

NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES

Master Action Plan (MAP)

Submitted as a requirement of
paragraph #64 of
the Settlement Agreement
dated 7/19/10
between the
US Department of Justice and the
NYS Office of Children and Family Services

9/14/2010

NYS Office of Children and Family Services
MASTER ACTION PLAN

REMEDIAL MEASURE

41. Use of restraints - The State shall require that youth must not be subjected to undue restraints. The State shall create or modify policies, procedures, and practices to require that the use of restraints be limited to exceptional circumstances, as set forth below, where all other appropriate pro-active, non-physical behavioral management techniques have been tried and failed and a youth poses a danger to himself/herself or others. Restraints shall never be used to punish youth. Accordingly, restraints shall be used only in the following circumstances:

- i. Where emergency physical intervention is necessary to protect the safety of any person;
- ii. Where a youth is physically attempting to escape the boundary of a Facility; or
- iii. Where a youth's behavior poses a substantial threat to the safety and order of the Facility.

GOALS AND OBJECTIVES

GOAL - When all other pro-active, non-physical behavior management techniques have been tried and failed, and the youth poses a danger to self or others, OCFS will limit the use of restraints to the following circumstances:

- i. Where emergency physical intervention is necessary to protect the safety of any person;
- ii. Where a youth is physically attempting to escape the boundary of a Facility; or
- iii. Where a youth's behavior poses a substantial threat to the safety and order of the Facility.

OBJECTIVE - OCFS will modify PPM 3247.13 "Use of Physical Restraint" to define the above exceptional circumstances; develop a training curriculum for staff on the policy modifications and on pro-active, non-physical behavior management techniques; and implement the policy in the facilities.

TASKS AND DEADLINES

1. Decision on physical intervention technique and continuum of interventions.	Start 08/01/2009 End 09/01/2010
2. Modify policies: <ul style="list-style-type: none"> a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3247.13 "Use of Physical Restraint" c. PPM 3247.14 "Use of Mechanical Restraints" 	Start 11/17/2009 End 10/31/2010
3. Develop a curriculum on crisis prevention and management	Start 06/21/2009 End 12/31/2010
4. Plan for training and train staff in crisis prevention and management* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls	Start 04/1/2010 End 04/30/2011
5. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

41a. Use of restraints - Create or modify and implement policies, procedures, and practices to require that in the limited circumstances when the use of restraints is necessary, staff shall employ only the minimum amount of physical control and time in restraints necessary to stabilize the situation.

GOALS AND OBJECTIVES

GOAL - In the limited circumstances when the use of restraints is necessary, OCFS staff will employ only the minimal amount of physical control and time in restraints necessary to stabilize the situation.
OBJECTIVE - OCFS will modify PPM 3247.13 "Use of Physical Restraint" to include a continuum of physical control techniques and develop a training curriculum for staff on the policy modifications. A "Restraint Monitor" role will be developed. The Restraint Monitor will be dispatched to the scene of a restraint to observe and report whether or not applicable policies, procedures and practices are followed.

TASKS AND DEADLINES

1. Decision on physical intervention technique and continuum of interventions.	Start 08/01/2009 End 09/01/2010
2. Develop restraint monitor role	Start 11/17/2009 End 10/31/2010
3. Modify Policies a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3247.13 "Use of Physical Restraint" c. PPM 3247.14 "Use of Mechanical Restraints"	Start 11/17/2009 End 10/31/2010
4. Develop a curriculum on crisis prevention and management	Start 08/14/2009 End 12/31/2010
5. Plan for training and train staff in crisis prevention and management* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 04/30/2011
6. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

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REMEDIAL MEASURE

41b. Use of restraints - Create or modify and implement policies, procedures, and practices regarding the application of restraints to youth at heightened risk of physical or psychological harm from restraints, including, but not limited to, youth who are obese, have serious respiratory or cardiac problems, have histories of sexual or physical abuse, or are pregnant.

GOALS AND OBJECTIVES

GOAL - OCFS will develop/modify and implement policies, procedures, and practices regarding the application of the use of restraints on youth at heightened risk of physical or psychological harm from restraints.

OBJECTIVE – Each youth will have an individualized behavior management plan. OCFS will modify PPM 3247.13 "Use of Physical Restraint" to reflect the policies, procedures, and practices regarding youth at heightened risk, develop a training curriculum for staff on the policy modifications which include individualized restraint plans. A "Restraint Monitor" role will be developed. The Restraint Monitor will be dispatched to the scene of a restraint to observe and report whether or not applicable policies, procedures and practices are followed.

TASKS AND DEADLINES

1. Modify policies: a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3247.13 "Use of Physical Restraint" c. PPM 3247.14 "Use of Mechanical Restraints"	Start 11/17/2009 End 10/31/2010
2. Develop restraint monitor role	08/14/2009 End 10/31/2010
3. Plan for training and train staff in crisis prevention and management* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 04/30/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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41c. Use of restraints - If face-down restraints continue to be used, create or modify and implement policies, procedures, and practices to require that staff utilize them only in emergencies when less restrictive measures would pose a significant risk to the safety of the youth, other youth, or staff. In addition:

- i. Face-down restraints shall be employed for only as long as it takes to diffuse the emergency, but in no event shall a youth be restrained in a face-down position for more than three (3) minutes.
- ii. Trained staff shall monitor youth for signs of physical distress and the youth’s ability to speak while restrained.
- iii. Medical personnel shall be immediately notified of the initiation of a face-down restraint position, and the youth shall be immediately assessed by medical personnel thereafter. In no event shall more than 4 hours lapse between the end of a face-down restraint incident and the assessment of the involved youth by medical staff.

GOALS AND OBJECTIVES

GOAL - If OCFS decides to utilize face-down restraints, OCFS will only utilize them when emergency physical intervention is necessary to protect the safety of youth or staff and less restrictive measures would pose a significant risk to the youth, another youth, or staff.

OBJECTIVE - OCFS will modify PPM 3247.13 "Use of Physical Restraint" accordingly, develop a training curriculum for staff on the policy modifications which includes allowable time frames for face-down restraints, techniques to monitor youth for physical distress, and allowable time frames for medical staff notification and assessment in cases of face-down restraints. The time a youth is in the face-down restraint position will be limited to no longer than three minutes. A “Restraint Monitor” role will be developed. The Restraint Monitor will be dispatched to the scene of a restraint to observe and report whether or not applicable policies, procedures and practices are followed. Staff will be required to notify medical staff immediately of cases where face-down restraint has been used, and medical staff will be required to conduct a medical assessment of the involved youth within four hours of the end of the incident.

TASKS AND DEADLINES

1. Decision on physical intervention technique and continuum of interventions.	Start 08/01/2009 End 09/01/2010
2. Modify policies: <ul style="list-style-type: none"> a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.25 "First Aid and CPR Response in Facilities" c. PPM 3247.13 "Use of Physical Restraint" 	Start 11/17/2009 End 10/31/2010
3. Develop a curriculum on crisis prevention and management	Start 08/14/2009 End 12/31/2010
4. Plan for training and train staff in crisis prevention and management* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes	Start 04/01/2010 End 04/30/2011

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2/14/11-3/17/11 – 10 classes at Tryon Girls	
5. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

41d. Use of restraints - Prohibit the use of chemical agents such as pepper spray for purposes of restraint.

GOALS AND OBJECTIVES

GOAL - While OCFS policy prohibits employees from possessing chemical agents, OCFS will also prohibit the use of chemical agents such as pepper spray for purposes of restraint.

OBJECTIVE - OCFS will modify PPM 3247.13 "Use of Physical Restraint" to prohibit the use of chemical agents such as pepper spray for purposes of restraint.

TASKS AND DEADLINES

1. Modify PPM 3247.13 "Use of Physical Restraint"	Start 11/17/2009 End 10/31/2010
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REMEDIAL MEASURE

41e. Use of restraints - Prohibit use of psychotropic medication solely for purposes of restraint.

GOALS AND OBJECTIVES

GOAL - OCFS will prohibit use of psychotropic medication solely for purposes of restraint.
OBJECTIVE - OCFS will rescind PPM 3247.16 "Use of Medication for Restraint." OCFS will modify PPM 3243.32 "Psychotropic Medications" to prohibit use of psychotropic medication solely for purposes of restraint.

TASKS AND DEADLINES

1. Modify policies: a. PPM 3243.32 "Psychotropic Medications" b. PPM 3247.13 "Use of Physical Restraint"	Start 11/17/2009 End 10/31/2010
2. Rescind PPM 3247.16 "Use of Medication for Restraint"	09/30/2010

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41f. Use of restraints - Create or modify and implement policies, procedures, and practices to require that staff are adequately trained in appropriate restraint techniques, procedures to monitor the safety and health of youth while restrained, first aid, and cardiopulmonary resuscitation (“CPR”). The State shall require that only those staff with current training on the appropriate use of restraints are authorized to utilize restraints.

GOALS AND OBJECTIVES

GOAL - OCFS will train its employees in appropriate restraint techniques, procedures to monitor the safety and health of youth while restrained, first aid, and CPR. Only those staff with current training on the appropriate use of restraints will be authorized to utilize restraints.
OBJECTIVE - OCFS will modify PPM 3247.13 "Use of Physical Restraint" and develop a training curriculum for staff on the policy modifications. In conjunction with the Bureau of Training, training curricula will be reviewed and modified as necessary. The Bureau of Health Services in conjunction with the Bureau of Training will review and modify the curriculum to train staff to monitor the safety and health of youth while restrained, as well as first aid and CPR. A plan to address employees who fail to pass, fail to comply with, or fail to attend mandated training will be developed.

TASKS AND DEADLINES

1. Decision on physical intervention technique and continuum of interventions.	Start 08/01/2009 End 09/01/2010
2. Review, and modify if necessary, policies: a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.25 "First Aid and CPR Response in Facilities" c. PPM 3247.13 "Use of Physical Restraint" d. PPM 3247.14 "Use of Mechanical Restraints"	Start 11/17/2009 End 10/31/2010
3. Develop a curriculum on crisis prevention and management	Start 08/14/2009 End 12/31/2010
4. Plan for training and train staff in crisis prevention and management* Estimated schedule (for crisis prevention and management training; end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 04/30/2011
5. Continue training and re-training in First Aid and CPR*	Ongoing
6. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

42. Use of force – In order to adequately protect youth from excessive use of force at the Facilities, the State shall:

42a. Continue to prohibit “hooking and tripping” youth and using chokeholds on youth.

GOALS AND OBJECTIVES

GOAL - OCFS staff will only utilize authorized physical interventions.

OBJECTIVE - While the use of "hooking and tripping" and chokeholds were never authorized or sanctioned techniques, OCFS will advise all staff in writing that these techniques are strictly forbidden and that there is a zero tolerance stance with regard to their use and the use of any other unsanctioned/unauthorized physical intervention. OCFS will include a statement in the Crisis Management/Physical Restraint training curriculum to expressly forbid the use of "hooking and tripping" and chokeholds, and advise all staff of the agency's zero tolerance stance with regard to any person found to be using these techniques or any other unsanctioned/unauthorized physical intervention.

TASKS AND DEADLINES

1. All staff advised in writing	Completed
2. Modify PPM 3247.13 “Use of Physical Restraint”	Start 11/17/2009 End 10/31/2010

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REMEDIAL MEASURE

42b. Use of force - Create or modify and implement a comprehensive policy and accompanying practices governing uses of force, which shall provide, among other things, that the least amount of force necessary for the safety of staff and youth is used.

GOALS AND OBJECTIVES

GOAL - OCFS will limit the circumstances when the use of physical force is authorized. OCFS staff will employ only the least amount of authorized physical force necessary for the safety of staff and youth.

OBJECTIVE - OCFS will review and modify PPM 3247.13 "Use of Physical Restraint," develop a training curriculum for staff on the policy modifications which includes a continuum of physical control techniques. A "Restraint Monitor" role will be developed. The Restraint Monitor will be dispatched to the scene of a restraint to observe and report whether or not applicable policies, procedures and practices are followed.

TASKS AND DEADLINES

1. Develop restraint monitor role	Start 08/14/2009 End 10/31/2010
2. Modify Policies: a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3247.13 "Use of Physical Restraint" c. PPM 3247.14 "Use of Mechanical Restraints"	Start 11/17/2009 End 10/31/2010
3. Develop a curriculum on crisis prevention and management	Start 08/14/2009 End 12/31/2010
4. Plan for training and train staff in crisis prevention and management* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 04/30/2011
5. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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42c. Use of force - Create or modify and implement policies, procedures, and practices to require that staff adequately and promptly document and report all uses of force.

GOALS AND OBJECTIVES

GOAL - OCFS staff will adequately and promptly document and report all uses of force.
OBJECTIVE - OCFS will review existing policies, procedures and practices regarding documenting and reporting all uses of force and revise/enhance them to require adequate and prompt documentation. Staff will be trained in properly reporting and documenting all uses of force.

TASKS AND DEADLINES

<p>1. Modify policies: a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3247.13 "Use of Physical Restraint"</p>	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Develop a curriculum on crisis prevention and management, including properly reporting and documenting uses of force</p>	<p>Start 08/14/2009 End 12/31/2010</p>
<p>3. Plan for training and train staff in crisis prevention and management, including properly reporting and documenting uses of force* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls</p>	<p>Start 04/01/2010 End 04/30/2011</p>
<p>4. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 12/23/2010 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

42d. Use of Force - Create or modify and implement a system for review, by senior management, of uses of force and alleged child abuse so that they may use the information gathered to improve training and supervision of staff, guide staff discipline, and/or make policy or programmatic changes as needed.

GOALS AND OBJECTIVES

GOAL - OCFS senior management will review all uses of force and alleged child abuse, and use the information gathered to improve training and supervision of staff, guide staff discipline, and make policy or programmatic changes as needed.

OBJECTIVE - OCFS will evaluate data and information collection systems regarding uses of force and alleged child abuse. OCFS will review policies, procedures and practices related to information gathering regarding uses of force and alleged child abuse to improve senior management's ability to improve training and supervision of staff, guide staff discipline, and/or make policy or programmatic changes as needed.

TASKS AND DEADLINES

1. Review and evaluate current data systems on use of force and allegations of child abuse.	Start 04/01/2010 End 11/30/2010
2. Identify information needed to assist management in analyzing data; and develop reports.	Start 10/01/2010 End 01/31/2011
3. Develop protocol for review of reports by senior management staff.	Start 02/01/2011 End 02/28/2011
4. Implement protocol and improvements.	Start 02/28/2011 End Ongoing

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42e. Use of Force - Establish procedures and practices whereby each Facility Administrator or his or her designee will conduct weekly reviews of the use of force reports and videotaped incidents involving uses of force to evaluate proper techniques. Upon this review, staff who exhibit deficiencies in technique(s) shall be prohibited from using force until such staff receive documented instruction on the proper technique(s).

GOALS AND OBJECTIVES

GOAL - The facility director or his or her designee will conduct weekly reviews of the use of force reports and video taped incidents involving uses of force to evaluate proper techniques.
OBJECTIVE - OCFS will modify PPM 3247.13 "Use of Physical Restraint" regarding the review of physical restraint incidents to include review of techniques used. Staff who exhibit deficiencies in techniques shall receive documented instruction on the proper techniques prior to resuming direct contact with youth.

TASKS AND DEADLINES

1. Modify PPM 3247.13 "Use of Physical Restraint"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train facility administrators and designees in policy modifications and crisis prevention and management curriculum* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 04/30/2011
3. Implement weekly reviews and instruction to staff	Start 04/30/2011 End Ongoing
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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42f. Use of Force - Train direct care staff in conflict resolution and approved uses of force that minimize the risk of injury to youth. The State shall only use instructors who have successfully completed training designed for use of force instructors. All training shall include each staff member's demonstration of the approved techniques and require that each staff member meet the minimum standards for competency established by the method. Direct care staff skills in employing the method shall be periodically re-evaluated. Staff who demonstrate deficiencies in technique or method shall be re-trained at least every six months until they meet minimum standards for competency established by the method. Supervisory staff who are routinely involved in responding to incidents and altercations shall be trained to evaluate their subordinates' uses of force and must provide evaluation of the staff's proper use of these methods in their reports addressing use of force incidents.

GOALS AND OBJECTIVES

GOAL - All direct care staff will be trained by certified instructors in conflict resolution and approved uses of force that minimize the risk of injury to youth.
OBJECTIVE - OCFS will revise the training curriculum for use of physical restraint to:

- train staff in conflict resolution and de-escalation techniques; emphasize that use of such techniques is required whenever possible to eliminate the need for physical restraint
- minimize the risk of injuries to youth
- be delivered by OCFS certified instructors
- include testing of participants' competency in approved techniques
- include bi-annual re-training and re-evaluation for all direct care staff
- include retraining for staff who show deficiencies
- develop training for supervisory staff who respond to restraints to evaluate subordinates' proper use of force and provide evaluation of the staff's proper use of these methods in their reports addressing use of force incidents.

TASKS AND DEADLINES

1. Revise the training curriculum on crisis prevention and management	Start 11/17/2009 End 12/31/2010
2. Plan for training and re-training, and train staff in crisis prevention and management* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 04/30/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/23/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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43. Emergency response –The State shall create or modify and implement policies, procedures and practices relative to staff use of personal safety devices (sometimes referred to as “pins”) to call for assistance in addressing youth behavior. To this end, the State shall:

43a. Immediately revoke the December 18, 2007 directive to staff of Finger Lakes to “push the pin.”

GOALS AND OBJECTIVES

GOAL – OCFS will revoke the December 18, 2007 directive.

OBJECTIVE - OCFS will advise all staff in writing that all memoranda or directives to "push the pin" when a youth shows any sign of resistance are revoked and no longer in effect.

TASKS AND DEADLINES

1. All staffed advised in writing

Completed

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REMEDIAL MEASURE

43b. Emergency response - Create or modify policies providing staff with guidelines as to when a call for assistance is appropriate.

GOALS AND OBJECTIVES

GOAL - OCFS' emergency response to incidents will be proportionate to and adequate for the circumstances.

OBJECTIVE - OCFS will modify its emergency response policy and procedures to provide staff with clear guidelines as to when calling for assistance is appropriate. OCFS will support this via applicable training curricula which provide staff with a sanctioned continuum of options including de-escalation techniques and a response proportional to the incident.

TASKS AND DEADLINES

1. Modify policies: a. PPM 3246.02 "Emergency Response Teams" b. PPM 3247.13 "Use of Physical Restraint"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train staff on emergency response policy*	Start 07/01/2010 End 04/30/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 04/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

43c. Emergency response - Create or modify policies and procedures regarding the appropriateness of the response to the situation presented.

GOALS AND OBJECTIVES

GOAL - OCFS' emergency response to incidents will be proportionate to and adequate for the circumstances.
OBJECTIVE - OCFS will modify its emergency response policy and procedures to provide staff with a sanctioned continuum of options including de-escalation techniques and a response proportional to the incident when a youth shows signs of resistance.

TASKS AND DEADLINES

1. Modify PPM 3246.02 "Emergency Response Teams"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train staff on emergency response policy*	Start 07/01/2010 End 04/30/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 04/30/2011 End Ongoing

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REMEDIAL MEASURE

43d. Emergency response - Require administrators of each Facility to submit an emergency response plan for review and approval in accordance with statewide policy.

GOALS AND OBJECTIVES

GOAL - All facility emergency response plans will be reviewed and approved in accordance with statewide policy.
OBJECTIVE - OCFS will modify its emergency response policy and procedures to require administrators of each Facility to submit emergency response plans for review and approval in accordance with agency policy.

TASKS AND DEADLINES

1. Modify PPM 3246.02 "Emergency Response Teams"	Start 11/17/2009 End 10/31/2010
2. Facility administrators develop and submit initial emergency response plans	Start 12/01/2010 End 12/31/2010
3. Home Office review and approval of plans	Start 01/01/2010 End 01/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 01/31/2011 End Ongoing

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REMEDIAL MEASURE

43e. Emergency response - Train all Facility staff in the operation of the above policy and procedures.

GOALS AND OBJECTIVES

GOAL - All facility staff will be trained in emergency response policy, procedure and plans.
OBJECTIVE - OCFS will provide relevant training to staff regarding emergency response policy, procedure and plans.

TASKS AND DEADLINES

1. Modify PPM 3246.02 "Emergency Response Teams"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train staff on emergency response policy*	Start 07/01/2010 End 04/30/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 04/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

44. Reporting and Investigation of Incidents – The State shall adequately report, investigate, and address the following allegations of staff misconduct:

- i. inappropriate use of restraints;
- ii. use of excessive force on youth; or
- iii. failure of supervision or neglect resulting in:
 - (1) youth injury; or
 - (2) suicide attempts or self-injurious behavior.

To this end, the State shall:

44a. Create or modify and implement policies, procedures and practices to require that such incidents or allegations are reported to appropriate individuals, that such reporting may be done without fear of retaliation, and that such reporting be done in a manner that preserves confidentiality to the extent possible, consistent with the need to investigate and address allegations.

GOALS AND OBJECTIVES

GOAL - All incidents or allegations of abuse will be reported to the appropriate individuals, and such reporting may be done through without fear of retaliation and in a manner that preserves confidentiality to the extent possible.

OBJECTIVE - OCFS will review the various systems of reporting available to staff and youth, and modify policies, procedures and practices to require that reports are made to appropriate individuals, may be done confidentially and without fear of retaliation. OCFS will add language to the policies that reinforces that incidents may be reported anonymously and confidentially.

TASKS AND DEADLINES

<p>1. Review, and modify if necessary, policies:</p> <ul style="list-style-type: none"> a. PPM 1610.00 "Special Investigations" b. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" c. PPM 3456.00 "Child Abuse and Neglect" d. PPM 3429.00 "Unusual Incidents" 	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Plan for training and train staff on reporting and investigation of incidents, including confidential reporting policy*</p>	<p>Start 07/01/2010 End 06/30/2011</p>
<p>3. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 06/30/2011 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44b. Reporting and Investigation of Incidents – Create or modify and implement policies, procedures and practices providing that such incidents or allegations are promptly screened, and which establish criteria for prioritizing Facility investigations based on the seriousness and other aspects of the allegation. There shall be a prompt determination of the appropriate level of contact between the staff and youth, if any, in light of the nature of the allegation and/or a preliminary investigation of the credibility of the allegation. The determination shall be consistent with the safety of all youth. The determination must be documented.

GOALS AND OBJECTIVES

GOAL - All incidents or allegations will be promptly screened by the facility director or his or her designee, who will prioritize facility investigations based on the seriousness and other aspects of the allegation. Contact between accused staff and youth will be appropriately limited in light of the nature and credibility of the allegation.
OBJECTIVE - OCFS will modify policy, procedure and practice which establish criteria for the facility administrator to use in prioritizing facility investigations. The policy will include criteria for the facility administrator to determine the appropriate level of contact between the staff and youth in question, and documentation of the determination.

TASKS AND DEADLINES

<p>1. Review, and modify if necessary, policies: a. PPM 1610.00 "Special Investigations" b. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" c. PPM 3456.00 "Child Abuse and Neglect"</p>	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Create new policy related to Screening and Prioritizing Facility Investigations</p>	<p>Start 04/01/2010 End 01/31/2011</p>
<p>3. Plan for training and train facility administrators on screening and prioritizing facility investigations*</p>	<p>Start 07/01/2010 End 06/30/2011</p>
<p>4. Implement, coach and evaluate transfer of knowledge/outcome</p>	<p>Start 06/30/2011 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44c. Reporting and Investigation of Incidents – Create or modify and implement policies, procedures and practices to require that a nurse or other health care provider will question, outside the hearing of other staff or youth, each youth who reports to the infirmary with an injury regarding the cause of the injury. If, in the course of the youth's infirmary visit, a health care provider suspects staff-on-youth abuse, the health care provider shall immediately take all appropriate steps to preserve evidence of the injury, report the suspected abuse to the Statewide Central Register of Child Abuse and Maltreatment (“SCR”), document adequately the matter in the youth's medical record, and complete an incident report.

GOALS AND OBJECTIVES

GOAL - Medical personnel will privately ask all youth reporting to the infirmary with an injury, the cause of the injury, and report suspected abuse per OCFS policy.
OBJECTIVE - OCFS will review, and modify if necessary, existing policies on medical services, child abuse, prevention of sexual assault and abuse, and use of physical restraint to include questioning each youth who reports to the infirmary with an injury regarding the cause of the injury, outside the hearing of other staff or youth and to immediately take all appropriate steps to preserve evidence of the injury if abuse is suspected. Additionally, all such cases will be fully documented in the youth's medical record, on an incident report form and reported as required by state Social Services Law. All medical personnel will be trained in these procedures.

TASKS AND DEADLINES

<p>1. Review, and modify if necessary, policies:</p> <ul style="list-style-type: none"> a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.25 "First Aid and CPR Response in Facilities" c. PPM 3247.13 "Use of Physical Restraint" d. PPM 3429.00 "Unusual Incidents" e. PPM 3456.00 "Child abuse and Neglect" 	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Plan for training and train facility administrators and medical staff on reporting and investigation of incidents, including confidential interviews of injured youth*</p>	<p>Start 07/01/2010 End 06/30/2011</p>
<p>3. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 06/30/2011 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44d. Reporting and Investigation of Incidents - Create or modify and implement policies, procedures and practices to require that all allegations of staff misconduct described above are adequately and timely investigated by neutral, trained investigators and reviewed by staff with no involvement or personal interest in the underlying event.

GOALS AND OBJECTIVES

GOAL - OCFS will utilize trained impartial investigators to conduct adequate and timely investigations into allegations of staff misconduct. Such allegations will be reviewed by staff with no involvement or personal interest in the underlying event.
OBJECTIVE - OCFS will modify current policies, procedures and practices to require that all such incidents, allegations of abuse, and allegations of staff misconduct are adequately and timely investigated by neutral, trained investigators with no involvement or interest in the underlying event.

TASKS AND DEADLINES

1. Review, and modify if necessary, policies: a. PPM 1610.00 "Special Investigations" b. PPM 3429.00 "Unusual Incidents" c. PPM 3456.00 "Child Abuse and Neglect"	Start 11/17/2009 End 10/31/2010
2. Create new policy related to Screening and Prioritizing Facility Investigations	Start 04/01/2010 End 01/31/2011
3. Plan for training and train facility administrators and neutral investigators on reporting and investigation of incidents policies*	Start 07/01/2010 End 06/30/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44d.i. Reporting and Investigation of Incidents - Such policies, procedures, and practices shall address circumstances in which evidence of injuries to youth, including complaints of pain or injury due to inappropriate use of force by staff, conflicts with the statements of staff or other witnesses.

GOALS AND OBJECTIVES

GOAL – OCFS investigations will address conflicting evidence in accordance with generally recognized professional standards for investigations.
OBJECTIVE - OCFS will require that OCFS investigators are properly trained/retrained to address circumstances in which investigation evidence conflicts, including reconciliation of any conflicting evidence. OCFS will provide training to investigators and supervisors.

TASKS AND DEADLINES

1. Modify PPM 1610.00 “Special Investigations”	Start 11/17/2009 End 10/31/2010
2. Plan for training and train investigators and SIU supervisors on reporting and investigation of incidents policies, including how to address conflicting investigation evidence*	Start 07/01/2010 End 03/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44d.ii. Reporting and Investigation of Incidents - If a full investigation is not warranted, then the reasons why a full investigation is not conducted shall be documented in writing. In cases where a youth withdraws an allegation, a preliminary investigation shall be conducted to determine the reasons for the withdrawal, and, in cases where it is warranted, a full investigation will be conducted.

GOALS AND OBJECTIVES

GOAL – OCFS will document why a full investigation is not required. A youth’s withdrawal of an allegation will not, by itself, be sufficient to end an investigation.
OBJECTIVE - When a full investigation is not warranted, OCFS will document in writing the reasons why a full investigation was not conducted. In cases where a youth withdraws an allegation, OCFS will conduct a preliminary investigation to determine the reasons for the withdrawal, and, in cases where it is warranted, a full investigation will be conducted.

TASKS AND DEADLINES

1. Modify PPM 1610.00 “Special Investigations”	Start 11/17/2009 End 10/31/2010
2. Plan for training and train investigators, administrators, and supervisors on reporting and investigation of incidents policies*	Start 07/01/2010 End 06/30/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44e. Reporting and Investigation of Incidents - Create or modify and implement policies, procedures and practices to require prompt and appropriate corrective measures in response to a finding of staff misconduct described above.

GOALS AND OBJECTIVES

GOAL - OCFS will take prompt and appropriate corrective measures in response to staff misconduct.
OBJECTIVE - OCFS will revise appropriate personnel policies as needed to ensure prompt and appropriate corrective measures in response to staff misconduct. Facility administrators will be trained in these revisions.

TASKS AND DEADLINES

1. Review, and modify if necessary, policies: a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 2651.00 "Employee Discipline" c. PPM 2652.00 "Employee Counseling"	Start 11/17/2009 End 10/31/2010
2. Create new policy related to Screening and Prioritizing Facility Investigations	Start 04/01/2010 End 01/31/2011
3. Plan for training and train facility administrators on employee discipline and employee counseling policies*	Start 07/01/2010 End 06/30/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44f. Reporting and Investigation of Incidents - Provide adequate training to staff in all areas necessary for the safe and effective performance of job duties, including training in: child abuse reporting; the safe and appropriate use of force and physical restraint; the use of force continuum; and crisis intervention and de-escalation techniques. Routinely provide refresher training consistent with generally accepted professional standards.

GOALS AND OBJECTIVES

GOAL - OCFS will provide adequate training to staff in all areas necessary for safe and effective performance of their job duties.
OBJECTIVE - OCFS will provide training to staff in child abuse reporting; the safe and appropriate use of force and physical restraint; the use of force continuum; and crisis intervention and de-escalation techniques. OCFS will continue to provide refresher trainings. Additionally, these trainings will be scheduled as needed for staff with deficient skills. OCFS will review current annual training mandates for content and frequency, and revise as necessary.

TASKS AND DEADLINES

<p>1. Review, and modify if necessary, policies:</p> <ul style="list-style-type: none"> a. PPM 2801.00 "Training requirements for OCFS Facility and Day Placement Staff" b. PPM 3247.00 "Supervision of Youth" c. PPM 3247.01 "Prevention of Sexual Abuse and Assault" d. PPM 3247.13 "Use of Physical Restraint" e. PPM 3456.00 "Child Abuse and Neglect" 	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Plan for training and refresher training, and train staff in:</p> <ul style="list-style-type: none"> a. Crisis prevention and management* Estimated schedule (for crisis prevention and management; end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls b. Child abuse reporting* 	<p>Start 04/01/2010 End 06/30/2011</p>
<p>3. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 12/23/2010 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44g. Reporting and Investigation of Incidents - Create or modify and implement policies, procedures and practices to require adequate supervision of staff.

GOALS AND OBJECTIVES

GOAL - All facility staff will be adequately supervised.
OBJECTIVE - OCFS will develop a comprehensive policy on supervision of staff that will include, but not be limited to, the following requirements:

- Training of supervisors
- Standards of supervision

TASKS AND DEADLINES

1. Modify PPM 2652.00 "Employee Counseling"	Start 11/17/2009 End 10/31/2010
2. Create new policy on Supervision of Staff	Start 08/23/2010 End 01/31/2011
3. Plan for training and train supervisory staff on supervision of staff policy*	Start 09/30/2010 End 06/30/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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44h. Reporting and Investigation of Incidents - The State shall utilize reasonable measures to determine applicants' fitness to work in a juvenile justice facility prior to hiring employees for positions at the Facilities, including but not limited to state criminal background checks. The State shall update state criminal background checks and SCR clearances for all staff who come into contact with youth every two years.

GOALS AND OBJECTIVES

GOAL - OCFS will ensure that only individuals fit to work with youth are employed at the facility.
OBJECTIVE - OCFS will conduct pre-employment criminal background checks and State Central Registry checks for all prospective employees. OCFS employs search and retain procedures in which law enforcement notifies OCFS of the arrest of any employee.

TASKS AND DEADLINES

1. Review, and modify if necessary, policies: a. PPM 2021.04 "Prospective Employee Screening for Child Abuse" b. PPM 2026.03 "Criminal History Screening of Employment Candidates"	Start 11/17/2009 End 10/31/2010
2. Establish process to conduct SCR checks every two years for facility staff	Start 08/01/2010 End 12/01/2010
3. Conduct SCR checks every two years for facility staff	Ongoing
4. Continue to conduct criminal background checks	Ongoing
5. Follow search and retain procedures	Ongoing

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46. Behavioral treatment program – The State shall provide an integrated, adequate, appropriate, and effective behavioral treatment program at the Facilities. To this end, the State shall:
46a. Create or modify and implement policies, procedures, and practices for an effective behavioral treatment program consistent with generally accepted professional standards and evidence-based principles. The behavioral treatment program shall be implemented throughout waking hours, including during school time.

GOALS AND OBJECTIVES

GOAL - OCFS will operate a behavioral treatment program consistent with generally accepted professional standards and evidence-based principles, during all waking hours.
OBJECTIVE – OCFS will implement the “New York Model” which includes the Daily Achievement Program, Dialectical Behavioral Therapy (DBT) practices and the Sanctuary Model trauma-informed system of care. Qualified mental health professionals and all other appropriate staff will be trained in the implementation of the “New York Model.”

TASKS AND DEADLINES

1. Create the “New York Model”	Start 06/21/2009 End 01/31/2011
2. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
3. Plan for training and train staff in the implementation of the “New York Model,” including case management and treatment team processes* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 10/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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46b. Behavioral treatment program - Create or modify and implement policies, procedures, and practices to require that mental health staff provide regular consultation regarding behavior management to direct care staff and other staff involved in the behavioral treatment program.

GOALS AND OBJECTIVES

GOAL - Mental health staff will provide regular consultation regarding behavior management to all staff involved in the behavioral treatment program.
OBJECTIVE – The “New York Model” will include a component for qualified mental health professionals regularly providing consultation to all staff involved in the behavioral treatment program. Qualified mental health professionals will be appropriately trained in the implementation of the “New York Model”.

TASKS AND DEADLINES

1. Modify PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff"	Start 11/17/2009 End 10/31/2010
2. Create the “New York Model”	Start 06/21/2009 End 01/31/2011
3. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
4. Plan for training and train qualified mental health professionals in the implementation of the “New York Model,” including case management and treatment team processes* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 10/31/2011
5. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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46c. Behavioral treatment program - Create or modify and implement policies, procedures, and practices to regularly assess the effectiveness of the interventions utilized.

GOALS AND OBJECTIVES

GOAL - OCFS will regularly assess the effectiveness of the interventions utilized in the behavioral treatment program.

OBJECTIVE – OCFS will regularly assess the effectiveness of interventions through the New York Model and development of treatment team processes.

TASKS AND DEADLINES

1. Modify PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff"	Start 11/17/2009 End 10/31/2010
2. Create New York Model	Start 06/21/2009 End 01/31/2011
3. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
4. Plan for training and train staff in the implementation of the "New York Model," including case management and treatment team processes* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 10/31/2011
5. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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46d. Behavioral treatment program - Explain the behavioral treatment program to all youth during an orientation session, setting forth Facility rules and the positive incentives for compliance as well as the sanctions for violating those rules. The rules for the behavioral treatment program shall be posted conspicuously in Facility living units.

GOALS AND OBJECTIVES

GOAL - All OCFS youth will receive an explanation of the behavioral treatment program during an orientation session, setting forth facility rules and the positive incentives for compliance as well as the sanctions for violating those rules. All facility living units will have the rules of the behavioral treatment program posted.

OBJECTIVE – OCFS youth will receive an explanation of the behavioral treatment program during orientation.

TASKS AND DEADLINES

<p>1. Modify policies: a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3443.00 "Resident Rules"</p>	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Create new policy related to Facility Admission Process</p>	<p>Start 03/01/2010 End 12/31/2010</p>
<p>3. Create New York Model</p>	<p>Start 06/21/2009 End 01/31/2011</p>
<p>4. Revise orientation curriculum</p>	<p>Start 04/01/2010 End 12/31/2010</p>
<p>5. Plan for training and train staff in the implementation of the "New York Model," including the facility admission process* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls</p>	<p>Start 04/01/2010 End 10/31/2011</p>
<p>6. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 06/30/2011 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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47. Mental health crises – The State shall provide any youth experiencing a mental health crisis with prompt and adequate mental health services appropriate to the situation. To this end, the State shall:
47a. Train all appropriate staff, including direct care staff, on appropriate, positive strategies to address a youth’s immediate mental health crisis, including a crisis manifesting in self-injurious behavior or other destructive behavior. Such strategies should be utilized in an effort to stabilize and calm the youth, to the extent possible, while awaiting the arrival of a qualified mental health professional. Staff shall not resort to uses of force, including restraints, except as provided in paragraphs 41 and 42, *supra*.

GOALS AND OBJECTIVES

GOAL - OCFS will train all appropriate staff on positive strategies to address a youth’s immediate mental health crisis, including self-injurious or other destructive behavior with the goal of stabilizing and calming the youth, while awaiting the arrival of a qualified mental health professional.
OBJECTIVE – OCFS will review all relevant agency policies in order to address all forms of mental health crises, and provide training to all appropriate staff. Revisions to the agency’s policy on use of force will include restrictions regarding use of force to address mental health crises.

TASKS AND DEADLINES

<p>1. Review, and modify if necessary, policies:</p> <ul style="list-style-type: none"> a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.33 "Behavioral Health Services" c. PPM 3243.34 "Psychiatric Hospitalizations" d. PPM 3247.13 "Use of Physical Restraint" e. PPM 3247.60 "Suicide Risk Reduction and Response" 	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Plan for training and train staff in:</p> <ul style="list-style-type: none"> a. Crisis prevention and management* Estimated schedule (for crisis prevention and management training; end date may move out up to one month, pending finalized comprehensive training schedule): 11/29/10-12/2/10 - Pilot class at Lansing 12/3/10-12/9/10 – Curriculum revisions, if needed 12/13/10-12/23/10 – 4 more classes at Lansing 1/3/11-2/10/11 – 12 classes at Finger Lakes 2/14/11-3/17/11 – 10 classes at Tryon Girls b. Comprehensive mental health policies and standards, including strategies to address mental health crises* 	<p>Start 04/01/2010 End 10/31/2011</p>
<p>3. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 12/23/2010 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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47b. Mental health crises - Create or modify and implement policies, procedures, and practices for contacting a qualified mental health professional outside of regular working hours in the event of a youth's mental health crisis or other emergency situation.

GOALS AND OBJECTIVES

GOAL - OCFS will be able to contact a qualified mental health professional outside of regular working hours.
OBJECTIVE – OCFS will have established procedures for contacting a qualified mental health professional outside normal work hours in the event of a crisis or emergency situation.

TASKS AND DEADLINES

1. Modify PPM 3243.33 "Behavioral Health Services"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train staff on procedures to contact a mental health professional outside normal work hours*	Start 07/01/2010 End 12/31/2010
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 12/31/2010 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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47c. Mental health crises - Require that any youth who experiences a mental health crisis and resorts to maladaptive coping strategies, such as self-injurious behavior, is referred for mental health services following the resolution of the immediate crisis. A qualified mental health professional shall develop a crisis management plan in conjunction with the youth and his or her other mental health service providers. The crisis management plan shall specify methods to reduce the potential for recurrence through psychiatric treatment, treatment planning, behavioral modification, and environmental changes, as well as a strategy to help the youth develop and practice positive coping skills. Such services shall continue throughout the duration of the youth’s commitment to the Facility.

GOALS AND OBJECTIVES

GOAL - Youth who experience mental health crises and resort to maladaptive coping strategies will be referred for mental health services for development of a crisis management plan in conjunction with the youth and his or her other mental health service providers. The plan will specify methods to reduce the potential for recurrence through psychiatric treatment, treatment planning, behavioral modification, and environmental changes, as well as a strategy to help the youth develop and practice positive coping skills and will continue throughout the duration of the youth’s commitment to the Facility.

OBJECTIVE – Through modification to relevant mental health policies, OCFS will establish formal processes for the referral of youth who experience mental health crises that result in maladaptive coping strategies. Future treatment will include the development of a crisis management plan in conjunction with the youth and his or her other mental health service providers. The plan will specify methods to reduce the potential for recurrence through psychiatric treatment, treatment planning, behavioral modification, and environmental changes, as well as a strategy to help the youth develop and practice positive coping skills and will continue throughout the duration of the youth’s commitment to the Facility. Qualified mental health professionals will be appropriately trained in the implementation of the policy revisions.

TASKS AND DEADLINES

<p>1. Modify policies:</p> <ul style="list-style-type: none"> a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.33 "Behavioral Health Services" c. PPM 3243.34 "Psychiatric Hospitalizations" 	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Plan for training and train staff in comprehensive mental health policies and standards*</p>	<p>Start 04/01/2010 End 10/31/2011</p>
<p>3. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 10/31/2011 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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48. Evaluation of mental health needs –The State shall require that youth with mental health needs are timely identified and provided adequate mental health services. To this end, the State shall:
48a. Create or modify and implement policies, procedures, and practices to require that each youth admitted to a Facility is comprehensively screened by a qualified mental health professional in a timely manner utilizing reliable and valid measures. The State shall require that any youth whose mental health screening indicates the possible need for mental health services receives timely, comprehensive, and appropriate assessment by a qualified mental health professional and referral when appropriate to a psychiatrist for a timely mental health evaluation.

GOALS AND OBJECTIVES

GOAL - A qualified mental health professional will comprehensively screen each youth admitted to a facility in a timely manner utilizing reliable and valid measures. All youth requiring mental health services will be promptly referred to the appropriate level of qualified mental health professional for a comprehensive mental health assessment and or evaluation.
OBJECTIVE – Through modifications to appropriate OCFS policies, qualified mental health professionals will screen and assess youth utilizing reliable and valid instruments and refer appropriate youth to a psychiatrist for a mental health evaluation. Qualified mental health professionals will be appropriately trained in the implementation of the policy revisions.

TASKS AND DEADLINES

1. Modify policies: a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.33 "Behavioral Health Services" c. PPM 3247.60 "Suicide Risk Reduction and Response"	Start 11/17/2009 End 10/31/2010
2. Identify assessment instruments	Start 11/17/2009 End 12/31/2010
3. Plan for training and train staff in comprehensive mental health policies and standards*	Start 04/01/2010 End 10/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 10/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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48b. Evaluation of mental health needs - Require that any youth whose mental health screen identifies an issue that places the youth at immediate risk is immediately referred to a qualified mental health professional. The qualified mental health professional shall determine whether assessment or treatment is necessary. A determination to transfer a youth to a more appropriate setting on other than an emergency basis shall require consultation with a committee designated by OCFS' Deputy Commissioner for Juvenile Justice and Opportunities for Youth ("DJJOY") or his or her designee or successor. Such committee may include qualified mental health professionals at OCFS' central office. If a determination is made that the youth should be transferred to a more appropriate setting, the State shall immediately initiate procedures to transfer the youth to such setting.

GOALS AND OBJECTIVES

GOAL - Any youth whose initial or subsequent mental health screen identifies an issue that places the youth at immediate risk will be immediately referred to a qualified mental health professional to determine whether assessment or treatment is required. Decisions regarding a transfer to a more appropriate setting will be made in consultation with the youth's treating qualified mental health professional and staff from the Bureau of Behavioral Health Services.

OBJECTIVE – Modification to relevant OCFS policies will establish protocols for screening, assessment and treatment of youth at immediate risk and, when necessary, criteria for determination of transfer to a more appropriate setting. An updated memorandum of understanding with the Office of Mental Health will establish procedures for initiating the transfer of youth to appropriate settings. Qualified mental health professionals and other appropriate staff will be appropriately trained in the implementation of the policy revisions.

TASKS AND DEADLINES

1. Modify policies: a. PPM 3243.33 "Behavioral Health Services" b. PPM 3243.34 "Psychiatric Hospitalization" c. PPM 3247.60 "Suicide Risk Reduction and Response"	Start 11/17/2009 End 10/31/2010
2. Formalize committee for mental health transfers	Start 01/05/2010 End 10/31/2010
3. Update Memorandum of Understanding with Office of Mental Health	Start 01/05/2010 End 12/31/2010
4. Communicate and implement policy and procedures to qualified mental health professionals	Start 04/01/2010 End 03/31/2011
5. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

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REMEDIAL MEASURE

48c. Evaluation of mental health needs - Require that assessments take into account new diagnostic and treatment information that becomes available, including information about the efficacy or lack of efficacy of treatments and behavioral interventions.

GOALS AND OBJECTIVES

GOAL – Assessments of mental health needs are routinely updated as new diagnostic and treatment information becomes available, including information about the efficacy or lack of efficacy of treatments and behavioral interventions.

OBJECTIVE - Through the modification of relevant mental health policies, OCFS will require timely updates to youth's mental health assessments. Qualified mental health professionals and other appropriate staff will be appropriately trained in the implementation of the policy revisions.

TASKS AND DEADLINES

1. Modify PPM 3243.33 "Behavioral Health Services"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train staff in comprehensive mental health policies and standards*	Start 04/01/2010 End 10/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 10/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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48d. Evaluation of mental health needs - Create or modify and implement policies, procedures, and practices to require that for each youth receiving mental health services, the youth’s treating qualified mental health professional(s), including the treating psychiatrist, if applicable, develop a consistent working diagnosis or diagnoses. The diagnosis or diagnoses shall be updated uniformly among all qualified mental health professionals providing services to the youth.

GOALS AND OBJECTIVES

GOAL - All youth receiving mental health services have a uniform diagnosis(es). Diagnoses are updated uniformly among all qualified mental health professionals providing services to the youth.
OBJECTIVE - Through the modification of relevant mental health policy, OCFS will require that each youth’s mental health clinicians develop a uniform working diagnosis(es). A protocol will be developed to establish how the treatment providers may update or change the diagnosis.

TASKS AND DEADLINES

1. Modify PPM 3243.33 “Behavioral Health Services”	Start 11/17/2009 End 10/31/2010
2. Plan for training and train mental health professionals on protocols related to developing a uniform working diagnosis(es)*	Start 04/01/2010 End 03/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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48e. Evaluation of mental health needs - Create or modify and implement policies, procedures, and practices to require that both initial and subsequent psychiatric evaluations are consistent with generally accepted professional standards. Initial evaluations shall be legibly written and detailed, and shall include, at minimum, the following information for each youth evaluated:

- i. current mental status;
- ii. history of present illness;
- iii. current medications and response to them;
- iv. history of treatment with medications and response, including adverse side effects or medication allergies;
- v. social history;
- vi. substance abuse history;
- vii. interviews of parents or guardians;
- viii. review of prior records; and
- ix. explanation of how the youth's symptoms meet diagnostic criteria for the proffered diagnosis or diagnoses.

GOALS AND OBJECTIVES

GOAL - All psychiatric evaluations are consistent with generally accepted professional standards.
OBJECTIVE - Through modification of relevant mental health policies, OCFS will require that psychiatric evaluations are consistent with generally accepted professional standards. The initial evaluations will include current mental status, history of present illness, current medications and medication effectiveness, history of medication treatment and response, social history, substance abuse history, and explanation of how the youth's symptoms meet diagnostic criteria for the diagnosis.

TASKS AND DEADLINES

1. Modify PPM 3243.33 "Behavioral Health Services"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train mental health professionals in comprehensive mental health policies and standards *	Start 04/01/2010 End 10/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

49. Use of Psychotropic Medications - The State shall require that the prescription and monitoring of the safety, efficacy, and appropriateness of all psychotropic medication use is consistent with generally accepted professional standards.

GOALS AND OBJECTIVES

GOAL - All prescription and monitoring of psychotropic medications is consistent with generally accepted professional standards.

OBJECTIVE - Through modification of the relevant mental health policy, OCFS will require that psychotropic medication is prescribed and monitored consistent with generally accepted professional standards.

TASKS AND DEADLINES

1. Modify PPM 3243.32 "Psychotropic Medications"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train qualified health professionals in prescribing and monitoring practices related to psychotropic medications*	Start 07/01/2010 End 03/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

49a. Use of psychotropic medications - Create or modify and implement policies, procedures, and practices to require that any psychotropic medication is:

- i. prescribed only when it is tied to current, clinically justified diagnoses or clinical symptoms;
- ii. tailored to each youth’s symptoms;
- iii. prescribed in therapeutic amounts, as dictated by the needs of the youth served;
- iv. modified based on clinical rationales; and
- v. documented in the youth’s record with: (1) the name of each medication; (2) the rationale for the prescription of each medication; and (3) the target symptoms intended to be treated by each medication.

GOALS AND OBJECTIVES

GOAL - All prescription and monitoring of psychotropic medications is consistent with generally accepted professional standards.
OBJECTIVE - Through modification of the relevant mental health policy, OCFS will require that psychotropic medication is prescribed and monitored in a manner consistent with generally accepted professional standards.

TASKS AND DEADLINES

1. Modify policies: <ul style="list-style-type: none"> a. PPM 3243.32 “Psychotropic Medications” b. PPM 3243.33 “Behavioral Health Services” 	Start 11/17/2009 End 10/31/2011
2. Plan for training and train qualified health professionals in prescribing and monitoring practices related to psychotropic medications*	Start 07/01/2010 End 03/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

49b. Use of psychotropic medications - Create or modify and implement policies, procedures, and practices for the routine monitoring of psychotropic medications, including:

- i. establishing medication-specific standards and schedules for laboratory examinations;
- ii. monitoring appropriately for common and/or serious side effects, including requiring that staff responsible for medication administration regularly ask youth about side effects they may be experiencing and document responses;
- iii. establishing protocols for timely identification, reporting, data analyses, and follow up remedial action regarding adverse drug reactions;
- iv. monitoring for effectiveness against clearly identified target symptoms and time frames;
- v. requiring that such medications are used on a time-limited, short-term basis where such use is appropriate, and not as a substitute for adequate treatment of the underlying cause of the youth’s distress;
- vi. requiring that youth are not inhibited from meaningfully participating in treatment, rehabilitation, or enrichment and educational services as a result of excessive sedation; and
- vii. establishing protocols for reviewing such policies and procedures to require that they remain consistent with generally accepted professional standards.

GOALS AND OBJECTIVES

GOAL – Psychotropic medications will be monitored in accordance with generally accepted professional standards.
OBJECTIVE -. OCFS will modify and implement policies, procedures, and practices for the routine monitoring of psychotropic medications, in accordance with generally accepted professional standards.

TASKS AND DEADLINES

1. Modify PPM 3243.32 “Psychotropic Medications”	Start 11/17/2009 End 10/31/2010
2. Plan for training and train qualified health professionals in monitoring practices related to psychotropic medications*	Start 07/01/2010 End 03/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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49c. Use of psychotropic medications – Require that the results of laboratory examinations and side effect monitoring are reviewed by the youth’s psychiatrist, if applicable, and that such review is documented in the youth’s record.

GOALS AND OBJECTIVES

GOAL - The treating psychiatrists will document in the youth’s record their review of the results of laboratory examinations and side effect monitoring.
OBJECTIVE - OCFS will modify and implement policies, procedures, and practices for the psychiatrists’ documentation of routine monitoring of psychotropic medications, in accordance with generally accepted professional standards.

TASKS AND DEADLINES

1. Modify PPM 3243.32 “Psychotropic Medications”	Start 11/17/2009 End 10/31/2010
2. Plan for training and train qualified health professionals in monitoring practices related to psychotropic medications*	Start 07/01/2010 End 03/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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50. Staff training on psychotropic medications and psychiatric disabilities – The State shall create or modify policies and procedures requiring staff in Facilities to complete competency-based training on psychotropic medications and psychiatric disabilities.
50a. The training shall provide, at minimum, an overview of the behavioral and functional impact of psychiatric disabilities on youth, common treatments for such psychiatric disabilities, including both behavioral and pharmaceutical interventions; commonly used medications and their effects, including potential adverse side effects and intended benefits; and warning signs that a youth may be suffering a serious adverse effect of a psychotropic medication and the immediate and follow-up actions to be taken by the staff in such an incident.

GOALS AND OBJECTIVES

GOAL - OCFS provides appropriate training to staff regarding psychotropic medications and psychiatric disabilities.
OBJECTIVE - Through the revision of the relevant portions of the training curricula, OCFS training on psychotropic medications and psychiatric disabilities includes:

1. Overview of the behavioral and functional impact of psychiatric disabilities on youth.
2. Common treatments for such psychiatric disabilities, including both behavioral and pharmaceutical interventions.
3. Commonly used medications and their effects, including potential adverse side effects and intended benefits.
4. Warning signs that a youth may be suffering a serious adverse effect of a psychotropic medication and the immediate and follow-up actions to be taken by the staff in such an incident.

TASKS AND DEADLINES

<p>1. Modify policies:</p> <ul style="list-style-type: none"> a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.32 "Psychotropic Medications" c. PPM 3243.33 "Behavioral Health Services" 	<p>Start 11/17/2009 End 10/31/2010</p>
<p>2. Plan for training and train staff on psychotropic medications and psychiatric disabilities*</p>	<p>Start 07/01/2010 End 10/31/2011</p>
<p>3. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 10/31/2011 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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50b. Staff training on psychotropic medications and psychiatric disabilities - The State shall create or modify policies, procedures, and training materials for staff at all Facilities as follows:

- i. Staff employed at the Facilities who routinely work directly with youth (but not including qualified mental health professionals or medical professionals) shall complete a minimum of six (6) hours of competency-based training regarding psychotropic medications and psychiatric disabilities annually for the term of this Agreement. Such staff includes, but is not limited to, Youth Division Aides, Youth Counselors, teachers, recreation staff, licensed practical nurses, Facility Administrators, and Deputy Administrators.
- ii. All other staff at the Facilities shall be required to complete a minimum of one (1) hour of competency-based training regarding psychotropic medications and psychiatric disabilities annually for the term of this Agreement.

GOALS AND OBJECTIVES

GOAL - All direct care staff complete a minimum of six (6) hours of competency-based training regarding psychotropic medications and psychiatric disabilities annually. All other staff complete a minimum of one (1) hour of competency-based training regarding psychotropic medications and psychiatric disabilities annually.

OBJECTIVE - Through the revision of agency policy on training requirements for facility staff, OCFS will require all facility staff to receive annual training on psychotropic medications and psychiatric disabilities relevant to their level of contact with youth.

TASKS AND DEADLINES

1. Modify policies: <ul style="list-style-type: none"> a. PPM 2801.00 "Training Requirements for OCFS Operated Facility and Day Placement Staff" b. PPM 3243.32 "Psychotropic Medications" 	Start 11/17/2009 End 10/31/2010
2. Plan for training and re-training, and train staff on psychotropic medications and psychiatric disabilities*	Start 07/01/2010 End 10/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 10/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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51. Psychotropic Medication refusals - The State shall create or modify and implement policies, procedures, and practices regarding psychotropic medication refusals by youth which provide, at minimum, as follows:

- a. All youth who are scheduled to receive medication shall be taken without the use of force to the medication administration location at the prescribed time. Any youth who expresses his or her intent to refuse medication shall communicate his or her refusal directly to medical staff.
- b. In circumstances where staff's verbal efforts to convince a youth to report to the medication administration location results in an escalation of a youth's aggressive behavior, staff shall not forcibly take the youth to receive medication. Staff shall contact a supervisor to report to the location. The supervisor shall document the youth's refusal on a medical refusal form, and shall complete an incident report documenting the circumstances of the refusal, including the justification for not escorting the youth to medication.
- c. A medical refusal form shall be completed each time a youth is scheduled to receive medication and refuses. In addition to the date and time, youth's name, and prescribed medication which the youth is refusing, the form shall include an area for either the youth or a staff person to record the youth's stated reason for refusing medication, an area for the youth's treating psychiatrist to certify that s/he has reviewed the medication refusal form, and a signature line for the refusing youth.
- d. The youth's psychiatrist shall receive, review, and sign all medication refusal forms prior to meeting with the youth.
- e. The youth's treatment team shall address his or her medication refusals.

GOALS AND OBJECTIVES

GOAL - All psychotropic medication refusals by youth comply with this remedial measure and are communicated to the youth's qualified mental health provider.
OBJECTIVE - Through the modification and implementation of relevant policy, procedure and practice OCFS will require that for each youth's refusal of psychotropic medications as described in the remedial measure.

TASKS AND DEADLINES

1. Modify policies: a. PPM 3243.15 "Refusal of Medical or Dental Care by Youth" b. PPM 3243.32 "Psychotropic Medications"	Start 11/17/2009 End 10/31/2010
2. Plan for training and train staff on psychotropic medications, including refusal of treatment*	Start 07/01/2010 End 01/31/2011
3. Educate youth on refusal of medication protocols	Start 01/01/2011 End Ongoing
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 01/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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52. Informed consent - The State shall revise its policies and procedures for obtaining informed consent for the prescription of psychotropic medications consistent with generally accepted professional standards. In addition, the State shall require that the information regarding prescribed psychotropic medications is provided to a youth and to his or her parents or guardians or person(s) responsible for the youth’s care by an individual with prescriptive authority, such as a psychiatric nurse practitioner. This information shall include:

- i. the purpose and/or benefit of the treatment;
- ii. a description of the treatment process;
- iii. an explanation of the risks of the treatment;
- iv. a statement of alternative treatments, including treatment without medication; and
- v. a statement regarding whether the medication has been approved for use in children.

GOALS AND OBJECTIVES

GOAL - Procedures for obtaining informed consent for the prescription of psychotropic medications are consistent with generally accepted professional standards.
OBJECTIVE - Through the modification of relevant agency policy and the hiring of Psychiatric Nurse Practitioners, OCFS will require that informed consent be obtained by individuals with prescriptive authority, consistent with generally accepted professional standards.

TASKS AND DEADLINES

1. Modify PPM 3243.32 “Psychotropic Medications”	Start 11/17/2009 End 10/31/2010
2. Plan for training and train qualified mental health professionals on psychotropic medications, including informed consent requirements*	Start 04/01/2010 End 03/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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53. Treatment planning – The State shall develop and maintain adequate formal treatment planning consistent with generally accepted professional standards. To this end, the State shall:
53a. Create or modify and implement policies, procedures, and practices regarding treatment planning which address, among other elements, the required content of treatment plans and appropriate participants of a youth’s treatment team.

GOALS AND OBJECTIVES

GOAL - OCFS policy on treatment planning addresses required content and appropriate participants of a youth's treatment team.
OBJECTIVE – Through creation of policy OCFS will specify the required content of treatment plans and the appropriate participants of a youth’s treatment team.

TASKS AND DEADLINES

1. Create new policy on Case Management and Treatment Team Processes	Start 03/05/2010 End 03/31/2011
2. Modify treatment plan documents	Start 09/30/2010 End 12/31/2010
3. Plan for training and train staff on case management and treatment team processes* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 10/01/2010 End 10/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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53b. Treatment planning - Require that treatment teams focus on the youth's treatment plan, not collateral documents such as the "Resident Behavior Assessment."

GOALS AND OBJECTIVES

GOAL – Treatment teams will focus on the youth's treatment plan.
OBJECTIVE – OCFS will develop policy and protocol on treatment planning. RBA's will be eliminated.

TASKS AND DEADLINES

1. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
2. Modify treatment plan documents	Start 09/30/2010 End 12/31/2010
3. Plan for training and train staff on case management and treatment team processes * Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 10/01/2010 End 10/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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53c. Treatment planning - Require that the youth is present at each treatment team meeting, unless the youth is not physically located in the Facility during the meeting or the youth's presence is similarly impracticable, and that, if applicable, the youth's treating psychiatrist attend the treatment team meeting a minimum of every other meeting.

GOALS AND OBJECTIVES

GOAL - Youth are present at all treatment team meetings unless the youth is not physically located in the facility (or similar circumstance) at the time of the meeting. If applicable the youth's treating psychiatrist attends treatment team a minimum of every other meeting.
OBJECTIVE – Through the creation of applicable policy OCFS will require that the youth is present at each treatment team meeting and require that if the youth has a treating psychiatrist, he/she attends treatment team a minimum of every other meeting.

TASKS AND DEADLINES

1. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
2. Plan for training and train staff on case management and treatment team processes* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 10/01/2010 End 10/31/2011
3. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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53d. Treatment planning - If a youth has a history of trauma, require that treatment planning recognizes and addresses the youth's history of trauma and its impact, and includes a strategy for developing appropriate coping skills by the youth.

GOALS AND OBJECTIVES

GOAL - Youth's history of trauma, its impact, and strategies for developing appropriate coping skills are recognized and addressed in the youth's treatment planning.

OBJECTIVE - Through creation of relevant policy on treatment planning, OCFS will require that if a youth has a history of trauma, treatment planning recognizes and addresses the youth's history of trauma and its impact, and includes a strategy for developing appropriate coping skills by the youth.

TASKS AND DEADLINES

1. Create New York Model	Start 06/21/2009 End 01/31/2011
2. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
3. Modify treatment plan documents	Start 09/30/2010 End 12/31/2010
4. Plan for training and train staff in the implementation of the "New York Model," including case management and treatment team processes* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 04/01/2010 End 10/31/2011
5. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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53e. Treatment planning - Require that treatment plans are individualized for each youth, and that treatment plans include:

- i. identification of the mental and/or behavioral health issues to be addressed in treatment planning;
- ii. a description of any medication or medical course of action to be pursued, including the initiation of psychotropic medication;
- iii. a description of any individual behavioral treatment program or individual strategies to be undertaken with the youth;
- iv. a description of the qualitative and quantitative measures to monitor the efficacy of any psychotropic medication, individual behavioral treatment program, or individual strategies utilized with the youth;
- v. a description of any counseling or psychotherapy to be provided;
- vi. a determination of whether the type or level of treatment needed can be provided in the youth's current placement; and
- vii. a plan for modifying or revising the treatment plan if necessary.

GOALS AND OBJECTIVES

GOAL - All treatment plans are individualized for each youth and comply with generally accepted professional standards.
OBJECTIVE - Through creation of relevant policy on treatment planning OCFS will require that treatment plans include all requirements in the remedial measure.

TASKS AND DEADLINES

1. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
2. Modify treatment plan documents	Start 09/30/2010 End 12/31/2010
3. Plan for training and train staff on case management and treatment team processes* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 10/01/2010 End 10/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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53f. Treatment planning - Require that treatment plans are modified or revised as necessary, based on the efficacy of interventions, new diagnostic information, or other factors. The treatment plan shall be updated to reflect any changes in the youth's mental health diagnosis.

GOALS AND OBJECTIVES

GOAL - Treatment plans are modified, revised and updated as necessary, based on the efficacy of interventions, new diagnostic information, changes in the youth's mental health diagnosis and any other relevant factors.

OBJECTIVE - Through creation of relevant policy on treatment planning OCFS will require that treatment plans are modified or revised as necessary, based on the efficacy of interventions, new diagnostic information, or other factors. The treatment plan will be updated to reflect any changes in the youth's mental health diagnosis.

TASKS AND DEADLINES

1. Create new policy on Case Management and Treatment Team Processes	Start 11/17/2009 End 03/31/2011
2. Modify treatment plan documents	Start 09/30/2010 End 12/31/2010
3. Plan for training and train staff on case management and treatment team processes * Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 10/01/2010 End 10/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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54. Substance abuse treatment - The State shall create or modify and implement policies, procedures, and practices to require that:

- a. all youth who have a suspected history of substance abuse are provided with adequate prevention education while residing at a Facility; and
- b. all youth who are known to have current problems with substance abuse or dependence are provided adequate treatment for those problems while residing at a Facility.

GOALS AND OBJECTIVES

GOAL - All youth receive substance abuse treatment, prevention and education services commensurate with their need for services.
OBJECTIVE – Through the creation of relevant policies and curriculum OCFS will require that all youth receive substance abuse treatment, prevention and education services commensurate with their need for services.

TASKS AND DEADLINES

1. Develop collaboration with NYS Office of Alcohol and Substance Abuse Services (OASAS)	Start 01/05/2010 End Ongoing
2. Modify PPM 3243.33 "Behavioral Health Services"	Start 11/17/2009 End 10/31/2010
3. Create new policy Case Management and Treatment Team Processes (to include substance abuse services)	Start 11/17/2009 End 03/31/2011
4. Plan for training and train staff on case management and treatment team processes, to include substance abuse services* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls	Start 10/01/2010 End 10/31/2011
5. Plan for and provide, with the support of OASAS, substance abuse treatment, prevention and educational services to youth commensurate with their needs.	Start 01/05/2010 End 06/30/2011
6. Implement, coach and evaluate transfer of knowledge/outcomes	Start 06/30/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

55. Transition planning - The State shall require that each youth with mental health issues, or who has been or is receiving substance abuse treatment, who is leaving a Facility has a transition plan. The State shall create or modify and implement policies, procedures, and practices for the development of a transition plan for each such youth. The transition plan shall include information regarding:

- a. mental health resources available in the youth’s home community, including treatment for substance abuse or dependence if appropriate;
- b. referrals to mental health or other services when appropriate; and
- c. provisions for supplying psychotropic medications, if necessary, upon release from the Facility.

GOALS AND OBJECTIVES

GOAL – Each youth with mental health issues or who has been or is receiving substance abuse treatment, leaving a facility has a transition plan.
OBJECTIVE - Through the creation of relevant policy OCFS will require that each youth with mental health issues or who has been or is receiving substance abuse treatment, leaving a facility has a transition plan.

TASKS AND DEADLINES

<p>4. Modify policies: a. PPM 3243.32 “Psychotropic Medications” b. PPM 3243.33 “Behavioral Health Services”</p>	<p>Start 11/17/2009 End 10/31/2010</p>
<p>5. Create new policy on Case Management and Treatment Team Processes</p>	<p>Start 11/17/2009 End 03/31/2011</p>
<p>6. Plan for training and train facility and community based staff on case management and treatment team processes, to include transition planning* Estimated schedule (end date may move out up to one month, pending finalized comprehensive training schedule): 4/4/11-4/7/11 - Pilot class at Lansing 4/8/11-6/17/11 – Curriculum revisions, train the trainers 6/20/11-6/30/11 – 4 more classes at Lansing 7/5/11-8/11/11 – 12 classes at Finger Lakes 8/15/11-9/15/11 – 10 classes at Tryon Girls</p>	<p>Start 09/30/2010 End 10/31/2011</p>
<p>7. Implement, coach and evaluate transfer of knowledge/outcomes</p>	<p>Start 06/30/2011 End Ongoing</p>

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.

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REMEDIAL MEASURE

57. Quality Assurance programs – The State shall create or modify and implement quality assurance programs consistent with generally accepted professional standards for each of the substantive remedial areas addressed in this Agreement. In addition, the State shall:

- a. create or modify and implement policies and procedures to address problems that are uncovered during the course of quality assurance activities; and
- b. create or modify and implement corrective action plans to address identified problems in such a manner as to prevent them from occurring again in the future.

GOALS AND OBJECTIVES

GOAL - OCFS will have a quality assurance program, consistent with generally accepted professional standards, that addresses all disciplines under DOJ monitoring.
OBJECTIVE - The quality assurance program will monitor all areas of facility operations and routinely develop and implement policies and procedures to address problems that are uncovered during the course of quality assurance activities; and develop and implement corrective action plans to address identified problems in such a manner as to prevent them from occurring again in the future.

TASKS AND DEADLINES

1. Create new policy on quality assurance program	Start 03/05/2010 End 12/31/2010
2. Create quality assurance program	Start 01/05/2010 End 12/31/2010
3. Plan for training and train staff on quality assurance policy and procedures*	Start 04/01/2010 End 03/31/2011
4. Implement, coach and evaluate transfer of knowledge/outcomes	Start 03/31/2011 End Ongoing
5. Quality assurance will begin for each measure immediately upon completion of training (or upon implementation, for measures that do not include a training component), using specific process and compliance indicators.	Start 01/01/2011 End Ongoing

*Evaluation, training, and re-training will be part of the continuous improvement model throughout implementation of the master action plan.