

DDD DISTRICT NORTH INDEPENDENT OVERSIGHT COMMITTEE

Division of Developmental Disabilities

2020-21 ANNUAL REPORT



Arizona Department of Economic Security



DDD District North 2021 Annual Report

Independent Oversight Committee Function

Independent Oversight Committee (IOCs) is required by ARS 41-3801 and 41-3804 and functions as an independent advisory committee for members being served by the Arizona Division of Developmental Disabilities (DDD). District North serves the northern section of the state to include Yavapai, Mohave, Coconino, Navajo, and Apache. Area wise this is over half the landmass of Arizona. District North currently serves more than 4000 members of DDD.

Each committee shall provide oversight to:

Ensure that the rights are protected.

Review incidents of possible abuse, neglect, or denial of a client's rights.

Make recommendations to the appropriate department director and the legislature regarding laws, rules,

Policies, procedures, and practices ensure the protection of clients' rights receiving behavioral health and developmental disability services.

Each committee shall issue an annual report of its activities and recommendations for changes to the ADOA Director, the Director of the Department of Economic Security, the President of the Senate, the Speaker of the House Representatives, the Chairpersons of the Senate health and human services committee and the House of Representatives health committee, or their successor committees.

Our primary efforts due to COVID 19 meeting restrictions has been focused on reviewing incident reports given to us by DDD Quality Management and Behavior Treatment Plans submitted to DDD, that have been approved by Program Review Committee for DDD, for individuals who live in a DDD residential settings and are taking any medication(s) that assist in behavior modification.

The committee reviews data trends regarding providers and the number of incidents they report in a month. We also look at individual members and the number of incidents they have in a month to see what resources need to be extended to them or action taken by the committee to improve the quality of life.

Membership

Cynthia McKinnon, Committee Chairperson, resigned January 1, 2021, due to health reasons.

Robert Malloy Vice-Chairman elected to Chairperson January 2021

Dani Lawrence Resigned December 2020

Kyle White Membership Terminated by the committee for unexcused absences May 2021

Meagan Van Wyck Resigned April 2021 due to job requirements

Sandra Malloy Parent

Jody BonDurant-Strong Appointed November 2020

Per ARS 45-3901, our committee is to be composed of at least seven and no more than fifteen members with members having expertise in the following areas: psychology, law, medicine, education, special education, social work, criminal justice, and at least two parents of children/adults who receive services from DDD.

Membership of the committee was only six members starting in July 2020. Recruiting new members is an ongoing process, and DD/DES has been helpful; we had one new member volunteer and appointed this year. All our current members have been trained in Article 9 standards.

We lost a couple of members in the past couple of years due to COVID 19 meeting restrictions and the feeling they are not accomplishing anything that improves the lives of our members but are merely pushing paper around. The statutory intention of this committee is to protect our members and enhance the quality of their lives as it pertains to DDD services.

Meetings

Twelve virtual meetings were scheduled. Four were not held due to no quorum of committee members.

Incident Reports

District North reviewed a total of 4535 incident reports and 257 behavior plans from 3359 clients. These came from these sources: 70 Adult Developmental Homes providers from 19 agencies, 16 Children Developmental Homes from 4 agencies, and 180 Group Homes from 28 agencies. There are also 60 Day Treatment Programs for Adults (DTAs)

2020-2021 District North IOC received incident reports dealing with reported Physical Abuse, Sexual Abuse and Other Abuse, Neglect, Accidental Injury, Missing Clients, Emergency Measures, Human Rights Violations, Medication Errors, Death, Suicide, Hospitalization, and Theft and Property Destruction.

Because the committee had only three members starting in January 2021, we could only review "open" incident reports and "closed" human rights reports. Less than 2% required followed up on Article 9 violation questions.

In 2021 DDD developed a secure electronic review system that eliminated paper incident reports being mailed to committee members. This was a significant improvement over the previous system.

Committee Observations

I was elected chairman in January 2021 due to the illness of Cynthia McKinnon. Many of these comments are from a resignation letter by Cynthia McKinnon.

Due to COVID 19, the committee did not perform onsite inspections. The following observations are from incident reports written.

Dental Care

Dental care is lacking for DDD members, and extraction is most often the choice of treatment after years of neglect. Lack of appropriate dental care is a health threat and the cause of chronic pain in those unable to communicate. We urge full funding of dental care.

Wages

The suppression of minimum wage and underfunding of DDD providers by the State of Arizona has caused difficulty in hiring and retaining appropriate, skilled, and dependable workers for group homes and has forced providers to leave Flagstaff. Increase of statewide minimum wage and increased payment for providers as is necessary to the safety and proper supervision, protection, and improvement of quality of life for all members. Employment turnover at group homes is high due to low wages and poor working conditions.

Police Involvement

Many times, when providers call "crisis," they are told to call the police. The police do not have the appropriate training to deal with our members. The police and the jails and courts are not a proper place for our members. Involving the police can result in a tragedy such as death.

Taking a client to jail treats them as a typical criminal, and police do not understand their unique mental situation and specialized needs. Clients have been denied their medication while in jail resulting in further behavioral and medical issues. These issues are directly in opposition to laws and policies in place to ensure our client's human rights. Policy changes need to be instituted to prevent these things from happening.

Housing Support

High functioning individuals who need assistance for physical care but are otherwise independent are necessary. These individuals are often housed with severely behavioral individuals or in individual homes where regular interaction with the community is difficult to obtain. We are aware of support for particular (higher functioning autism spectrum individuals), and DDD needs to provide the same attention to high functioning individuals with physical disabilities.

Behavioral Health Hospitals

There are no behavioral hospitals in Arizona prepared to appropriately meet the needs of our members when psychiatric hospitalization is required due to medication changes that need to take place in an inpatient setting. Clients are placed with mentally ill, criminals, and drug addicts. These need to be specialized for our members that are set apart as their needs are incredibly different.

These issues and recommendations have been previously discussed with DDD management. This should receive the highest priority in addressing this issue and problem.

Independent Oversight Committee

With the resignation of our chairman and some committee members last year, our District North liaison Eric Houghtalin left suddenly in September 2020 for a job outside DDD. Richard Kautz, DDD Independent Committee Manager, was quick to appoint Jeffrey Yamamoto, and he was instrumental in helping the committee convert to a paperless incident report system. Octavia Lamb came on in January 2021, and they have provided me with the support I needed stepping into this position.

Two other vital individuals supporting District North have been Marilyn Croci as Program Review Chair and her administrative assistant Beckie Smith.

Special Recognition

Cynthia McKinnon served this committee for almost 20 years. Unfortunately, due to illness, she had to give up her leadership position. I hope I am a worthy successor. We will miss you.

Robert J. Malloy

Program Chair, District North