

Review Highlights



Highlights of Legislative Auditor report on the Review of Governmental and Private Facilities for Children issued on April 28, 2014. Report # LA14-16.

Background

Nevada Revised Statutes 218G.570 through 218G.585 authorize the Legislative Auditor to conduct reviews, audits, and unannounced site visits of governmental and private facilities for children.

As of June 30, 2013, we had identified 63 governmental and private facilities that met the requirements of NRS 218G: 20 governmental and 43 private facilities. In addition, 113 Nevada children were placed in 24 facilities in 13 different states as of June 30, 2013.

NRS 218G requires facilities to forward to the Legislative Auditor copies of any complaint filed by a child under their custody or by any other person on behalf of such a child concerning the health, safety, welfare, and civil and other rights of the child. During the period from July 1, 2012, through June 30, 2013, we received 907 complaints from 29 facilities in Nevada. Thirty-four facilities reported that no complaints were filed during this time.

Purpose of Reviews

Reviews were conducted pursuant to the provisions of NRS 218G.570 through 218G.585. The report includes the results of our reviews of 9 children's facilities, unannounced site visits to 7 children's facilities, and a survey of 63 children's facilities. As reviews and not audits, they were not conducted in accordance with generally accepted government auditing standards, as outlined in *Government Auditing Standards* issued by the Comptroller General of the United States, or in accordance with the *Statements on Standards for Accounting and Review Services* issued by the American Institute of Certified Public Accountants.

The purpose of our reviews was to determine if the facilities adequately protect the health, safety, and welfare of the children in the facilities and whether the facilities respect the civil and other rights of the children in their care. These reviews included an examination of policies, procedures, processes, and complaints filed since July 1, 2011. In addition, we discussed related issues and observed related processes during our visits. Our work was conducted from November 2012 through December 2013.

Review of Governmental and Private Facilities for Children

April 2014

Summary

Based on the procedures performed and except as otherwise noted, the policies, procedures, and processes in place at seven of the nine facilities reviewed provide reasonable assurance that they adequately protect the health, safety, and welfare of the youths at the facilities, and they respect the civil and other rights of youths in their care.

The policies, procedures, and processes at WestCare-Harris Springs Ranch did not provide reasonable assurance that it adequately protects the safety of youths in its care. It did not document that it took sufficient steps to ensure its employees had not been convicted of violent crimes which would have excluded them from employment under NRS 449.174(1).

The policies, procedures, processes, and staff's compliance with policies at Etxea Services did not provide reasonable assurance it protects the safety of youths in its care. Etxea Services' policies did not adequately define contraband, which may have contributed to contraband-type items observed in the two homes. Furthermore, staff did not always enforce the rules, and management did not always enforce requirements found in state regulations related to the condition of the homes.

In addition, during six of the seven unannounced visits conducted, we did not note anything that caused us to question the health, safety, welfare, or protection of rights of the children in the facilities. However, based on an unannounced visit conducted at Etxea Services, we determined it prudent to conduct a review.

Facility Observations

Many of the facilities had common weaknesses. For example, policies and procedures needed to be developed or were outdated. In addition, medication administration processes and procedures needed improvement, and facilities needed to improve compliance with fingerprint background check requirements. (page 7)

All nine facilities reviewed needed to develop or update policies and procedures. The types of policies and procedures that were missing, unclear, or outdated included: establishing identity kits for each youth served for use during an emergency; disposing of discontinued, expired, or unused medication; and ensuring that documented policies and procedures are consistent with actual practices. (page 7)

Medication administration processes and procedures needed to be strengthened at all nine facilities. Youth medication files did not always contain complete or clear documentation of dispensed, prescribed medication at seven facilities. Some youths' files were missing key documentation, such as physicians' orders and pharmacies' instructions at seven facilities. In addition, at six facilities, some youths' files contained errors, such as documentation of an incorrect dosage of medication or documentation of medication administered to a youth after the youth had been discharged from the facility. (page 8)

All nine facilities needed to improve their compliance with fingerprint background check requirements. Seven facilities needed to develop or improve hiring policies and procedures, including maintaining accurate records of information collected during the hiring process. Employees at two facilities were subject to social security number and name-based background checks, instead of statutorily required fingerprint background checks. In addition, one of the facilities that required fingerprint background checks did not follow-up or obtain dispositions for arrests listed in the employees' background check results. (page 8)