



Monthly Report

February 12, 2010 – March 25, 2010

Background/Summary

The Office of the Independent Ombudsman (OIO) was mandated by S.B. 643 (81st Legislature, Regular Session, 2009) in response to growing concerns about the quality of care at state supported living centers (SSLCs) and services for individuals with developmental or intellectual disabilities.

The OIO was established for the purpose of investigating, evaluating, and securing the rights of residents and clients of SSLCs. The scope and function of this office will continue to expand as initiatives that have been set forth in S.B. 643 are implemented.

Dr. George Bithos was appointed as Independent Ombudsman by Governor Rick Perry on February 12, 2010.

Table of Contents:

- Consultations and Discussions

- Initiatives Defined by SB 643

 - Sec. 555.054 - Assistant Ombudsmen

 - Sec. 555.058 - Promotion of Awareness of the Office

 - Sec. 555.059 - Duties and Powers

 - Sec. 555.061 - Toll-Free Numbers

CONSULTATIONS AND DISCUSSIONS HAVE BEEN HELD WITH:

- Thomas M. Suehs, Executive Commissioner, Health and Human Services Commission (HHSC)
- Chris Traylor, Commissioner, Department of Aging and Disability Services (DADS)
- Lawrence Parker, former Chief Operating Officer, DADS
- Tom Phillips, current Chief Operating Officer, DADS. Have met frequently.
- Chris Adams, Assistant Commissioner, State Supported Living Centers (SSLC) and SSLC leadership team
- Beth Engelking, Assistant Commissioner, Adult Protective Services, Department of Family and Protective Services (DFPS). Met several times with Ms. Engelking, as well as with staff at DFPS
- DFPS Regional Directors. Discussed Memorandum of Understanding (MOU)
- Veronda Durden, Assistant Commissioner, DADS Regulatory Services, as well as entire leadership team
- Steve Aragon and Karen Ray, Legal Department, HHSC. Met on several occasions. Discussions centered on provisions of SB 643, including the role of the Ombudsman, MOU and procedures for reporting incidences
- Patty Ducayet, State Long-Term Care Ombudsman, DADS
- Ombudsman Office for HHSC

INITIATIVES DEFINED BY SB 643 UNDERTAKEN:

- **Sec 555.054 - Assistant Ombudsmen:**
 - Posted positions for all Assistant Ombudsmen at each SSLC. The posting has closed. 10 of the 12 Consumer Rights Officers (CROs) have re-applied.
 - In regular discussions and have a continual relationship with Pam Carley, Director, Consumer Rights and Services at DADS. Discussions have included process for evaluating, interviewing and transferring those present CROs into the Assistant Ombudsmen positions, as appropriate.
 - Since the enactment of S.B. 643, the Rights Officers of Abilene, Austin, Brenham, Corpus Christi and Denton have applied and secured other positions within HHSC.

- **Sec 555.054 - Assistant Ombudsmen:**

- During this time, the Directors have appointed Interim Rights Officers to carry out these duties. All but 2 of the existing 4 Interim Rights Officers have applied for the positions, as well as 8 current Rights Officers. All applicants meet or exceed the 5 years of experience required by S.B. 643. I have hired these Assistant Ombudsmen after face to face interviews.
- Denton SSLC – Additionally, have filled the second Ombudsman’s position, which had been vacant.
- San Angelo SSLC
- San Antonio SSLC
- Richmond SSLC
- Posted position for Executive Assistant. The posting has closed. There were over 500 applicants. Final interviews were March 23, 2010. Selection by March 29, 2010.

Site Visits Completed:

- Austin SSLC
- San Antonio SSLC
- Denton SSLC
- Richmond SSLC, included meeting with Friends and Family Association

Site Visits Scheduled:

- Mexia SSLC
- Brenham SSLC, includes meeting scheduled with Family and Friends Association
- Others pending

- **Sec. 555.058 - Promotion of Awareness of the Office:**

- Logo has been designed for identifiable visual symbol
- Posters are in design phase
- Post cards for personal contact
- Tri-fold pamphlet explains office, services and contact information

- **Sec. 555.058 - Promotion of Awareness of the Office:**

- Webpage being designed (see attached mock-up)
- Established confidential email box at SSLC.ombudsman@dads.state.tx.us
- Established confidential secure fax line at 512-438-4085.

- **Sec. 555.059 Duties and Powers:**

Legislative visits:

Rep. Bolton, March 19, 2010

Appointments scheduled for Lt. Gov.'s office

Other appointments with Legislative Committee Chairs and members are being scheduled

Scheduling appointments with Legislators representing districts in which SSLCs are located.

- 2 complaints have been handled by the office
- Appeal of request for Alternative Placement San Angelo SSLC closed
- Incident at Richmond SSLC continues under investigation.
- Evaluation of intake and monitoring software
 1. HHS Enterprise Administrative Reporting and Tracking system (HEART)
 2. Remedy

- **Sec. 555.061 Toll-Free Numbers:**

- Two telephone lines established - 877-323-6466 and (TDD) 877-648-2233