

CLIENTS' RIGHTS ADVOCACY SERVICES

**Annual Report
July 2015 – June 2016**



State Council on Developmental Disabilities

**STATE DEVELOPMENTAL CENTER AND STATE OPERATED COMMUNITY
FACILITIES**

CLIENTS' RIGHTS ADVOCACY

ANNUAL REPORT

July 1, 2015 – June 30, 2016

Introduction

This report is respectfully submitted in accordance with the interagency agreement between the Department of Developmental Services and the State Council on Developmental Disabilities for the provision of clients' rights advocacy services at all State Developmental Centers and State-Operated Community Facilities.

Lanterman Developmental Center closed on December 23, 2014. The SCDD Clients' Rights Advocate position ended with the closure.

<i>Developmental Center/ Community Facility</i>	Canyon Springs	Fairview	Porterville	Sonoma	Total
# of Services Provided (Appendix A)	58	93	100	159	410
Denial of Rights (Appendix B)	6	16	14	14	50
# of Requests for Release forwarded to Superior Court (Appendix C)	16	20	19	4	59
Grievances	0	0	0	0	0
WIC 4731 Complaints filed	0	0	0	1	1
Complaints (Non-WIC 4731)	12	6	4	4	26
Incident Reports	0	28	1	0	29
Mandatory Abuse Reports	0	0	0	0	0
DC Staff and Provider Trainings	54	52	26	19	151

<i>Self-Advocacy Trainings</i>	12	7	4	14	37
<i>Meetings with DC Staff</i>	36	45+	19	67	167+

Overview of Services Provided

Canyon Springs Community Facility

Canyon Springs will be open sixteen years in December 2016. The population at the time of this report is 47. A total of over 121 clients have been served by this facility. The CRA provides advocacy services to all individuals at Canyon Springs and those clients that have been transitioned into the community. The CRA is available by phone and in person. All clients can call the CRA by dialing *81 on any payphone located on the clients' residences. Here is a list of activities that the CRA is involved in:

- Provides self-advocacy training to individuals and in small group settings
- Participates in Client Council Meetings that are held monthly
- Facilitates a Client Advocacy Group which is held monthly
- Attends daily morning management meeting to discuss incident reports and other issues involving clients and provides advocacy input
- Visits all work sites clients are participating in those on Canyon Springs Campus and those off campus
- Participates and is a member of the Restrictive Intervention Review Committee (RIRC) Human Rights Committee (HRC)
- Reviews Canyon Springs policies and procedures and provides input concerning advocacy and clients rights
- Facilitates/Coordinates meetings/phone calls between Riverside County Adult Protective Services, Long Term Ombudsman Services, Department of Public Health Licensing and Certification Services and Disability Rights of California
- Participates in weekly Emerging Risk Notification Evaluation Meetings (ERNE) and advocates for clients being discussed
- Provides consultation regarding rights issues and complaint processes to client families and conservators
- Reviews denial of rights reports with clients including restoration criteria and complaint process
- Meets quarterly with management team to discuss policies and procedures, client's concerns and rights protections
- Provides client's rights training to new employees, volunteers, families, conservators, and a refresher course to active employees on a monthly basis, and students from surrounding universities and colleges
- Investigate all suspected rights violations and discuss with the clients their rights and due process
- Represent clients to initiate proceedings in informal and formal fair hearings

Fairview Developmental Center

The CRA continues to provide services in the following areas:

- Investigates alleged clients rights violations and abuse allegations brought to the CRA attention by consumer, family and/or staff.
- Attends denial of rights meetings and approves/reviews denial of rights requests.
- Assists consumers' requests for release with filing Writs of Habeas Corpus.
- Assists consumers with pending court hearings and other legal matters by communicating with attorneys and helping consumers communicate with attorney and Regional Center (RC) representatives.
- Consults with consumers, their families, ID Team and other FDC staff, Deputy Public Defenders and RC representatives regarding rights issues.
- Attends Individual Program Plan (IPP) meetings, Transition Support and Review meetings and special meetings at the request of the consumer, parents, RC representatives, and FDC staff where rights are discussed or to convey consumer concerns.
- Reviews all incident reports with recommendations, as warranted.
- Reviews FDC policy and procedures.
- Provides training and consultation to Orange County Public Defender's Office, District Attorney, and Superior Court, as necessary.
- Makes referrals to various other advocacy agencies, as necessary.
- Provides annual training for all FDC employees in Clients' Rights and SCDD role in advocacy, as well as for new employees at orientation.
- Provides training for FDC staff and other interested parties, as requested.
- Provides self-advocacy training to consumers.
- Provides technical assistance in filing complaints on behalf of consumers and/or their authorized representatives.
- Provides technical assistance in filing fair hearings and supports consumers and/or their authorized representatives, as necessary.

In addition to the above, the CRA attended weekly, monthly, and quarterly meetings to help ensure consumer rights were being protected. These meetings consisted of:

- Behavior Supports Committee (BSC)/Human Rights Committee (HRC)
- Incident Review Committee
- Bioethics Committee
- South Coast Regional Project (SCRIP) Liaison and SCRIP Advisory Meetings
- Fairview Community Association meetings
- Regular meetings with Fairview Executive and Clinical Director

Also this fiscal year, the CRA participated in both DDS' stakeholder meetings and public hearings regarding closure of FDC.

Porterville Developmental Center

The CRA continues to provide services in the following areas:

- ❖ Attends Individual Program Plan (IPP) meetings at the request of residents, parents, regional center staff and Porterville Developmental Center staff where resident's rights are discussed.
- ❖ Attends special meetings when issues of resident's rights arise.
- ❖ Speaks to administration on the behalf of residents when a right has been denied.
- ❖ Have residents sign Requests for Release when they state they want to leave Porterville Developmental Center. Assists them with contacting the Public Defender's Office, and liaison between consumers and Public Defender's Office when consumers cannot contact Public Defender on their own.
- ❖ Assists and represents residents in the fair hearing process.
- ❖ Investigates abuse complaints brought to our attention by the resident, family and/or staff.
- ❖ Approves and reviews denial of rights requests.
- ❖ Provides rights and self-advocacy training to residents and staff.
- ❖ Talks and works with family members on rights issues.
- ❖ Provides training to staff on how to effectively interact with residents and to use positive reinforcement
- ❖ Participates on committees to provide input into policies dealing with resident's rights.
- ❖ Reviews all proposed policy changes that involve clients' rights issues. Member of Policy Committee.
- ❖ Provides training to residents and staff on client's rights, the denial of rights process, and end of life decision making process.
- ❖ Provides self-advocacy training to residents.
- ❖ Provides training and consultation to the Public Defender, District Attorney and the Superior Court.
- ❖ Provide training to the Volunteer Advocates on a monthly basis
- ❖ Review all incident reports.
- ❖ Review all postural and medical supports prescribed in the acute care unit and the skilled nursing unit.
- ❖ Review restricted access plans.
- ❖ Research PDC policies and regulations

In addition to the above, weekly and monthly meetings were attended to help ensure the protection of resident's rights. These meetings consisted of:

- ❖ Human Rights Committee
- ❖ Behavioral Management Committee (reviewed 600 plans for Highly Restrictive Interventions)
- ❖ Incident Review Committee
- ❖ Dysphasia Committee
- ❖ Research Committee
- ❖ Bioethics Committee
- ❖ Secure Treatment Information Committee
- ❖ Family Life Committee
- ❖ Regular meetings were also held with the Executive Director and Clinical Director where issues were discussed and resolutions were sought. Meetings were also held with the Program Directors as needed.

Sonoma Developmental Center

The SDC CRA participated in various clinical, administrative and staff meetings and committees, when clients' rights issues were discussed or when the Clients' Rights Advocate is named as a participant in regulation. This included the following:

- Human Rights Committee
 - Whole Person Review Committee (formerly was known, as both Behavioral Intervention Review Committee and the Health Related Restraint Committee)
 - Human Social Sexual Development Committee
 - Superior Court planning and development Committee
 - Bioethics committee
 - Member of the Incident Action Team (this group reviews facility IR/GER data and can investigate further if a rights issue is indicated. This group disbanded in 2015.
-
- CRA trained the clients and staff on civil, personal and service rights three times a month, two times on ICF units and once on an NF unit.
 - CRA had regular contact Executive Director and Clinical Director where issues were discussed and resolutions were sought.
 - CRA was in regular contact with program managers, social workers and unit supervisors to address any issues that did not require executive action.
 - CRA acted as clients' rights resource to consumers and their families, and to other interested persons or organizations in the community.

- Investigated and helped resolve rights issues for consumers who were unable to register a complaint on their own behalf.
- CRA attends Individual Program Plan (IPP) meetings at the request of residents, parents, regional center staff and developmental center staff where residents' rights are discussed.
- Asserted and protected the rights of consumers entering or changing their dwellings, including placement in community care and health care facilities; judicial commitments and/or re-commitments to DDS for placement at DCs/CF; and to assist with filing a Request for Release (Writ of Habeas Corpus).
- Aided the facility in forming two new Human Rights committees; one addresses human social sexual development on campus and the other reviews Superior court planning and development. This facility accommodates the Sonoma Superior Court on campus.
- Aided in educating new community (human rights committee) members during the past year in various aspects of rights for the clients residing here.
- Presented denial of rights and court attendance data to Human Rights Committee (monthly)
- CRA joined special meeting between DDS North coast legislators and SDC stakeholders in response to closure notifications.
- CRA has been serving the clients of the new Northern STAR Acute Crisis unit.
- This CRA was accessible to consumers, including: visiting DC/CF service providers, facilities, and residences; attending planning conferences at the invitation of consumers, or their representatives; and participated in self-advocacy groups and conferences.
- CRA provided interim approvals and reviewed emergency request for restrictive interventions and/or medications with the senior psychologist and supervising pharmacist.
- CRA approves and reviews denial of rights requests.
- CRA acted as a liaison between the Superior court and regional centers with caseloads at SDC.
- CRA advocated for more participation by consumers in court and after court with the presiding judge and court personnel.
- CRA wrote a letter to the public defender advocating individual rights to court participation.
- CRA reviewed restricted access plans
- CRA studied policies and regulations to keep informed of changing trailer bill legislation affecting DC's.
- CRA provides training to residents and staff on end of life decision making and navigating outside hospital legalities that differ from DC policy.

Consumers Served by the Clients' Rights Advocate

See Appendix A

Denial of Rights

See Appendix B

Request of Request for Release Activity

See Appendix C

Complaints Filed Under Grievance Procedure

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
<i>Canyon Springs</i>	None		
<i>Fairview</i>	None		
<i>Porterville</i>	None		
<i>Sonoma</i>	None		

Complaints Filed Under Section 4731 WIC and Section 50540 of Title 17, California Code of Regulations

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
<i>Canyon Springs</i>	None		
<i>Fairview</i>	None		
<i>Porterville</i>	None		
<i>Sonoma</i>	WIC Section 4731: Appeal for the use of body checks and restricted access to own money.	CRA investigated complaint and submitted a resolution to the client and the developmental	Restrictions were rescinded substantially and client was successfully placed in the

		center.	community.
--	--	---------	------------

Complaints NOT Filed Pursuant to Section 4731 and Section 50540 of Title 17, California Code of Regulations

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
<i>Canyon Springs</i>	Client requested more food during meal times	Resolved	Meeting held. Client's portions were increased
	Client wanted to drink sodas	Resolved	Client given opportunity to purchase sodas on community outings
	Client wanted to call Family	Resolved	Arrangements made to facilitate phone call to family member
	Client wanted to work offsite from Canyon Springs	Resolved	Meeting held/Client was given tour of outside work agency
	Client wanted to visit another client that had moved into the community	Resolved	Meeting held/arrangements made for client to visit at Canyon Springs
	Client requested to wear clothing of their choice	Resolved	Client purchased clothing of their choice.
	Client wanted to get their monies	Resolved	Trust Account Office hours were given to client
	Clients wanted more computer time at computer lab	Resolved	Meeting held/schedule was made for more access to computer
	Client wanted to make more money	Resolved	Meeting held/options given for different work sites
	Client wanted an advocate	Resolved	Advocate/Volunteer hired

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
	Client wanted to move out	Resolved	Meeting held/options for independent living options; request for release initiated
	Client wanted to go their court hearing	Resolved	Discussion with Public Defender. Client attended court
Fairview	Advocacy services noted that in some IPPs under the rights section it reads conserved consumers have been “adjudicated incompetent”.	Ongoing	CRA discussed with FDC administration. Advocacy Services suggested that the language should be changed to include a list of the powers conservators have and indicate consumers do not have an understanding of certain procedures instead of the wording “adjudicated incompetent”. Since the initial discussion, CRA has brought this issue up at with Clinical Director at their regular meeting with updates. CRA continues to see this language in IPPs.
	Consumers were being asked to sign a CPS “Dress Code and Rules of Conduct”. One of the rules said that telephone use during work hours is only allowed for emergency situations.	Resolved	CRA met with the CPS Program Director and staff to discuss the need for the rules as well as the concern that the right to call the CRA, regional center worker was being restricted if rules were kept as written. As a result of this meeting, the rule regarding telephone use was changed so consumers could utilize the telephone during their break

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
			times.
	A consumer's medication was titrated down a month before he was to be placed in the community.	Resolved	CRA discussed with FDC administration. The Clinical Director agreed medication should not be titrated during transition for this individual.
	Two consumers who had Denial of Rights (DORs) in place with enhanced supervision were able to ingest items. One consumer had 2 incidents in a month, the other consumer had one.	Ongoing	CRA met with FDC administration. Program Director told additional staff training would be conducted.
	A consumer residing in the NF program had a community placement (community care licensed homes) identified and transition was occurring. Full bed rails were being used at FDC; full rails could not be utilized in a CCL home. Regional center was requesting bed trials with half rails	Resolved	Regional center continued to have difficulty regarding complete bed trials being conducted. CRA met with Clinical Director. Bed trials conducted and residential provider/regional center agreed to have a 1:1 while consumer slept. Physician orders changed and consumer moved into facility.

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
	to be conducted and physician orders to be changed so consumer could move into identified home.		
	While attending a TRM there were concerns whether a consumer's current medical issues would be resolved quick enough to allow the consumer to move into the identified home as planned. Transition had been going on for nine months. Given the outcome of the medical status was unknown, the ID Team and brother/conservator made a formal request to the regional center to pay for a bed hold until issues were resolved.	Resolved	CRA wrote a letter to the respective regional center in support of this request and asked that they hold the bed for the consumer while medical issues were being resolved. Bed hold was not needed as medical issues were resolved and consumer was placed.
Porterville	Consumer mail	Resolved	A facility wide plan of

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
	being opened by SDC staff without consumer consent		correction was enacted after CRA investigation substantiated rights violation.
	Lack of access to a hairstylist for ICF consumer(s).	Resolved	Program management was contacted by this CRA and shortly after the client received a haircut. Further steps were taken to make available an alternative hair stylist available for other consumers needing haircuts.
	CRA received a call from day program staff concerned about the dignity of a client to collect medical specimen while at an off-site.	Resolved	CRA contacted the consumer's residence manager and questioned medical order for collection. CRA advised the team to look at alternatives for collection that would protect privacy and dignity.
	Concern for unsafe conditions on a skilled nursing unit.	The facility management and the unit ID team worked together to re-arrange the unit	The CRA along with the VAS Coordinator were asked by ancillary staff to do a tour of a recently re-located skilled nursing unit and made management aware of hazardous conditions and requested immediate action to

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
		both in physically space and with staff deployments. Monitoring continues.	rectify the conditions reported.
Sonoma	ICF ID team not following superior court orders to inform all parties of changes that might affect community placement for an ICF client with a writ (request for release).	The CRA met with the Executive Director of SDC; The ED assured us that she was investigating and will remind her staff to abide by the court orders.	The client is now successfully placed in the community.
	Northern Star Acute Crisis staff not following proper DOR process.	The CRA met with the Executive Director of SDC and N Star program director. Ancillary staffs were	SDC administration is supporting further CRA training for ICF staff in the DOR process.

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
		trained by the CRA in proper process.	
	Unit Supervisor failing to report that a client was asking out aka request for release.	The CRA contacted the Program Director and met with the ICF client at his off-site program. CRA aided client in filing a writ (request for release) to the superior court.	Staffs involved were re-trained in facility policy for request for release.
	ICF ID team not respecting individual choice for medical procedure.	The CRA and VAS contacted the Executive Director of SDC and met with her to discuss an un-conserved client's	Client was given choice not to have surgery.

Developmental Center	Nature of Complaint	Status of Complaint	Outcome of Complaint
		right to refuse surgery.	

Incident Reports Submitted by State Developmental Center

Developmental Center	Number	Type
<i>Canyon Springs</i>	0	
<i>Fairview</i>	1 11 12 4	Allegations of abuse Emergency Denial of Rights Deaths Allegations of Rights Violations
<i>Porterville</i>	1	Allegation of abuse
<i>Sonoma</i>	0	

Mandatory Abuse Reports Submitted to Other Protective Services Agencies

Developmental Center	Issue	Agency Submitted To
<i>Canyon Springs</i>		All incidences that meet reporting criteria per Department of Developmental Services policy 129 are reported to: Department of Health Services, Department of Developmental Services and the Regional Center.
<i>Fairview</i>	All above listed incidents are reported by FDC to appropriate agencies	
<i>Porterville</i>	None	

Developmental Center	Issue	Agency Submitted To
Sonoma	None	

DC Staff and Provider Trainings

Developmental Center	Summary of Content	Number and Type of Attendees	Number of Sessions
Canyon Springs	Monthly Block Training - Clients' Rights Advocate duties and responsibilities	28 - Canyon Springs Developmental Center Employees	24
Canyon Springs	New Employee/Volunteer/ Orientation Training - Clients' Rights, Requests for Release, Self-Advocacy	15- Canyon Springs Developmental Center's newly hired employees.	20
	Advocacy Training – Clients' Rights	8-Volunteers/ Advocates	6
	Clients' Rights Advocacy Training	14 – San Bernadino Valley College	4
Fairview	Basic Principles of Clients' Rights presentation (one hour)	821 (all staff)	34
	New Employee Orientation – Clients' Rights presentation (1 ½ hours)	110 (all staff)	12
	Supporting Choices, Making Transition	55 (all staff)	6
Porterville	New Employee Orientation:	216 DC Staff	12

Developmental Center	Summary of Content	Number and Type of Attendees	Number of Sessions
	Overview of Consumer's rights, function of the CRA, Denial of Rights process, responsibility of staff as advocates		
	Monthly Advocacy Training	7 Volunteer Advocates	4
	Clients' Rights Training	7 Volunteer Advocates and multiple DC Staff	10
Sonoma	CRA trained employees on the history of the Lanterman Act. The civil, service and personal rights of consumers at the DC. CRA roles and responsibilities on campus. Information on the State Council and its purpose and information on regional centers and regional projects across the state. Question and answer session.	200+; All disciplines and professions who are employed by SDC.	19

Self-Advocacy Trainings

Developmental Center	Summary of Content	Number and Type of Attendees	Number of Sessions
-----------------------------	---------------------------	-------------------------------------	---------------------------

Developmental Center	Summary of Content	Number and Type of Attendees	Number of Sessions
<i>Canyon Springs</i>	Canyon Springs Statewide Self Advocacy Groups	47 residents; 6 staff	12
<i>Fairview</i>	<p><u>July 2014 – PF of FDC General Meeting – What do Regional Centers do</u></p> <p><u>September 2015 – Self-Advocacy March</u></p> <p><u>November 2015 – PF of FDC General Meeting – IPP Training</u></p> <p><u>January 2016 – FDC General Meeting – IPP Training</u></p> <p><u>January 2016– PF of FDC General Meeting - New Year, New You Training</u></p> <p><u>March 2016 – Pf of FDC General Meeting – DDS Stakeholder; FDC Closure</u></p> <p><u>May 2016 – PF of FDC General Meeting –</u></p>	<p>45 residents with support staff</p> <p>50 residents with support staff</p> <p>24 residents with support staff</p> <p>42 residents with support staff</p> <p>19 residents with support staff</p> <p>37 residents with support staff</p> <p>40 residents and support staff</p>	<p>One session</p> <p>One session</p> <p>One session</p> <p>One session</p> <p>One session</p> <p>One session</p> <p>One session</p>

Developmental Center	Summary of Content	Number and Type of Attendees	Number of Sessions
	<u>Community Living Options</u>		
Porterville	Supporting Choices Placement Transition Money Management Clients' Rights at PDC and in the community	10-13 clients per session	4
Sonoma	Training of civil, service and personal rights afforded to people with developmental disabilities in California. Voting rights and responsibilities. Group voting exercises to make decisions on guest speakers to present at advocacy sessions. Community Options trainings. Types of work and leisure options in the community. Individual Program Planning training on how to participate and empower individual choices during meetings. Guest speakers from professional groups such as fire department, Clothing department manager and animal farm	20+/- clients per session	14

Developmental Center	Summary of Content	Number and Type of Attendees	Number of Sessions
	manager.		

Meetings Attended with Specified Developmental Center Staff

Developmental Center	Type of DC Staff	Number of Meetings
<i>Canyon Springs</i>	Executive Director	6
	Administrative	12
	Clinical Staff	18
<i>Fairview</i>	Executive Team	11
	Bio-Ethics Committee	2
	BMC/HRC	Weekly
	FDC Community Association	12
	South Coast Regional Project Liaison meetings	1
	OPS meeting	1
	Governing Body/Executive Committee	4
	Fairview Friends and Family meetings	7
	DDS Stakeholder, Public Hearings, FDC Closure meetings	3
<i>Porterville</i>	Executive Director	3
	Administrative	16
<i>Sonoma</i>	Executive Director	10

	Administrative, Clinical, LOC	57
--	-------------------------------	----

Systemic Issues

Canyon Springs

Client Input: Canyon Springs has weekly Emerging Risk Notification Evaluation meetings (ERNE). These meetings evaluate risk and ensure the most effective treatment approach is established for each client. Clients do not attend these meetings, where decisions are made about their programming protocols.

Trust account access: Canyon Springs trust accounts are being managed through Fairview Developmental Center. The clients' (SSI/SSA) benefits and P&I monies first go to Fairview. This process continues to cause delays in clients receiving their monies.

Community placement transition: Several clients that are in placement planning are still residing at Canyon Springs with no definite target date to move into the community due to lack of specialized development.

Update: It's noted that transition moves faster when there is increased communication between the facility, the regional project and the Clients' regional center. CRA continues to advocate for increased communication between all entities by assisting clients with communication to Regional Center service workers and other agencies.

Fairview

Writ of Habeas Corpus filed in the court in Orange County: On November 8, 2013, the Court of Appeal, Fourth Appellate District, Division Three published an opinion known as the "Michelle K case". Because of this decision, the Orange County Public Defender's Office felt they could not go calendar requests for release (writs) which were forwarded to them by the FDC CRA. It was the Public Defender Office's interpretation that only under extreme conditions could they proceed with these Writs of Habeas Corpus. As a result, all of the requests for releases initiated by the FDC CRA have not had any action taken. When discussing this with the Orange County Public Defender's Office in January 2016, they indicated they holding for the probate process (the case is in court of appeals) as they indicated they could not go through

the HOP process. On April 28, 2016, the Court of Appeals published their opinion. In their previous opinion, they concluded Michelle K. had a due process right to periodic judicial review and issued a writ of mandate directing the trial court to conduct a hearing on Harbor Regional Center's (HRC) recent petition seeking court approval of her ongoing placement. Harbor Regional Center then requested to dismiss its petition before the trial court as they determined a less restrictive placement could meet her needs. Her conservator opposed the dismissal as he felt Harbor Regional Center had not identified a less restrictive placement. Because the placement could not be maintained without HRC's approval, the trial court granted the dismissal request which the conservator appealed. In the current appeal, the court indicated that after HRC withdrew its support for ongoing placement, judicial review was no longer necessary as Lanterman Act does not permit the client to remain at FDC without HRC's approval. This transformed the matter from an independent review of the ongoing placement constitutionality into a dispute between the conservator and HRC. The court indicated the conservator must invoke the fair hearing process to challenge HRC's decision to move the client into a specific community based facility. The conservator may obtain judicial review only after that process has run its course. Despite this, the CRA has continued to complete and submit all requests for release to the Orange County court and we will continue to do so.

Update: As of this writing, Orange County Superior Court has not yet determined how they are going to proceed with writs given the April 28, 2016 appellate decision. They indicated they would notify the CRA once they have decided their course of action.

Hop commitments by Harbor Regional Center: As mentioned above, in March 2014, Harbor Regional Center made a decision to not renew the HOP commitments of their thirty-nine consumers who reside at FDC. On June 27, 2014 SCDD CRA filed a Title 17 §50540 on behalf of three consumers. In August 2014 we received a response from the executive director which indicated they were actively seeking placement for these three consumers in addition to approximately seventeen others. Harbor Regional Center is continuing to develop resources. Recently, they have begun recommending to the court of jurisdiction continued residence at FDC until a less restrictive community living option becomes available for a number of their consumers. However, HRC consumers continue to reside at FDC without a current commitment regardless of the fact transition activities are in place.

Update: As of July 1, 2016 HRC has fourteen individuals still residing at FDC. Nine of the fourteen do not have current court commitments. Two of these consumers will be moving in July 2016. HRC is working in collaboration with Westside Regional Center (WRC) in regards to funding ARFPSHNs in their catchment area and will be

transferring seven consumers to WRC. Once the transfer occurs, five Harbor Regional Center consumers will reside at FDC.

Handcuff usage: In the first six months of the fiscal year, an increase in handcuffs being used as a “last resort” during behavioral emergencies when OPS was called to assist was noted. The CRA brought up this issue when meeting with FDC administration. The CRA also met with the previous commander and the Clinical Director to review the increase use. In addition, all staff have been trained in the use of Eureka pads.

Update: Since February 2016, the use of handcuffs has not been an issue.

Attendance at IPP/Special team meetings: There is inconsistent attendance by consumers and some regional center workers at team meetings (IPPs, TPMs). This was brought up at one of the SCRP Liaison meetings and Clinical Director. The Clinical Director said FDC would offer options (teleconference etc.) to ensure regional center’s participation. The Clinical Director also indicated consumers need to be told they will still get paid or they need to change the time of the IPP meeting.

Update: Since the semiannual report, consumer attendance has improved. Not all consumers stay for the entire meeting but they are in attendance for a portion of the meeting. Regional center participation has improved as well.

Medication changes: There have been numerous situations where the psychiatrist has been changing consumers’ medications without informing conservators. The consumer’s psychiatrist, psychologist, physician, social worker, IPC and Unit Supervisor reviews behaviors and medications at least monthly. It is at these meetings where the recommendation to either titrate the medication up or down is decided. It is then the physician who implements those changes. In many instances, the conservator who has the power to make medical decisions has not been informed of the recommendations and has not had the chance to voice his/her opinion of the medication change. Medications changes are recommendations; the conservator, if they have the power to make medical decisions should also be consulted prior to any medication changes, as they are part of the ID Team. Conservators can disagree with medication changes.

Update: The CRA brought this issue up to the Clinical Director at their regular meeting. Advocacy Services will continue to monitor and report back to the Clinical Director if this practice continues.

CRA notification of client related incidents: CRA requested being able to receive the 24 hour report. The CRA/VAS Program Director reported that the contract with DDS and the Interagency Agreement indicated that the CRA would have access to all information. CRA discussed this with Clinical Director at their regular meeting. Clinical Director indicated she needed to get clarification. It was later determined that the NOD log was not a tool to be widely distributed and therefore the CRA would not be getting the report.

Update: The CRA will continue to make such requests so that the necessary information could be received to allow for SCDD to carry out the inter-agency agreement service deliverables.

Informed Consent: There does not appear to be any FDC consumers able to consent to simple medical procedures and treatment. The CRA has had the opportunity to review many physicians' declarations and from these reviews none of the consumers have been deemed capable of making any decisions. In one instance, a consumer who had come from Canyon Springs had the ability to consent while living at Canyon Springs. Once transferred, this consumer was determined to not have the capacity to consent. The CRA first brought this issue to the attention of the Clinical. The FDC Medical Director indicated the ability to consent is a team discussion that should be taking place at the IPP. The MD stated it should be a standing IPP agenda item. Since this policy proclamation, in the IPP meetings the CRA has attended, there has not been any discussion about a consumer's ability to consent.

Update: The CRA has reviewed the Policy and Procedure Manual with regards to this issue. According to FDC policy it does not appear it is being implemented as written. The CRA will continue to discuss this issue with FDC so to ensure consumers are exercising their rights, are provided with support, education and opportunities to participate in healthcare and treatment decisions to their fullest capacity.

Porterville

Physical Assaults: Incidents of client on client verbal and physical assault have risen over the last fiscal year, in the secure treatment area (STA). Client assault on staff have seen a slight increase also. The administration and staff have been working to identify the causes and effects of this increase. The increase in clients coming to PDC, to obtain court competency (commitment code 1370.1 – incompetent to stand trial), may be a contributing factor. Another issue is movement. There are two units, in the STA (Program 7), that have been relocated so that the older units are "upgraded". Historically, assault numbers are higher in Program 8. These are mostly individuals

who are here under the Welfare and Institutions Code Section 6500 (danger to self and others). Some of the clients have been in jail, prison, the streets, have a history illegal drug abuse, refuse medications, and/or have been involved in gang activity.

Update: PDC has implemented a new program CMIT (Crisis Management Intervention Technique), mandatory for all staff, to aid in the prevention of escalation and injury to clients and staff.

Client Immediate Protection Plan (CIPP): CIPP is an increased supervision protocol for consumers. Generated for a variety of reasons including, but not limited to, the following: medical conditions-flu, allergies, injuries, etc., behavioral issues; stealing from others, being out of area without staff knowledge, assaulting others, injuring self, emotional instability, recent death in the family, known during the holidays, pending court hearings and any other issue(s) that the team feels might require monitoring. Increased supervision is designed to be individualized and responsive to the consumers' needs. Since the implementation of the idea of increased supervision, it has evolved into 24 Hour supervision (referred to as 1:1). Twenty-four hours has become the standard time for increased supervision, and when increase supervision is extended, it is routinely extended for another 24 hours. The implementing staff document the time it was started and staff use this time as the measure for when the supervision will be lifted, instead of making a clinical assessment that is individualized for each consumer.

Update: Consumers continue to report this issue to the CRA. Per follow up consultation with staff, there has been validity to the CIPP being in place and the length of time it was used. CRA has provided training and will continue to work with staff to ensure the CIPP process is utilized correctly. CRA will continue to monitor.

Access to the community for clients on The Secure Treatment Area (STA): Community access continues to be almost non-existent for consumers residing in Programs 7 within the STA. Consumers in Program 7 go into the community for medical appointments, court appearances and therapeutic leave, if it has been approved. Depending on the commitment code under which the consumer is being held, court approval is required for any type of leave from the STA. Since July 2008, no community trips have been offered to the STP consumers in Program 7. In 2011, Program 8 was opened in the STA. Consumers in Program 8 began going out into the community for meals and shopping but it is limited to only those consumers who reside in Program 8 within the STA, a limited time per month with a limited number of consumers.

Update: The CRA is monitoring.

Therapeutic Leave: In the Secure Treatment Area (STA), it can be difficult for consumers to be granted therapeutic leave with family or friends due to their commitment code. A team meeting must be held to determine the appropriateness of therapeutic leave. If therapeutic leave is sought, and the team agrees, then a request must go through a series of approvals such as, the Program Director, the Office of Protective Services Commander, the Clinical Director and the Executive Director. Many times the leave request is denied at the team level. In the Welfare and Institution Code, only the facility Executive Director can approve or deny therapeutic leave. In addition, for those committed for competency training, approval must be sought from the court for any off ground activities other than court and medical appointments.

Community Placement: Regional Centers are developing community placement resources for consumers from the general treatment area (GTA) and STA, as per the ongoing closure process. Consumers are progressing through program plans and finding that lesser restrictive environments are not readily available. Regional Centers have the responsibility to create living options that serve the needed supports and services. Frequently, Regional Center staff state that there are limited resources in their areas to place consumers that reside in the STA at PDC. There are consumers in the STA that are ready for placement and are waiting for their Regional Center to find an appropriate lesser restrictive placement.

Admissions: Secure treatment Area (STA) had previously always been at near capacity. In 2011, Assembly Bill 104 decreased the number of consumers who receive services within the STA. Previously the maximum capacity was 297 consumers. AB 104 lowered the maximum capacity to 230 with the stipulation that there will be no new admission into the STA until it has reduced the capacity down to 230 consumers. In addition, DDS cannot admit any more than 104 consumers who are ineligible to participate in programs for federal financial participation which would include the consumers admitted under PC. 1370.1.

Deaths: July 1, 2015 through June 30, 2016, there were nine client deaths.

Discharges: July 1, 2015 through June 30, 2016
Secure Treatment Area: Fifty-four consumers were found competent and directly discharged from PDC to the court system of jurisdiction.

General Treatment Area: One consumer was found competent and directly discharged from PDC.

Community Transition Placement:

During the period of July 1, 2015 through June 30, 2016:

STA: 119 consumers moved into community placement

GTA: 30 consumers moved into community placement

Two clients returned from provisional placement to the STA.

Relationships & Sexuality: Relationships between consumers has always been closely monitored to ensure that no coercion, harassment or abuse occurs. Porterville Developmental Center has addressed sexuality in a very limited aspect. The facilities focus on appropriate social skills via friendship and provide training to consumers regarding abuse prevention and sexually transmitted diseases. All sexual activity is considered as possible sexual abuse until it is thoroughly investigated. A CIPP is to be initiated on any issue concerning privacy and sexual activity. In the Secured Treatment Area (STA), many of the consumers have been at the facility for over a decade and have not been able to engage in an adult relationship beyond friends. Many of these consumers are fully competent to provide consent for all medical needs, behavior plans and rights restrictions yet they are not allowed to be in a relationship beyond the facilities indicated "friendship" level. There is, however, a procedure, in place, in programs 7 & 8, outlining Consensual Affection/Sexual Activity.

Update: CRA is monitoring

Restriction of Grounds "Privileges" in the STP: The consumers are unable to socialize with their peers who live on other residences, with the exception of work/training sites, when utilizing the facility snack bar, or at special events that are held within the STA. When the fence was completed and gates were closed in the STP, PDC administration began calling the socialization that occurred between the clients on grounds "community access." Their idea was that this was the consumers' community and by socializing with peers from other residences they were able to participate in "their community." Previously, in 2002, the consumers who resided in the STP had been able to socialize with their peers, shop at the facility snack bar, attend activities scheduled off the residence, and do their banking at the satellite Trust Office, without being escorted by staff, if the consumer was assessed by the team to be able to behave appropriately. In 2008, a consumer was able to leave the facility without staff being aware (AWOL). The consumer was eventually found, returned to PDC, and later released by the court, via a writ because he had not been legally committed to PDC for

the previous eight months. Due to that event, grounds privileges were suspended for all consumers. A restrictive policy was developed. Consumers must prove that they are able to be “responsible” for 6 months prior to the team petitioning for approval, of grounds privilege, by the Program Director in order to socialize within their treatment area.

Update: The CRA has elevated these issues to the State Council on Developmental Disabilities, the Office of Human Rights at DDS, and the Executive and Clinical Directors at PDC. Some of the problems with Therapeutic Leaves and Placement have been addressed by the Tulare County Public Defender and the courts. CRA is monitoring

Past behaviors: Some clients come to PDC with extensive criminal histories, medical and/or mental health issues, in addition to their other service and support needs. Many consumers have been in treatment programs, community placements and/or assisted living programs, in order to remain in the community. With the consumer having failed placement and per order of the court, consumers are then committed to this facility. Finding homes that meet the needs of some of our consumers, who require close monitoring and professional treatment continues to be an unmet need.

Update: CRA is monitoring.

Highly Restrictive Interventions (medications and restraint) and using medications to control behaviors:

The CRA is a member of the Human Rights Committee (HRC) who, in conjunction with the Behavioral Management Committee (BMC), reviews all highly restrictive programs. This committee meets weekly. Many of the behavior modification plans stay the same year after year with the only change being in the type or amount of medication used to attempt to control inappropriate behavior. At times, the dose exceeds the recommended FDA limits and in the past, very few had medication reduction plans. The CRA consistently advocated for the implementation of medication reduction plans or justification for not implementing reduction as per federal guidelines. Porterville Developmental Center has implemented policies to ensure that the federal guidelines for medication reduction plans are addressed. The facility has also addressed the use of poly-pharmacy and moved to have a “cleaner” pharmacological plan that attempts to meet the needs of the consumer.

Update: As of this reporting period, medication reduction plans have become the norm for HRC/BMC review. Plans are consistently falling within the federal guidelines of minimum effective dose. CRA will continue to monitor.

Deterring consumers from pressing charges against consumers and /or staff:

In November 2010, the administration at PDC informed management that if a consumer wished to press charges against another consumer who had assaulted him/her, the case would be sent to PDC's Executive Director who would consult with the Department of Developmental Services and determine if the consumer would be *allowed* to press charges. Although it may not be the intent of PDC's and OPS's administration to systematically block PDC's residents from accessing the services and legal protections of the court, the CRA is very concerned about this, based on *California Penal Code 422.55 & 422.6*. The facility does not appear to be adhering to this code.

Actions Taken: As stated the CRA has elevated many of these issues to various agencies and their management. The CRA also discussed the policy of approving whether consumers will be allowed to press charges on others with the Tulare County Public Defender's office.

Status: This issue is resolved. CRA will, however, continue to monitor.

Recertification: In 2014, PDC lost their certification in the ICF General Treatment Area. A "Program Improvement Plan" was entered into to continue to receive federal funding. Additionally an action plan which is part of the Program Improvement Plan was developed so the facility may re-establish licensing certification again. This will expire in December of 2016. The facility is also utilizing "Person Centered Planning" approach which is to be the foundation of the IPP, individualized to each consumer that resides in the facility.

Advocacy: The Human Rights Committee and the CRA meet with members from People First from both the GTA & STA campuses. Consumers bring issues of concern and it provides an avenue of communication between the consumers and facility management. Clients' rights issues are addressed at each meeting in addition to clarification as to what are actual rights and the process to ensure rights are protected. The consumers who attend these meetings also hold positions in People First. They are being provided the training to advocate for themselves, their peers and provide their peers with the information that is shared at these meetings.

Sonoma

During the past reporting period, fiscal year July 1 2015 to June 30 2016, the following

events and issues were raised at SDC:

The Sonoma Developmental Center has been slated for closure by 2018.

Staffing levels: In past reports, the issue of hiring qualified applicants to vital staffing positions was of concern. Now that a closure date has been stated, there has been a notable exodus of long-time employees with many years of irreplaceable experience. It has also made it hard to attract qualified replacements for those positions. Even before closure announcements it was historically hard to attract personnel willing to re-locate to this relatively expensive and remote part of California. Concerted efforts have been made to hire and re-staff personnel in critical areas. Job Fairs and community outreach through Craigslist and other social media have made an impact. A lot of new staff were hired but the center is still below normal level of care and ancillary staffing levels for a DC of this size and population.

Transition: As more and more people move into the community, training for activities of daily living and mainstreaming behavioral interventions have become major issues. As the developmental centers are considered the highest level of restriction for people with developmental disabilities in California there are interventions in place that cannot be replicated in the community. Although very few individuals on campus still have highly restrictive interventions in their plans, many have not had the opportunity to live in a non-congregant living situation for many years; this can make adjusting to the wider community a challenge.

Whole Person Review: This CRA is a permanent member of the Whole Person Review committee. The WPR functions as an extension of the Human Rights committee and is comprised of community members, professionals of interdisciplinary teams, a pharmacist, psychiatrist, senior occupational therapist and senior psychologists. During the meetings, the Individual Program Plans are reviewed to ensure ID teams are taking all disciplines into consideration when reviewing plans for efficacy.

Transition Planning: CRA attends community Transition Planning Meetings (TPMs), at the request of an individual client, or ID team and now often in place of the Volunteer Advocacy Supervisor (VAS), or an advocate who cannot attend. During these TPMs the CRA assures that the clients' rights are protected and transition planning is individualized. Training is also focused on empowering the individual in their future environment.

Trainings and Consultations: The CRA actively consults with teams on widening

greater access and unlocking areas that were historically restricted for the individuals who reside at SDC.

The CRA assisted SDC train new and returning employees. CRA trained individual ancillary staff, various professional groups, level of care staff and newly hired program managers in the area of rights, the Lanterman Act and the role of the CRA as well as responsibilities in assisting the clients they serve.

CRA has offered SDC management to do extra denial of rights and highly restrictive intervention trainings with individual Interdisciplinary Teams on the ICF behavioral residences. The administration has been receptive to this offer.

Vehicles: The service vehicle force was drastically reduced, as per past budget concerns and the state is not currently letting the DC buy some much-needed vehicles. Thus, it is difficult for residents to go on off-unit activities. Support staffs have to work out logistics between multiple residences and this sometimes limits what activities can be offered.

Update: CRA brought this issue to the executive team and to the human rights committee these past six months. I also advocated for increased activities on grounds, off residences and in to the community to try and supplement the lack of resources currently available.

Closure: As closure/transformation announcements were made this CRA was informed that lots of questions and anxiety have been noted from families of residents, the residents themselves and those that support the population at the DC.

Update: In response, successful efforts have been made for collaboration between some local regional centers and the DC for residents to visit community homes and day programs to better prepare them to understand what is offered in the community. More visits are planned for the remaining population as time progresses.

The CRA assisted the SCDD VAS Coordinator and the DC management team to facilitate a winter Opportunity Fair. It was designed to bring local regional centers and the community service providers (they contract with) to come and present what is offered for this population in the local RC catchment areas. Feedback from those who attended was very positive and more fairs/events are being planned to continue to try and bridge gaps in misperceptions of those involved in the process of closure.

Communication: As the Developmental Center population has decreased there are

fewer resources to serve those individuals with communication barriers. Although there are individuals on almost every residence that could benefit from ASL, or a foreign language to be spoken with them it is currently not readily available.

Update: This CRA and the SCDD VAS coordinator have advocated for such services and trainings to be offered on campus. The DC responded by contracting with an outside interpreter service and concentrating some resources to get a state employed interpreter dedicated to provide ASL on campus for those who need it. Unfortunately, the state interpreter has since departed the DC to a job in the community. This continues to be a work in progress situation.

Voting: Historically, voting activities received low turnout from both clients and on the DC campus.

Update: The CRA in conjunction with the SDC active treatment coordinator and SCDD VAS coordinator conducted group choice making and voting activities three times a month across the ICF and NF residences. Groups of clients have been making choices via the ballot box to request different guest speakers to come and present to the groups. So far, the SDC fire department, the SDC clothing center manager and various other DC supporting staff departments have come to speak (based on what the group has voted for) that month. We are also planning a voting opportunity fair with guest speakers from the various political groups in preparation for the up-coming election cycles.

CRA collaborated with the social workers and interested staffs to increase voter education and provide access and assistance with voter registration forms.

Conservatorship: This CRA was contacted by several concerned family members seeking information on obtaining conservatorship for residents on campus.

Update: The CRA responded by referring them to legal counsel in the community if desired. The CRA attempted to educate them on lesser restrictive measures than conservatorship as well as explaining the roles and responsibilities of engaged agencies such as regional centers and licensing agencies in the system.

Service and Policy Recommendations

Canyon Springs

Canyon Springs would benefit from being a 'stand alone' facility that houses its won

trust office on site. Presently, Canyon Springs trust accounts are being managed through Fairview Developmental Center. The clients' (SSI/SSA) benefits and P&I monies first go to Fairview. This process continues to cause delays in clients receiving their monies. Canyon Springs becoming a 'stand alone' facility would streamline this process so the clients will have access to their monies in a timely manner.

Canyon Springs has clients who sign their own consents for treatment, medications etc. For the benefit of the client, Canyon Springs could partner with the client's regional center and/or assist with identifying family members or others who could provide consent when the client lacks the capacity.

Fairview

Fairview Developmental Center continues to address sexuality in a limited aspect. Relationships between consumers have always been closely monitored to ensure that no coercion, harassment or abuse occurs. The facility focuses on appropriate social skills via friendship. Advocacy services pushes for ongoing training to consumers regarding sex education (non-consensual intimacy, sexually transmitted diseases and developing relationships beyond friends) would be of benefit to many of the consumers.

Porterville

The CRA and Advocacy services recommend increased client attendance at IPP's and Transitional IPP's. The CRA recommends continued open communication with court officials, the District Attorney and Public Defenders Offices between PDC, Porterville Regional Project, CRA, and Regional Centers.

CRA will continue to foster open communication with clients and their families and their respective Interdisciplinary Teams (IDT).

CRA will assist with planning and execution of the PDC's Community Fair by inviting families, clients, providers and other stakeholders to an information sharing event.

Sonoma

In order to provide continuous, seamless advocacy, additional provisions for the CRA to follow DC clients' further after community placement is recommended. The SCDD VAS project follows individuals for one year post placement. However, not all

individuals receive VAS services. There are a significant amount of DC clients that do not have family or conservators to aid in independent avocations after placement in the community.

Continue to guide interdisciplinary teams to concentrate on getting people who reside at the DC more prepared to go out to the wider community. The active use of replacement behavior or community oriented ADL trainings that can directly benefit individuals coming from congregant living environments should be directed by policy and continued staff training.

Appendix A

Appendix B

DENIAL OF RIGHTS
ANNUAL REPORT
Canyon Springs Community Facility
 July 2015 - June 2016

State of California- Health and Human Services
DENIAL OF RIGHTS Semi Annual Report
 DS 308

Department of Developmental Services

Client Information
W & I Code, Section 4514

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
C,S	I	07/29/15	08/29/15	08/20/15
C,S	I	10/15/15	11/15/15	10/27/15
C,P	I	11/02/15	12/02/15	11/16/15
C,S	I	01/11/16	02/11/16	01/12/16
C,S	I	04/29/16	05/29/16 06/29/19	06/07/16
C,P	I	05/04/16	06/04/16 07/04/16	06/07/16

Clients Rights:

- M** To keep and be allowed to spend one's own *money* for personal and incidental needs.
- V** To see *visitors* each day
- C** To keep and wear one's own *clothing*.
- T** To have reasonable access to *telephones* ,both to make and receive confidential calls, and to have calls made for one upon request.
- L** To mail and receive unopened correspondence and to have ready access to *letter* writing materials, including sufficient postage.

- P** To keep and use one's own personal *possessions*, including toilet articles.
- S** To have access to individual *storage* space for one's private use.

Good Cause for Denial:

- I** Exercise of specific right would be *injurious* to the client; or
- O** There is evidence that if the rights is not denied the client's exercise of it would seriously infringe upon the rights of *others*; or
- D** The institution or facility would suffer serious property *damage* if the right is not denied.

Note: Authority Cited 4505- Welfare and Institutions Code

**DENIAL OF RIGHTS
ANNUAL REPORT
Fairview State Developmental Center
July 2015 - June 2016**

State of California- Health and Human Services
DENIAL OF RIGHTS Semi Annual Report
DS 308

Department of Developmental Services

Client Information
W & I Code, Section 4514

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restorati on
P	I	7/10/12	7/10/12 through 1/13/16, 2/9/16, 3/9/16, 4/11/16, 5/4/16, 6/1/16, 6/14/16	Continued
P	I	6/29/15	7/28/15, 8/15, 9/23/15, 10/8/15, 11/5/15, 12/7/15, 1/7/16, 2/4/16, 3/1/16	3/1/16

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restorati on
P	I	12/4/15	12/31/15, 1/27/16, 2/24/16, 3/23/16, 4/20/16, 5/18/16	5/18/16
P	I	12/12/15	12/17/15	12/17/15
P	I	12/18/15	1/4/16, 1/28/16	1/28/16
T	I	1/11/16	2/10/16, 3/9/16, 4/6/16	4/6/16
P	I	2/1/16	2/29/16, 3/30/16, 4/27/16, 5/25/16, 6/14/16	Continued
P	O	2/6/16	2/29/16	2/29/16
P	O	3/1/16	3/30/16	3/30/16

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
P	I	3/3/16	4/4/16, 5/3/16, 6/2/16	Continued
P	I	4/5/16	5/4/16, 6/1/16, 6/14/16	Continued
T	I	4/7/16	5/4/16, 6/1/16,	6/1/16
T	I	6/1/16	6/14/16	Continued
T	I	4/11/16	5/9/16, 6/9/16	6/9/16
P	I	4/18/16	5/18/16	5/18/16
P	I	5/1/16	5/2/16	5/2/16

Clients Rights:

M To keep and be allowed to spend one's own *money* for personal and incidental needs.

- V To see *visitors* each day
- C To keep and wear one's own *clothing*.
- T To have reasonable access to *telephones* ,both to make and receive confidential calls, and to have calls made for one upon request.
- L To mail and receive unopened correspondence and to have ready access to *letter* writing materials, including sufficient postage.
- P To keep and use one's own personal *possessions*, including toilet articles.
- S To have access to individual *storage* space for one's private use.

Good Cause for Denial:

- I Exercise of specific right would be *injurious* to the client; or
- O There is evidence that if the rights is not denied the client's exercise of it would seriously infringe upon the rights of *others*; or
- D The institution or facility would suffer serious property *damage* if the right is not denied.

Note: Authority Cited 4504- Welfare and Institutions Code

DENIAL OF RIGHTS
ANNUAL REPORT
Porterville State Developmental Center
 July 2015 - June 2016

State of California- Health and Human Services
DENIAL OF RIGHTS Semi Annual Report
 DS 308

Department of Developmental Services

Client Information
W & I Code, Section 4514

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
P	I	11/25/2015	11/30/15	Reinstated 11/30/15
P, S	I	7/27/2015	08/05/15	Reinstated on 7/27/15
S	I	5/23/2008	07/22/15	Reinstated on 7/31/15
P, S	I	8/4/2015	08/26/15	Reinstated on 8/6/15
M	I	4/4/16	07/20/16	30 day review
C,P,S	I	4/19/2001	07/25/16	30 day review
P,S	I	9/9/2005	07/20/16	30 day review
S	I	9/16/2014	07/18/16	30 day review
M, T, L	I	12/24/2015	07/20/16	30 day review
P	O	7/14/2015	07/22/15	Reinstated on

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
				7/16/15
P,S	I	9/22/2015	09/30/15	Reinstated on 9/23/15
P	I	11/23/2015	07/20/16	30 day review
P	O	8/26/2015	09/02/15	Reinstated on 9/9/15
P	I	9/10/2015	10/09/15	Reinstated on 10/1/15

Clients Rights:

- M** To keep and be allowed to spend one=s own *money* for personal and incidental needs.
- V** To see *visitors* each day
- C** To keep and wear one=s own *clothing*.
- T** To have reasonable access to *telephones*, both to make and receive confidential calls, and to have calls made for one upon request.
- L** To mail and receive unopened correspondence and to have ready access to *letter* writing materials, including sufficient postage.
- P** To keep and use one=s own personal *possessions*, including toilet articles.
- S** To have access to individual *storage* space for one=s private use.

Good Cause for Denial:

- I** Exercise of specific right would be *injurious* to the client; or
- O** There is evidence that if the rights is not denied the client=s exercise of it would seriously infringe upon the rights of *others*; or
- D** The institution or facility would suffer serious property *damage* if the right is not denied.

Note: Authority Cited 4504- Welfare and Institutions Co

DENIAL OF RIGHTS
Sonoma State Developmental Center
July 2015 - June 2016
(Semi-Annual/Annual format)

State of California- Health and Human Services
DENIAL OF RIGHTS QUARTERLY REPORT
 DS 308

Department of Developmental Services

Client Information
W & I Code, Section 4514

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
P	I	08/10/15	08/17/15, 09/15/15,	01/24/16

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
			10/13/15, 11/19/15, 12/24/15,	
P	ID	07/12/15	NA	07/20/15
P	I	09/08/15	09/23/15	10/22/15
P	I	09/14/15	NA	09/15/2015
P	IO	06/16/16	06/16/16	06/16/16
P	I	02/02/15	07/28/15, 08/25/15,	09/16/2015
P	I	12/30/14	07/28/15, 08/25/15,	09/16/2015
T	I	10/15/15	10/22/15, 11/17/15, 12/24/15, 01/19/16, 01/28/16, 02/25/16	03/24/16
P	I	10/15/15	10/22/15, 11/17/15, 12/24/15, 01/19/16, 01/28/16, 02/25/16	03/24/16
P	I	10/15/15	10/22/15,	03/24/16

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
			11/17/15, 12/24/15, 01/19/16, 01/28/16, 02/25/16	
P	I	12/30/14	07/30/15, 08/28/15, 09/24/15, 10/28/15, 11/18/15, 12/23/15, 01/23/16, 02/24/16, 03/30/16, 04/27/16, 05/25/16, 06/22/16	
P	I	11/04/15	12/02/15, 12/30/15, 02/03/16, 03/03/16, 05/04/16, 06/01/16, 06/29/16.	
P	I	11/04/15	12/02/15, 12/30/15, 02/03/16,	

Right(s) Denied	Good Cause	Date Denial Began	Date of Review	Date of Restoration
			03/03/16, 05/04/16, 06/01/16, 06/29/16.	
P	I	11/04/15	12/02/15, 12/30/15, 02/03/16, 03/03/16, 05/04/16, 06/01/16, 06/29/16.	

Clients Rights:

- M** To keep and be allowed to spend one's own *money* for personal and incidental needs.
- V** To see *visitors* each day
- C** To keep and wear one's own *clothing*.
- T** To have reasonable access to *telephones* ,both to make and receive confidential calls, and to have calls made for one upon request.
- L** To mail and receive unopened correspondence and to have ready access to *letter* writing materials, including sufficient postage.
- P** To keep and use one's own personal *possessions*, including toilet articles.
- S** To have access to individual *storage* space for one's private use.

Good Cause for Denial:

- I** Exercise of specific right would be *injurious* to the client; or
- O** There is evidence that if the right is not denied the client's exercise of it would seriously infringe upon the rights of *others*; or
- D** The institution or facility would suffer serious property *damage* if the right is not denied.

Note: Authority Cited 4504- Welfare and Institutions Code

Appendix C

**Report of Request For Release Activity
For**

Canyon Springs Community Facility

Annual Report

July 1, 2015 - June 30, 2016

Quarter	Number of Requests w/o Interpretive Conference	Number of Interpretive Conferences Held	Number of Requests Confirmed by Conference	Total Number of Requests Forwarded to Court	Number of Requests Denied by the Court	Number of Requests Approved by the Court	Number of requests Resulting in Release
Jul-Sept	6	0	0	6	0	0	0
Oct-Dec	2	0	0	2	0	0	0
Jan-Mar	3	0	0	3	0	0	0
Apr-June	5	0	0	5	0	0	0
Total	16	0	0	16	0	0	0

Report of Request For Release Activity For Fairview Developmental Center Annual Report

July 1, 2015 - June 30, 2016

Quarter	Number of Requests w/o Interpretive Conference	Number of Interpretive Conferences Held	Number of Requests Confirmed by Conference	Total Number of Requests Forwarded to Court	Number of Requests Denied by the Court	Number of Requests Approved by the Court	Number of requests Resulting in Release
Jul-Sept	6	0	0	6	0		0
Oct-Dec	6*	1	0	6	1		0
Jan-Mar	3			3			
Apr-June	5			5	1	1	
Total	20	1	0	20	2	0	

This information reflects Writs of Habeas Corpus processed in the last reporting period and current Writs of Habeas Corpus noted above.

10 Consumers at FDC with Writs pending (1 from FY 14-15).

* indicates a second writ was filed as Public Defender reported not receiving the first.

2 consumers who had a pending Writ were moved into the community.

1 writ (from FY14-15) was granted and court gave regional center 30 days to have consumer moved into community.

4 Consumers at FDC had their Writs taken off calendar/withdrawn during this reporting period; 1 writ was from FY14-15

1 Consumer whose writ was granted in FY 11-12 has not been placed due to placement stay. Stay was denied this period however consumer still resides at FDC as regional center does not have an appropriate placement.

Report of Request For Release Activity
For
Porterville Developmental Center
Annual Report

July 1, 2015 - June 30, 2016

Quarter	Number of Requests without Interpretive Conference	Number of Interpretive Conferences Held	Number of Requests Confirmed by Conference	Total Number of Requests Forwarded to Court	Number of Requests Denied by the Court	Number of Requests Approved by the Court	Number of requests Resulting in Release
Jul-Sept	3	0	0	3	2	0	0
Oct-Dec	2	0	0	2	2	0	0
Jan-Mar	1	0	0	1	1	0	0
Apr-June	13	0	0	13	13	0	0
Total	19	0	0	19	19	0	0

Report of Request For Release Activity
For
Sonoma Developmental Center
Annual Report
July 1, 2015 - June 30, 2016

Quarter	Number of Requests w/o Interpretive Conference	Number of Interpretive Conferences Held	Number of Requests Confirmed by Conference	Total Number of Requests Forwarded to Court	Number of Requests Denied by the Court	Number of Requests Approved by the Court	Number of requests Resulting in Release
Jul-Sept	0	1	0	1	0	0	0
Oct-Dec	1	4	0	2	1	0	0
Jan-Mar	1	1	0	1	1	0	0
Apr-June	0	0	0	0	0	0	0
Total	2	6	0	4	2	0	0

One client withdrew his Writ of Habeas Corpus in court. The client decided to work with his regional center and conservator in developing a plan to live near his family in the South bay area especially in lieu of facility closure in 2018. Another writ was filed by an ICF client due to go out in the community in a few weeks after her filing. The court denied her writ based on the report of a transition plan with an established community provider in place to return her regional center catchment area. Northern Star Acute Crisis clients filed two writs. One Star client's writ was denied in court and the other Star client withdrew his request. The writ was withdrawn before the court date.

Sonoma Developmental Center is continuing to consolidate residential cottages and at the same time open up areas on existing cottages that were historically fully locked with restricted access to many areas within the building. Rises in elopements were anticipated for some individuals with identified patterns of elopement in environments previous to the consolidation. SDC provided wider access to previously locked environments for the clients across the campus. The CRA was requested to hold many interpretive conferences during this time and found that teams identified each individual's intent after each elopement event. In all cases, those who eloped did so to familiar areas within the facility and at no time did anyone go a direction that would lead out of the facility. All individuals were successfully re-directed back to supervised areas without showing indications of distress or unwillingness to return.

CRA Roster

STATE DEVELOPMENTAL CENTER CLIENTS' RIGHTS ADVOCATES

State Developmental Center	CRA	Address	Telephone Number	Fax Number	E-mail Address
Canyon Springs	Robbin Puccio	69-696 Ramon Road Cathedral City, CA 92234	(760) 770-6251	(760) 770-0581	Robbin.puccio@cs.dds.ca.gov
Fairview	Laurie St. Pierre	2501 Harbor Blvd. Building 19 Costa Mesa, CA 92626	(714) 957-5690	(714) 957-5084	Laurie.st.pierre@fdc.dds.ca.gov
Porterville	George Ngugi	P.O. Box 2000 Porterville, CA 93258	(559) 782-2431	(559) 782-2630	George.ngugi@pdc.dds.ca.gov
Sonoma	Tobias Weare	King Building #111 Sonoma SDC P.O. Box 1493 Eldridge, CA 95431	(707) 938-6501	(707) 938-6623	tobias.weare@sonoma.dds.ca.gov
Headquarters	Holly Bins CRA/VAS Project Manager	1507 21 st St., Suite 210 Sacramento, CA 95814	(408) 834-2458	(916) 405-7440	holly.bins@scdd.ca.gov