

Date: 09/27/2022

To: [REDACTED] Guardian
Bill Maynard, Administrator w/ Takoda Trails
Caren Painter, President of CLW
Kara Frederick, Quality Assurance Director with BCBDD

From Mike Sweetin, Butler County Board DD

Name: Lauren [REDACTED]
Incident Number: 2022-009-0244
Type of Incident: Alleged Neglect

Statement of Incident/Findings:

Statement of MUI rule: Neglect means when there is a duty to do so, failing to provide an individual with medical care, personal care, or other support that consequently results in serious injury or places an individual or another person at risk of serious injury. Serious injury means an injury that results in treatment by a physician, physician assistant, or nurse practitioner.

Statement of allegation: On 7/18/2022, it was reported to the Office of Incident Review that Lauren [REDACTED] was accidentally left unattended on the van at CLW for several hours approximately 9:30am-1:30pm. The Administrator for CLW was driving the van. Fortunately, the weather was very nice. The doors and windows in the van were open, and there were no adverse effects/outcomes. IP/RAAG was reviewed: Lauren requires visual supervision while in the community and at day program. She has a seizure disorder and is blind; she has no safety skills.

Lauren was checked by nursing and monitored through the night at home by nursing staff. No adverse outcomes were reported, no injuries or changes to vitals, etc. CLW implemented a new bus checklist audit to be done to ensure all individuals have been assisted off the van. All staff at CLW were in serviced on this.

In reviewing this case, it was determined by this IA through video footage from CLW that Lauren was left on the bus for 5 hours, arriving at 9:30am and being discovered on the bus at 2:30pm. The weather on this day had a high of 83° and a low of 69° with an average temperature of 74 ° The High was from around 8pm and the low was from around 8am. Two reports of the weather from this day show it was cloudy with the report from the Columbus airport showing there was light rain in the morning, with fog and cloud coverage until 4:52pm when there were scattered clouds. This weather report shows that it was partly sunny from 1:51pm to 2:51pm with cloud coverage still in place. During this time, it was reported to be 77°. The CVG Airport report shows there was light rain in the morning, with cloud coverage until 4:52pm when it was partly cloudy.

Upon discovering Lauren at 2:30pm, the PPI took Lauren to the CLW nurse, where an objective assessment was performed. The nurse attempted to document vital signs; however, it was noted that Lauren was non cooperative, they were able to obtain a temperature of 97.9° and noted there was no change in Lauren's gait or her demeanor, with her skin being warm and dry. At this time the nurse continued with Lauren's scheduled feed via mic tube and noted that Lauren tolerated this well.

Upon arrival back to Takoda Trails Lauren was assessed again, after being informed by the nurse/s at CLW of what had happened. Lauren was monitored for s/s of change in status. Zero s/s of distress. Lauren was sitting on her bed. Zero s/s of distress noted at this time. Her Temperature was again taken at 97.8° increase fluids were given per tube and she tolerated well.

07/18/22 @ 11:45pm: Lauren was resting quietly in bed easily aroused by tactile stimuli.

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Vital signs and head to toe assessments continue to remain within the normal limits. Zero s/s of any distress or discomfort noted at this time.

07/20/2022 @ 4:30pm Resident up in her room walking around. Shows zero s/s of distress at this time. Skin warm and dry color natural. Tolerated meds/ bolus well.

Lauren's Dad/Guardian asked Takoda Trails to keep Lauren at Takoda from now on and she will no longer be attending CLW day programming moving forward. Lauren's Dad/Guardian has contacted the Police, and Sgt DeSalvo with the Forest Park Criminal Investigations Unit is looking at this case for patient endangerment. As of 08/23/2022 Sgt. DeSalvo was speaking to a prosecutor about this case. As of 09/21/22, Lauren's Dad/ Guardian notified IA that he had spoken with Sgt. DeSalvo today (09/21/2022) and it sounds like any criminal charges will be unlikely. This does not negate the risk of serious injury from a DD standpoint.

Based on the information obtained, it is the findings of this investigator that the allegation of neglect is **substantiated** due to the following:

Supervision levels were not met, and Lauren was left alone on the bus for 5 hours, (not around 3 hours as originally reported)

Lauren has no safety skills and needs to be in view of staff in the community and at CLW.

Lauren has a history of seizures and the Dx of cortical blindness with supervision not in place, this placed Lauren at risk for serious injury, should a seizure occur, or she attempt to embark from the bus. Being left in a vehicle, even although overcast, in mid 70s weather places Lauren at risk for Serious injury. The doors and windows were closed, (not open as originally reported).

Prevention Plan:

1. A letter to notify PPI that effective immediately he was placed on administrative suspension pending further investigation. As of 07/20/2022
2. Transportation Policy/Procedure Manual update with VIII and IX being added, which state. VIII: The CLW driver is responsible for checking the bus after unloading to ensure all individuals have exited the bus/van and no one is left on the vehicle. IX: Each CLW bus will be equipped with a binder and check off sheet of each individual that is riding the bus that day both AM and PM or anytime individuals are on the bus including outings. The driver is responsible for documenting who is on the bus and checking off when they exit the bus. The Administrator or their designee is responsible for monitoring these forms weekly by initialing the bottom of the page.
3. New checklist showing new columns added with 'Client clear from bus' columns for AM and PM. Previous checklist in place had a check box for AM and PM for pick up and drop off, but no column specific to clearing clients from bus.
4. In-Service sheet from 07/19/2022 by Administrator/PPI on the new bus sheets: "Clear from bus", signed by staff at CLW Forest Park location.
5. In-Service sheet from 07/20/2022 by Assistant Administrator on Transportation Policy updates, signed by staff at CLW Forest Park location.
6. IA received training for PPI on IP's dated 09/08/2022, training completed by CLW Assistant Admin'.
7. IA received CLW training for staff on MUI's/UI's, Health and Wellness alerts and Client Rights, dated 08/05/2022, training completed by Administrator/PPI.

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8. Lauren's Dad/Guardian asked that Lauren no longer attend CLW day programming, and an active plan be put in place for Lauren at Takoda Trails, to keep her active while she spends her days at Takoda.
9. Lauren's team met to update her IP as of 07/22/22 to discuss her new needs, health and welfare and add in an active plan for staying at Takoda moving forward.

Cc: MUI File

The information contained in this letter is provided to you in accordance with ORC 5123-17-02. You may dispute the findings of this report by submitting a letter of dispute and supporting documentation to the county board superintendent, or to the director of the Ohio Department of DD if the department has conducted the investigation, within fifteen calendar days following receipt of the summary. An individual may receive assistance from any person selected by the individual to prepare a letter and provide supporting documentation. If you have any questions, please call 513-785-4674 and ask to speak to the IA listed above.

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