperative relationship between the District West Independent Oversight Committee and the District West Quality Improvement Team that we hope will continue improving and serve as a model for our relationship with the rest of the District West staff.

Diedra Freedman
DDD District West Independent Oversight Committee Chair

Patricia Thundercloud
DDD District West Independent Oversight Committee Vice Chair

Bernadine Henderson
DDD District West Independent Oversight Committee Member

Brad Doyle
DDD District West Independent Oversight Committee Member

Cynthia Macluskie
DDD District West Independent Oversight Committee Member

Julie Heineking
DDD District West Independent Oversight Committee Member

Laurene Zemis
DDD District West Independent Oversight Committee Member

Pamela Grady
DDD District West Independent Oversight Committee Member

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