Investigating and Monitoring in PRTFs

NDRN 2020 Annual Conference
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Learning Objectives

Psychiatric Residential Treatment Facility (PRTF) Quick Overview

Alabama’s Childcare System Snapshot

Defining PRTF Initiatives

Alabama PRTF Initiative & Outcome
Psychiatric Residential Treatment Facility (PRTF)
Quick Overview
What is a PRTF?

- Medicaid funded, separate, stand alone entity serving youth under age 21. 42 USC 1396d(h); 42 CFR 483.352

- A PRTF is NOT a hospital.

- Purpose to improve mental health condition or prevent further regression so intensive services are no longer needed. 42 CFR 441.152(a)(3)
PRTFs and Medicaid

• Must be accredited by JCACHO, CARF, COA or any other accrediting organization with comparable standards recognized by the State. 42 CFR 441.151(a)(2)(ii)

• Licensing agency must certify that all PRTF contracts meet Medicaid’s Conditions of Participation for Seclusion and Restraint. 42 CFR 483.358(g); 42 CFR 483.358(d)

• Contract programs must submit attestation of compliance with reporting requirements of serious occurrences and the use of restraint and seclusion upon enrollment. 42 CFR 483.374
Placement in a PRTF

- Individual must be identified by a mental health professional within DSM diagnosis within the range of 290-316 (Per Alabama RFP). Is an optional Medicaid benefit. States can determine which conditions fall under this benefit.

- Implementation of a professionally developed and supervised individual plan of care, approved by an independent team as meeting medical necessity for this level of care.

42 CFR 441.150-182
Ineligibility for PRTF

• Actively homicidal, suicidal or psychosis not controlled with medication or diagnosis in exclusionary category from DMH licensed facilities, (e.g., Autism). \textit{(Alabama RFP)}

• Displayed major acts of violence or aggression such as rape, arson, and assault with a deadly weapon, murder, and attempted murder within the past (6) months. \textit{(Alabama RFP)}
Alabama’s Childcare System Snapshot
## Number Foster Care Children in Child Care Institutions March 2020

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Facilities</th>
<th>Group Homes</th>
<th>Emergency Shelters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number by Type</td>
<td>34</td>
<td>30</td>
<td>4</td>
</tr>
<tr>
<td>Number of Children</td>
<td>689</td>
<td>131</td>
<td>10</td>
</tr>
</tbody>
</table>

Six PRTF Oversight Agencies

- Centers for Medicare and Medicaid Services
- Department of Human Resources
- Department of Mental Health
- Department of Public Health
- Alabama Medicaid
- ADAP (Protection & Advocacy)
Defining PRTF Initiatives
Individual Investigations
• Serious occurrence reports
• Individual complaints

Monitoring Efforts
• Abuse, neglect and conditions
• Placement & length of stay (los)
• Education services
Monitoring Scope

Behind-the-Scenes Look

Administrative interview
Facility tour
Information to residents
Individual interviews
Policies, procedures, handbook
Serious Occurrence Report

- Clearly defined, uniform reporting definitions and process
- Internal data collection and vetting process
- Oversight agency responses
Identify potential claims

- Right to treatment
- Safety and environment
- Placement/LOS
- Seclusion and restraint use
- Education and FAPE
Alabama PRTF Initiative & Outcome
“Happy Farm”
Psychiatric Residential Treatment Facility (PRTF)

- Bed capacity: 43
- Dorms: 3 female & 1 male
- Age range: 12 -18 YO
- Co-occurring disorders: approximately 85%
- Certification: Alabama Department of Human Resources
- Reimbursement rate: $259.75 per diem
- Cameras: 100 + continual feed
- Education services: on campus school
- Seclusion: Safe Space building and detention center
- Restraints: Physical and mechanical
Monitoring and 29 Investigations

- Restraint and Seclusion Injuries and Misuse
- Physical and Verbal Abuse
- Neglect
- Elopements
- Excessive Seclusion
GEORGE
Age 12
Loves playing Fortnite

Physical Abuse
- Repeatedly dragged across concrete by multiple staff
- Bruises all over body from being bullied and manhandled by staff and residents
- Suffered black eye at the hands of roommate
- Suffered a broken thumb while dragged across floor and into seclusion

Verbal Abuse
- “Cursed at like a dog”
- “Called fat boy”
Neglect (Incident #1)

• Taken to seclusion wrapped in blanket and wearing NO clothes.
• Allison, NAKED, jump out of vehicle and ran up hill.
• Secluded overnight. NAKED. No mattress
• Not continuously monitoring in seclusion; cut her arm with screw from ceiling.
• Transported back to dorm next day – still NAKED.

Neglect (Incident #2)

• Days later, ingested shampoo and taken to hospital.

Neglect (Incident #3)

• Eloped from campus. Raped while on elopement.
Neglect (Incident #1)

- Three (3) weeks after resident Isabelle ingested soap in a staff bathroom, Candace entered the same unlocked bathroom, found unsecured bleach, and drank bleach.

Neglect (Incident #2)

- Attempted suicide by swallowing a tampon; almost asphyxiated. Sent to hospital.
Operates Like a Juvenile Detention Facility

• Use of shackles and handcuffs
• Residents forced to wear orange detention jumpsuits
• Routinely use detention building for seclusion
• Facility pressing charges against residents
• Institutional residential units
• Instigators and retaliatory staff
Restraint and Seclusion

- Purchased straight jacket costume
- Co-mingling DYS/DHR populations
- Excessive seclusion, (i.e. overnight, days and up to a week
- No continuous, in-person, face-to-face monitoring
- Handcuffs and shackles
Behavior Management and Therapeutic Interventions

- Staff lack fundamental understanding of mental health
- Lack of individualized therapy
- Lack of access to therapist
- Lack of transitional programming
Behavior Management and Therapeutic Interventions (cont.)

- Staff making medical decisions with no license
- Pervasive physical and verbal abuse by staff
- Failure to use least restrictive behavior interventions
Plan of Action

• ADAP met with Happy Farm leadership

• Investigation and Monitoring Team presented a powerful PowerPoint and case examples

• ADAP’s list of met demands:
  – Closed intensive program (PRTF)
  – Hired expert, agreed upon by both parties, to conduct a program evaluation
  – Restructuring program
  – Identified baseline metrics for individual child reviews
Resources

**Handouts**
- Serious Occurrence Report
- Administrative Questionnaire
- Request for Documents & Data
- Resident Questionnaire
- CMS memo on PRTFs
- CMS Frequently Asked Questions on Restraint and Seclusion

**Federal Regulations**
- 42 C.F.R. §441.150-184 – Inpatient Psychiatric Services for Individuals Under Age 21 in Psychiatric Facilities or Programs
- 42 C.F.R. §483.350-376 – Condition of Participation for the Use of Restraint or Seclusion in Psychiatric Residential Treatment Facilities Providing Inpatient Psychiatric Services for Individuals Under 21
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