



ARIZONA DEPARTMENT
OF HEALTH SERVICES

ARIZONA STATE HOSPITAL

To: DHS ASH Independent Oversight Committee

From: ASH

Date: 05/11/2020

RE: Response to Request issued 04/27/2020 from 04/16/2020 IOC meeting

Description of Matters Discussed and Action Item Assigned	ASH Response
<p>ADOA Updates</p> <p>The IOC requesting information about “where they in complying with the executive order.”</p> <p>IOC further asks if hospital could utilize telemedicine, based on patient complaints about access to consults and appointments.”</p>	<p>The Governor’s Executive Order 2020-22 requires Nursing Care Institutions, Intermediate Care Facilities, and DD Medical Group Homes to offer electronic visual forms of communication in lieu of face to face visits for all residents. The Order does not apply to hospitals or behavioral health inpatient facilities.</p> <p>Even though the Hospital is not required by Executive Order to make such accommodations, it is working with its IT Department to utilize State laptops to connect patients to family members and other visitors through Google Hangouts. Challenges include securing Wi-Fi, balancing privacy and safety during the patient’s use of a state laptop, and making such visits possible without significantly increased staff responsibility.</p> <p>In the interim, the patient units have expanded their phone hours to allow patients more flexibility in having telephone calls with family members and other visitors.</p> <p>The Hospital does not currently utilize telemedicine. Our nursing staff, therapy staff, social workers, psychologists, and psychiatrists remain available to patients in person using protective equipment and social distancing, and by phone.</p>

<p>ASH Administration Update</p> <p>Has anyone been tested [for COVID-19] at the hospital?</p>	<p>Patients exhibiting symptoms such as fever, shortness of breath, or cough have been tested for COVID-19 as ordered by their ASH Medical Provider. Currently, new admissions are being tested for COVID-19 as well. As of today, the Hospital has one confirmed patient who tested positive for COVID-19. This patient was a recent admission and was isolated in a negative pressure room. Staff providing direct care are equipped with full personal protective equipment, including N-95 masks. Currently, there are no other confirmed cases among patients or staff.</p>
<p>Overview of Incident/Accident Reports:</p> <p>ASH-2020-1027: IOC would like to open an investigation, would like to interview the witnesses.</p>	<p>The current process, as outlined in Arizona Statute and the IOC manual, identifies that the IOC may submit a request for an investigation on behalf of any patient if the committee feels the rights of a client have been violated. This process is outlined in AAC as submitting a grievance to the mental health agency (in this case ASH). Furthermore, under ARS 41-3804 K., the IOC may request to "have access to client information and records, including quality of care reports, incident reports and investigation reports and, on request, case presentations, adult protective services investigation case status and outcomes, substantiations, recommendations and other quality of care findings from peer reviews or any successor report or process, maintained by a department, service provider or regional behavioral health authorities."</p> <p>In this case, a grievance was submitted to AHCCCS for investigation on 3/23/2020. As outlined in AAC R9-21-404, allegations involving physical/sexual abuse or sexual misconduct shall be addressed and decided by AHCCCS.</p> <p>Findings will be forwarded to the IOC and the IOC may request any additional documentation by vote.</p>
<p>Site visits (telephonically)</p> <p>Are patients getting prompt medical attention?</p>	<p>Patients continue to receive prompt medical attention, both on-site and off-site when indicated and when available. Many clinics are currently closed during the COVID-10 crisis or are limiting visits to emergencies.</p> <p>For off-site medical appointments:</p> <ul style="list-style-type: none"> • If a medical provider believes an off-site appointment is medically necessary, it is scheduled.

	<ul style="list-style-type: none"> • Medical necessity of patient is weighed against the risk of exposure to Covid-19. • Patients being transported to offsite medical appointments are provided an N95 mask and gloves. • Employees transporting patients offsite are required to wear an N95 mask and gloves.
<p>Retaliation Concerns</p> <p>IOC “would like to ask for an investigation where the IOC can get unredacted records of what occurred when we provide them with a patient name and details around the incident and retaliation> (to be provided when we get the details, we may need Jackie to help gather specific dates.)”</p>	<p>ASH will be happy to provide any and all requested documents as outlined in the ARS 41-3804 and in the Arizona Administrative Code (R9-21-409.B.3).</p>
<p>On May 1, the ADOA representative to the IOC requested a response to the following:</p> <p>The issue is the Retaliation Concerns the patients are feeling from some staff. The perception that grievances and complaints are not taken seriously. Some retaliation is distanced in time from the incident. Some clients have called the AZ Center for Disability Law, but they do not seem too responsive. This is a constant report of retaliation from some staff. We would like to ask for an investigation where the IOC can get unredacted records of what occurred when we provide them with a patient name and details around the incident and retaliation.</p>	<p>The Arizona State Hospital continues to take any and all allegations of retaliation very seriously. These matters are handled through the Hospital’s Office of Complaints, Grievances, and Appeals, and a thorough and objective investigation is conducted. There is an appeal process associated with these matters outlined in Statute and in Article 4 of the AAC.</p> <p>In addition to working with this office, patients have the right to contact the AZ Center for Disability Law, Adult Protective Services through AZDES, the AZ Department of Health Services Licensing Office, the US Center for Medicaid and Medicare Services (CMS), and the Joint Commission. Many of our patients regularly contact these entities with concerns.</p> <p>The “perception” of retaliation is often identified to be clinical interventions, such as pursuing court-ordered medication or eliminating medications that have significant risk or limited clinical benefit. Due to the nature of our Forensic Patients, it is imperative that staff set clear boundaries to ensure patient and staff safety. These boundaries can be easily compromised when individuals, albeit well-intentioned, undermine the staff’s authority or are manipulated into inappropriate roles.</p> <p>As indicated above, any and all specific requests for unredacted information will be considered and honored in accordance with the statute and the IOC Manual.</p>