



Licensed Child Caring Agency Site Visit Report Residential Care

Licensee: Lane County Youth Services (Phoenix Program)

Executive Director: Greg Rikhoff

Board Chairperson: Joe Berney

Date of site visit: June 6, 2022

Licensing Coordinator: Holly Ivey

Other Regulatory or Accrediting Agencies: The Oregon Health Authority

Program Compliance: The program was found to be compliant or will be compliant with OAR 413-215-0001 to 413-215-0131, Licensing Umbrella Rules, and OAR 413-215-0501 to 413-215-0586, Licensing Residential Care Agencies Rules. Personnel records were reviewed and compliance with required background checks was documented for employees in all programs.

Program Description(s): The Phoenix Program serves youth involved in the Juvenile Justice System who are at risk of being committed to a more secure setting. The program serves male and female and utilizes a cognitive/behavioral approach. The county subcontracts with Center for Family Development for therapeutic services. The program has a capacity for 16 and the average length of stay is 4-6 months based upon the youth and family's needs. School is provided on site by the 4J School District.

Program type and services: Residential Services

Capacity and Age Range: The capacity is 16, ages 12-17.

Funding sources: Behavior Rehabilitation Services (BRS) Funding, county local options funding.

Contracts and sources for referrals: Referrals come from the Lane County Juvenile Counselors.

Average length of stay: 55 days

Average daily population served: 6

Number of children served annually: 28 youth

Use of seclusion or restraint: The staff receive restraint training in CPI, and utilize the de-escalation techniques, they do not utilize restraints in the program unless there is an extreme safety risk.

Interviews, Observations:

Interviews: During the review, Timothy Davis, Program Director, was informally interviewed, as he assisted with the walk-through of the facility. Three youth were privately interviewed by Holly Ivey, Licensing Coordinator. When asked what they appreciated most about the Phoenix Program the youth reported: "The staff are super welcoming, it's nice not to be homeless, staff teach you new skills, staff take time out of their day to hang out and find out about the interests the kids have." All youth reported getting enough food at the program and daily snacks. All youth reported having daily private phone contact with their approved contacts. Visits at the program with approved contacts were reported to happen every Thursday and Sunday. The youth reported the following recreational activities: "Playing: basketball, ping pong, and board games, going on outings, mini-golfing, going to parks as a group, and watching movies." All youth reported hygiene products were provided by the program. When the youth were asked what they would change about the program, they reported: "The food would be home cooked, I would prefer the food to have more seasoning and to taste better, and there would be community visits with family." All youth reported feeling safe at the program and respected by the staff. One youth stated, "I am treated respectfully here, even if I'm not being respectful, staff talk respectfully to me."

Observations: A walk-through of the program was conducted in all areas where youth were allowed access. The program was well kept and observed to be clean and in good repair. It was reported that youth are assigned a daily chore, to assist with the cleaning of the program. A contracted agency in the Lane County Detention Facility is responsible for all meals, which are prepared in the detention facilities kitchen. Meals are brought from detention to the Phoenix Program's kitchen at mealtime. The DHS Licensing Coordinator did not observe the Lane County Detention Kitchen. The kitchen at the Phoenix Program was clean and in good repair. The DHS Licensing Coordinator observed food in the refrigerator, and snacks available for the youth. The DHS Licensing Coordinator observed the van that staff utilizes to transport youth in the program. There were no deficiencies observed with the vehicle.

Program Strengths: The following strengths were identified by the Program Leadership at the time of the review:

- "The Phoenix program is a program that is dedicated to helping youth and their families/guardians learn and use new skills so that when they transition to the community, they will have created a healthier environment with improved communication. We do this by providing family and individual therapy, competency groups, diversity groups, and prosocial recreational opportunities.
- Another strength we have is our program staff. The staff in our program have a passion to guide and mentor our youth and are able to see and build on the strengths of the youth. They do an excellent job of creating rapport while maintaining professional boundaries. Staff are continuously innovating and coming up with strategic and creative ways to help youth achieve their goals.
- The Phoenix Program is currently reviewing evidence-based assessment tools and curriculum to effectively measure youth success, meet the individual needs of each youth and their families/guardians, and reduce criminogenic risk factors specific to each youth.
- The program is currently participating in Performance Based Standards (PBS) evaluation services in an effort to ensure we are following best practices and our program structure meets industry standards. This year the program plans to implement a residential care-giving database that will streamline our workflows, data entry, and allow us to maintain paperless youth files.
- This year the program plans to implement a training database platform which will allow us to efficiently monitor and implement onboarding training for new staff, and ongoing training or career path training for existing staff."

Program Challenges: The following strengths were identified by the Program Leadership at the time of the review:

- “A reduction of police referrals and probation adjudications resulting from Covid19 restrictions has reduced the number of youth referred to the program.
- We have also been looking at ways to effectively engage youth upon intake and reduce crisis or behavior escalation to prevent youth from running away.
- The program has struggled to retain staff and recruit new staff as a result of Covid19 requirements.”

Changes that have occurred in the last 2 years: The following changes were identified by the Program Leadership at the time of the review:

- “The program has received a new program supervisor, a program manager, a division manager, and multiple new line staff during the past two years.
- The program has also moved from the Lane County Health and Human Services Department to a new department called Community Justice and Rehabilitation Services (CJRS). A new director has been hired for this new department as well.”

Lawsuits: N/A

Grievances and complaints filed in the last two years: N/A

Corrective Actions and Timeframes: Please submit the following to verify compliance.

Within 45 days of receipt of this report Lane County Phoenix Program must submit a letter of verification indicating the agency is in compliance with the specific rules cited above and describing how compliance will be maintained going forward. Along with the letter of verification, the agency must submit any and all specific documentation requested in the body of this report. The letter of verification and any additional requested documents can be emailed directly to Holly Ivey, at Holly.r.ivey@state.or.us

Exceptions: N/A

Changes in License: N/A

Summary of Review					
Program and Services 413-215-0011(2)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
Program and services are in scope of license	X				
Governance of the Agency 413-215-0021	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(1)(a) Minimum of 5 board members	X				
(2)(f) Formally evaluate the exec. Director's performance annually	X				

(2)(g) Approves annual budget	X				
(2)(h) Obtain and review an annual independent financial review or audit of financial records.	X				
(2)(k) Written quality improvement program	X				
(2)(l) Meeting minutes	X				
Executive Director or Program Director 413-215-0021	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(3)(a) knowledge of requirements for providing care and treatment appropriate to programs	X				
(3)(g) Approval from BCU	X				
Discipline, Behavior Management, and Suicide Prevention 413-215-0076	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(3) Agency uses appropriate and positive methods of behavior management and nationally recognized non-violent crisis intervention	X				
(3)(b)(C) Agency does not use chemical and mechanical restraint (excluding medically necessary devices/prescriptions)			X		
(3)(c) Agency uses appropriate time-out rooms (adequate space, heat, light and ventilation and is not capable of locking) and documents use in child's record when applicable			X		
(3)(e) Agency uses seclusion appropriately/consistent with policy			X		
(4) Agency has adequate plan in place to respond to suicidal behavior/warning signs	X				
Contractors (if applicable) 413-215-0061(6)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) Agency ensures the contractor meets the requirements of this rule and Chapter 413 division 215			X		
(b)(B) Contract includes the following: (i) Services provided (ii) Contractor fees (iii) Disclosure of information from contractor to agency (iv) Lines of authority (v) Adherence to rules, including background check			X		

(vi) Any liability of the agency for acts of the contractor, rights of indemnity and limitations on liability					
Supplemental Information Provided by CCA	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
Documents as indicated on the form titled "Renewal Licensing Required Documents"		X		The following Renewal Required Documents must be submitted to the Licensing Coordinator: • Fire Marshal Inspection (scheduled to occur 8.16.22) • Resume of the Executive Director.	
Documents as indicated on form titled "Required Financial Documents and Information"	X				
All required policies and procedures as identified in the "Umbrella Rules"		X		Supplemental Information Provided by CCA All required policies and procedures as identified in the "Umbrella Rules" • *Required policy revisions are stated in detail at the end of the report.	
All required policies and procedures as identified in "Agency Type Specific Rules"		X		Supplemental Information Provided by CCA All required policies and procedures as identified in the "Umbrella Rules" • *Required policy revisions are stated in detail at the end of the report.	
Physical Plant	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
413-215-0046(3)(a) Foster Rights Posted (if children in DHS custody)	X			Physical Plant 413-215-0511(2)(a) &(c) Buildings are smoke free, clean and in good repair • The blinds were broken and in need of repair in bedroom 163.	
413-215-0051(1) Sufficient safe space, equipment, and office equipment	X				
413-215-0091(12) License is posted in common area at each facility	X				
413-215-0001(5)(d), 0516(4)(l) & 0521(1) Adequate furnishings and personal items	X				
413-215-0511(2)(a) &(c) Buildings are smoke free, clean and in good repair		X			
413-215-0511(2)(d) Rooms are free of harmful drafts, odors, and excessive noise	X				
413-215-0511(2)(e) Rooms are adequate in size and arrangement	X				
413-215-0511(2)(f) System provides a continuous supply of hot and cold water to taps located throughout the facility	X				

413-215-0511(2)(h) Building is well ventilated and room temperature is within a normal comfort range	X				
413-215-0516(1) All parts of the facility ensure the safety of children	X				
Room and Space Requirements Bedrooms 413-215-0516(3)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) Adequate furnishings and personal items	X				
(b) Separate from rooms used for dining, living, laundry, kitchen, and storage	X				
(c) Outside room with window allowing egress from building	X				
(d) Ceiling at least 90 inches	X				
(e) Minimum 60 SF per bed			X		
(f) No more than 25 if dorm style			X		
(g) Permanently wired fixtures	X				
(h) Window covering	X				
(i) Beds are 3 feet apart and maintained to ensure safety			X		
Room and Space Requirements Bathrooms 413-215-0516(4)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a)(A)& (B) 1:8 ratio for toilets and sinks	X				
(a)(D) Hot and cold running water, soap, and approved hand drying options	X				
(a)(E) 1:10 ratio for shower or bathtub	X				
(a)(E) Individual privacy	X				
(a)(F) Window covering			X		
(a)(G) Permanently wired fixtures	X				
(a)(H) Adequate ventilation	X				
(b)&(c) Wooden racks on floors are prohibited and impervious shower mats are disinfected & dried daily			X		
Room and Space Requirements Kitchen 413-215-0516(6)	Yes	No	N/A	Comments	Corrective Action Completed
(a) Used exclusively for storage, food preparation, dish washing, and activities related to eating	X			Comment: (The Licensing Coordinator, viewed the Phoenix Program's Kitchen, which is not where meals are prepared for the youth. Meals are prepared in the detention building's kitchen and brought to the Phoenix Program.)	
(b) Walls, floors are easily cleanable	X				
(c) Equipment and utensils are easily cleanable, durable, nontoxic, and kept clean	X				
(e) Equipment is easy to clean beneath, between and behind	X				
Room and Space Requirements 413-215-0516	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed

(2) There is a separate living room or lounge area – 15 SF minimum per child	X				
(5) There is a separate dining room with capacity for ½ of children in care and 15 SF per child in care	X				
(7) Laundry is separate from living areas, kitchen and dining	X				
(8) Separate storage areas are provided for food, kitchen supplies, utensils, clean linens, soiled linens and clothing, cleaning supplies and equip, poisons, chemicals, outdoor recreational and maintenance equipment	X				
(9) Outdoor activity area is protected from vehicles and other hazards and of a size and availability appropriate to the age and needs of children in care	X				
(11) & 413-215-0076(3)(c)(C) Time out rooms have adequate space, heat, light and ventilation and is not capable of locking			X		
Furnishings and Personal Items 413-215-0521	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(1) There is a bed with frame, clean mattress and pillow and personal storage (dresser, closet)	X				
(2) Linens are in good repair. There is a waterproof mattress cover or mattress. Linens are appropriate and towels and washcloths are provided	X				
(3) Bedding is changed weekly or when soiled	X				
(4) & (5) Personal hygiene supplies and appropriate clothing are provided	X				
Food Services 413-215-0536(1)&(2)	Yes	No	N/A	Comments	Corrective Action Completed
(1)(a) Meals are arranged daily, consistent with normal mealtimes that occur during the hours of operation	X			Food is cooked and brought over to the program from Lane County's Detention Facility. The DHS Licensing Coordinator did not inspect the kitchen of the Lane Detention Facility.	
(1)(b) Menus are prepared in advance in accordance with USDA guidelines, provide a variety of foods and are adjusted for seasonal changes.	X				
(1)(b) Menus are kept for at least 6 months	X				
(1)(c) Drinking water is freely available	X				
(2)(a) Food is stored, prepared & served in a sanitary manner			X		

(2)(c) & (d) Food products are obtained from commercial suppliers (exception of fruits & vegetables), unpasteurized juice is prohibited, and only Grade A pasteurized and fortified milk in appropriate container.			X		
Safety 413-215-0541	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(2)(a) Written emergency plan	X			Safety 413-215-05413) (a) Evacuation drill occurs monthly under varying conditions, is retained 2 yrs. Over the two-year span reviewed, some of the fire drill logs were not found.	
(2)(b) Telephone numbers for local police and fire are posted near all telephones	X				
(2)(c) Operative flashlights sufficient in number are readily available to staff	X				
(3)(a) Evacuation drill occurs monthly under varying conditions, is retained 2 yrs. and contains; (A) identify of person conducting drill (B) date & time (C) notification method (D) staff participating (E) # of children & staff evacuated (F) special conditions simulated (G) problems encountered (H) time to complete		X			
Safety – Transportation 413-215-0541	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(5)(b) Vehicle has insurance policy, is smoke free, safe operating condition, and has first aid kit and fire extinguisher 2-A:10-BC	X				
Medication 413-215-0551	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(3) & (7)(e) Medications have a prescription and are stored in the original container with prescription label	X				
(4) & (5) Herbal supplements and remedies, medical treatments, special diets, physical therapy, physical aides or limitations have a written order signed by a physician or qualified medical professional.	X				
(7)(c) Medications are inaccessible to children	X				
(8) Medications are disposed in accordance with state and federal law	X				
(9) Written record of the disposal of medications is maintained and includes: (a) description and amount	X				

(b) name (c) reason (d) method (e) staff & witness signature					
(10) Written record of the administration of medication includes: (a) name (b) description (c) dates and times (d) missed doses (e) medication disposed (f) method of administration (g) ID of person administering (h) possible adverse reactions (i) medication taken outside facility	X				
Extracurricular, Enrichment, Cultural & Social Activities 413-215-0554	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(2) Children have ongoing opportunities to participate in at least one age-appropriate or developmentally appropriate activity	X				
Minimum Staffing Requirements 413-215-0561	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(1)&(2) Supervision is adequate for the type of program, location, age and type of children, ability of supervisor to respond, electronic back-up systems. Minimum ratios are maintained: Under 30 months of age: 1:4 30 months to > 6 yrs. or non-ambulatory: 1:6 Ages 6 and older: 1:7 Overnight (staff awake) 1:10	X				
(4)(a) When one staff on duty, there is additional staff immediately available with max response time of 30 minutes	X				
(5) There is at least one on-site employee authorized to apply the <i>reasonable and prudent parent</i> standard	X				
Separation of Residents 413-215-0566	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed

(1) Children are in separate bedrooms than adults, unless parent and child, or there is written approval from guardian/parent and licensing coordinator			X		
(2) There is adequate supervision of children if both males and females are served by the program	X				

Personnel Files 413-215-0061	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
Staff Name/Position	X				
(3)(g) Date of Hire	X				
(3)(a) record of education, training and previous employment	X				
(1)(b) & (3)(b) reference checks completed and documented	X				
(1)(a) & (3)(c) Background check completed and documented	X				
(3)(d) Annual performance evaluations	X				
(3)(f) Record of personnel actions	X				
(3)(g) Termination date, reason for termination	X				
(3)(h) Current job description (1)(c) Employee meets minimum qualifications stated in current job description	X				
New Employee Orientation – Umbrella Requirements (30 days) 413-215-0061(4)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) Agency policies and procedures		X			
(b) Ethical and professional guidelines	X				
(c) Organizational lines of authority	X				
(d) Attributes of population served		X			
(e) & (5)(a) to (c) Mandatory reporting that includes: (a) legal definition of child abuse ORS 419B.005, Oregon Laws 2016, chapter 106, section 36 (b) legal responsibility to immediately report	X			New Employee Orientation – Umbrella Requirements (30 days) 413-215-0061(4) (a) Agency policies and procedures(d) Attributes of population served.	

(c) legal responsibility to report is personal to the employee					
(f) Privacy laws	X				
(g) Emergency procedures	X				
New Employee Orientation – Residential (30 days) 413-215-0556	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(1)(a) Discipline and behavior management including de-escalation, crisis prevention, positive behavior management, and disciplinary techniques that are non-punitive in nature	X				
(1)(b) Restraint and seclusion (if applicable)	X				
Ongoing Training	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
413-215-0536(2)(b) Employees who handle food served to children have a valid food handler's card	X				
413-215-0541(5)(a) Employees transporting children have: current driver's license, insurance, trained in emergency procedures and behavior management, and training for 15+ passenger vans if applicable)	X				
413-215-0556(2)(a) Environmental emergencies	X				
413-215-0556(2)(b) Universal Precautions	X				
413-215-0556(2)(c) Discipline and Behavior Management	X				
413-215-0556(3) Staff providing direct care must maintain current CPR/First Aid certification	X				
413-215-0556(4) Designated staff authorized to apply reasonable and prudent parent standard are trained in application of the standard	X				
413-215-0061(5) Mandatory reporting (annually) that includes: (a) legal definition of child abuse ORS 419B.005, Oregon Laws 2016, chapter 106, section 36 (b) legal responsibility to immediately report	X				

(c) legal responsibility to report is personal to the employee				
Comments:				

Children's Records	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
Health Services 413-215-0546					
(2) Medical history obtained within 30 days (significant findings, current immunizations, history of surgical procedures-health issues-injuries, allergies, dental, vision, hearing, behavioral health, and physician orders)	X				
(2)(e) Documentation of age-appropriate instruction – pregnancy prevention, nutrition, prevention of HIV & AIDS, and prevention and treatment of sexually transmitted disease	X				
(4)(a) to (f) Medical exams (3 in first year of life, 2,4,6,9,14)			X		
Consents 413-215-0576(1)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) Provide routine and emergency medical care	X			Consents 413-215-0576(1) (c) Use restraint or seclusion (if applicable). Must specify the reasons for the intervention and how staff are trained and supervised The consents signed by guardians did not specify the reasons for the intervention and how staff are trained and supervised.	
(b) Use the discipline and behavior management system	X				
(c) Use restraint or seclusion (if applicable). Must specify the reasons for the intervention and how staff are trained and supervised		X			
(d) Restrict contact with persons outside of the agency	X				
(e) Allow access as defined in 413-215-0091 & 0101	X				
(f) Impose a dress code	X				
(g) Apply the reasonable and prudent parent standard	X				

Disclosures 413-215-0576(2) Parent/guardian has acknowledged in writing:	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) Information regarding personal or room searches and protocols for confiscation of contraband	X				
(b) Statement of Rights of Children and Parents/Guardians	X				
(c) Any policies and procedures upon request	X				
Authorizations 413-215-0576(3)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) Disclose or exchange information with others	X				
(b) Child specific visitors	X				
(c) Visitation resources are pre-approved	X				
(d) Activity specific authorizations are pre-approved to allow children to participate in potentially hazardous activities, including but not limited to using motorized yard equipment, swimming, and horseback riding.	X				
Information about Children in Care 413-215-0581(1) Summary sheet contains the following:	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) The name, gender, date of birth, religious preference, and previous address		X		Information about Children in Care 413-215-0581(1) Summary sheet contains the following: (a) gender. Identification of youths' gender was not found on the summary sheets reviewed.	
(b) Name and location of previous and current school	X				
(c) Date of admission	X				
(d) Legal custody	X				
(e) The name, address, and telephone number of: (A) The child in care's parents. (B) The child in care's legal guardian, if different than the parents, and a copy of the document that provides for his or her authority over the <i>child in care</i> . (C) Other persons significant to child (D) Other professionals to be involved in service planning (if applicable)	X				
Service Planning 413-215-0581(2)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed

(b) Intake document is completed the date child accepted into care (emergency placement 48 hours)	X				
(d) Assessment is completed within 30 days and contains relevant historical info., current behavioral observations, identified need for services, and how agency will provide services	X				
(e) (A)&(B) Service plan within 60 days (parent, guardian and child actively involved). Describes how child's issues will be addressed, anticipated outcomes and reviewed by child and guardian/parent.	X				
(e)(C) & (D) Service plan is reviewed quarterly and revised when information indicates other services should be provided	X				
Case Management 413-215-0581(3)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(a) Services are documented, progress toward achieving goals is tracked	X				
(b)-(d) discharge planning and instructions	X				
(f) Incident Reports	X				
Financial Records 413-215-0581(4)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
Records contain date, amount, source, purpose, signatures			X		
Personal Possessions Records 413-215-0581(5)	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
Individual written inventory of all personal possessions is maintained and updated as needed	X				
Records and Documentation 413-215-0071	Yes	No	N/A	Corrective Actions/Comments	Corrective Action Completed
(1) Stored safely	X				
(2) Permanent, legible, dated, and signed	X				
(3) & (4) Uniform in organization, readily identifiable and accessible, current, and complete, containing all required info. No eraser tape or white out.	X				

(7) Permanent registry for each child includes: Name Gender Birth date Names, addresses of parents or guardians Dates of admission Placement upon discharge	X			
Comments:				

***Supplemental Information provided by the CCA as stated above (page 5). Required policy and procedure revisions:**

(Please highlight all revisions made to policies prior to resubmitting to the Licensing Coordinator.)

413-215-0046 Licensing Umbrella Rules: Children and Families Rights Policy and Grievance Procedures (Amended 1/1/19)

(1) Rights of children in care and families served by the child-caring agency..... afford the following rights: (a) Except as provided in paragraph (B) of this subsection, the child in care's right to uncensored communication with legal guardians, caseworkers, legal representatives, and other persons approved for communication by the legal guardian or as provided in a court order. (A) This right cannot be waived, including voluntarily. Restriction on communication between a child in care and his or her legal guardian may not be a condition of participation in the program. (B) A child-caring agency may place reasonable limits on communication, but only as provided in the child-caring agency's policy. Reasonable limits include, but are not limited to, having set time periods during the day for visitation and phone calls and imposing moderate limits on the duration of calls or visits. However, a limitation is not considered reasonable if it prevents the ability to meaningfully communicate, such as not allowing contact with a child in care's attorney during regular business hours. **(2) Grievance Procedures.** (a)....The procedures must include all of the following: (C) A procedure to follow, in the event the grievance is filed against the executive director, that ensures that the executive director does not make the final decision on the grievance. (D) The name, address, and phone number of: (i) A Department licensing coordinator; and (ii) Any other governmental entities with oversight responsibilities. (b) Grievances and complaints filed with the child-caring agency and all information obtained in their resolution must be maintained for a minimum of two years and provided to the Department upon request.

- The above required information was not found in the policy submitted.

413-215-0056 Licensing Umbrella Rules: Policies and Procedures (Amended 1/1/19) (1) (a) A written policy on mandatory child abuse reporting, consistent with ORS 418.257, 418.258, 419B.005, 419B.010, and 419B.015 that includes requirements that child-caring agency employees, staff, contractors, agents, and proctor foster parents do all of the following: (A) Immediately report suspected child abuse directly to the Department via the child abuse reporting hotline. (B) Receive child-caring agency-provided training on mandatory abuse reporting requirements as part of employee orientation and at least annually thereafter as described in OAR 413-215-0061. (C) Receive child-caring agency-provided training on the definitions of child abuse in ORS 418.257 and 419B.005 that apply in child-caring agencies.

- The above stated information was not found in the policy submitted.

- In the policy it states, “Action 1 HHS Staff member immediately and without delay reports this information to their supervisor or manager.” Staff must immediately report child abuse to the child abuse hotline prior to notifying their supervisor. It is recommended to add the state child abuse hotline phone number as this is no longer called into local offices. The phone number is 1-855-503-7233. The Statewide Child Abuse Hotline is open 365 days a year and is open 24 hours a day.

413-215-0061 Licensing Umbrella Rules: Personnel (Amended 1/1/19) **(1) Staff requirements and hiring.** To ensure that the child-caring agency uses only staff and volunteers who do not jeopardize the health, safety, or welfare of children, a child-caring agency and its contractors must meet all of the following requirements: (a) Comply with the Department's background check rules at OAR 407-007-0200 to 407-007-0370. (b) Obtain reference checks. (c) Employ individuals who meet the staff minimum qualifications as stated in the current job description. **(2) Personnel policies of the child-caring agency and its contractors must include all of the following:** (a) For each staff position, a job title and a written job description that defines the qualifications, duties, and lines of authority for the position. (b) A staff development plan providing for opportunities for professional growth through supervision, training, and experience. (c) Procedures for a written annual evaluation of the work and performance of each staff member that include provision for employee participation in the evaluation process. (d) A description of the termination procedures established for resignation, retirement, and dismissal. (e) A written grievance procedure for staff.

- The Volunteer Policy states, “Volunteers who have past criminal charges and/or convictions must be approved in advance by the Division Manager taking into account consideration of the length of time that has passed since the criminal conduct, the seriousness of the conduct, the rehabilitation and restorative steps taken by the individual, and the individual’s history of integrity, contribution, and good works since the incident.” Volunteers’ criminal history check must be run by the ODHS Background Check Unit (BCU) the same as a potential staff, and only the BCU is allowed to make the final fitness determination. The Phoenix program may screen further, and potentially deny prospective volunteers, after prospective volunteers have been approved by the BCU, but the program cannot approve volunteers who have been denied by the BCU.
- The agency must submit a personnel policy with all of the above required information.

413-215-0066 Privacy (Amended 06/29/18) **(4) A person making a report of abuse** as required in ORS 418.258 and 419B.010 may include references to otherwise confidential information for the sole purpose of making the report.

- The above required information was not found in the policy submitted.

413-215-0073 Licensing Umbrella Rules: Discipline, Behavior Management & Training, and Suicide Prevention (Excluding Adoption Agencies) (Adopted 07/01/2022) **(1) A child-caring agency, except a child-caring agency licensed only to provide adoption services under OAR 413-215-0401 to 413-215-0481, must adopt and adhere to written policies and procedures on discipline, behavior management, and suicide prevention that meet all of the requirements of this rule.** (b) The discipline and behavior management policies and procedures must prohibit the following: (H) Using any other kind of harsh punishment. (I) Denying a parent, guardian, or sibling the right to visit or communicate with a child in care solely as a disciplinary measure against the child in care. (J) Aversive conditions, which includes, but is not limited to, any technique designed to or likely to cause a child physical pain, the application of startling stimuli, and the release of noxious stimuli or toxic sprays, mists, or substances in proximity to the child in care. (K) Removing or limiting the use of a mobility aid or other assistive device for the purpose of controlling a child in care's behavior. **(3) Behavior Management.** (c) Time out. (B) "Time out" must include frequent contact with staff. (C) Rooms used for "time out" must have adequate space, temperature, light, and ventilation, and must not be capable of locking. **(D) "Time out" episodes must be documented in the child in care's record**

- The Behavior Management Policy was missing the above required information.

- The Time Out Policy was missing the above required information.

(4) Suicide Prevention. *The policy must include the following: (d) Training requirements for staff, including....suicide risk assessment tool training; (f) Suicide risk assessment procedures on the day of intake; (g) Documentation requirements for suicide ideation, self-harm, and special observation precautions to ensure immediate communication to all staff; (i) A "post-intervention" plan with identified resources.*

- The Policy states, "For youth coming from detention, a suicide risk assessment will have been recently completed." The DHS Licensing Rule requires suicide risk assessment procedures are completed on the day of intake. The policy must change to reflect the rule requirement.
- The policy must state how the agency will ensure "immediately communication to all staff" as stated (g) above.

413-215-0576 Consents, Disclosures, and Authorizations (Amended 02/01/2022) (1) Consents. *For each child in care in placement with a residential care agency, the residential care agency must ensure that a parent or legal guardian signs a consent that authorizes the residential care agency to undertake each of the following: (a) To provide routine and emergency medical care. However, if the parent or legal guardian relies on prayer or spiritual means for healing in accordance with the creed or tenets of a well-recognized religion or denomination, the residential care agency is not required to use medical, psychological or rehabilitative procedures, unless the child in care is old enough to consent to these procedures and does so. The residential care agency must have policies and procedures for this practice, which are reviewed and approved by the child in care's parent or legal guardian.*

- The above required information was not found in the policy submitted.

413-215-0077 Licensing Umbrella Rules: Restraints and Involuntary Seclusion (Amended 07/01/2022) (13) Reporting Requirements (e) *Each child caring agency shall provide notice regarding how to access the quarterly reports to the parents or guardians of children in care in the program. The child caring agency shall provide the notice upon the child in care's admission and at least two times each year thereafter.*

- The above requirement was not found in the youth files, documentation must be kept regarding this requirement.

(10) Restraint. (C) Using a physical intervention if: (e) Limitations. *The child-caring agency must have a policy that prohibits the application of a nonviolent restraint to a child in care who has a documented physical condition that would contraindicate the use of that particular restraint, unless a qualified medical professional has previously and specifically authorized its use in writing for the child in care. Documentation of the authorization must be maintained in the child of care's record.*

- The above information must be added to the agency's restraint policy.

Licensing Coordinator's Signature: Holly Ivey Date: 8-4-2022

Manager Review: [Signature] Date: 8-3-2022