

# Review Highlights



Highlights of Legislative Auditor report on the Review of Governmental and Private Facilities for Children issued on February 18, 2020.

Report # LA20-12.

## Background

Nevada Revised Statutes (NRS) 218G.570 through 218G.595 authorize the Legislative Auditor to conduct reviews, audits, and unannounced site visits of governmental and private facilities for children.

As of June 30, 2019, we had identified 58 governmental and private facilities that met the requirements of NRS 218G: 20 governmental and 38 private facilities. In addition, 71 Nevada children were placed in 14 facilities in 7 different states as of June 30, 2019.

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, 2018, through June 30, 2019, we received 1,339 complaints from 30 facilities in Nevada. Twenty-eight 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.595. This report includes the results of our reviews of four children's facilities, unannounced site visits to 11 children's facilities, and a survey of 58 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, 2017. In addition, we discussed related issues and observed related processes during our visits.

# Review of Governmental and Private Facilities for Children

January 2020

## Summary

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

The following four pages contain a brief summary of the issues noted at the four facilities reviewed:

- Oasis On-Campus Treatment Homes; (page i)
- Never Give Up Youth Healing Center; (page ii)
- Apple Grove Foster Care Agency; (page iii)
- Koinonia Family Services. (page iv)

We also conducted unannounced site visits to 11 children's facilities and did not note anything that caused us to question the health, safety, welfare, or protection of the rights of the children in 8 of the facilities. At two facilities, we observed conditions that caused us to question the welfare of the youths in its care. Based on our observations, we contacted the facilities' licensing agency. The licensing agency initiated corrective actions. At one facility, we observed several issues that caused us to question whether the facility adequately protected the health, safety, and welfare of the youth in its care. Based on our observations, we contacted the facility's licensing agency. The facility was subsequently closed. (page 48)

## Review Conclusions

The most common and significant weaknesses noted at the four facilities reviewed included:

- Consent to Administer Psychotropic Medication – We found issues at all four facilities related to the statutorily required consent of the person legally responsible for the psychiatric care of the child prior to administering psychotropic medications (NRS 432B.4687 and 432B.4688).
- Annual Medication Training – Not all foster parents or employees received annual training on medication administration, or did not receive the training timely, at three of the four facilities.
- Background Investigations – Three facilities' policies and procedures were incomplete, inaccurate, or non-existent.
- Complaints – All four facilities need to update their policies and procedures. (page 4)

In December 2019, we sent a letter to 56 of the 58 facilities listed in Appendix D of the report informing them of the requirements for obtaining consent from the person legally responsible prior to administering psychotropic medications. In addition, we asked the facilities to respond whether their policies and procedures address the statutory requirements and whether each employee who administers medication had received a copy of the policies and procedures and understood the consent requirements. As of December 31, 2019, we had received responses from 42 facilities stating their policies and procedures do address the statutory requirements and all employees who administer medication had received a copy of the policies and procedures and understood the consent requirements. Of the remaining 14 facilities:

- Three facilities confirmed their policies and procedures address the statutory requirements, but did not address whether all employees received a copy or understood the consent requirements.
- One facility confirmed it does have policies and procedures to address the statutory requirements and it is in the process of distributing a copy to employees.
- Three facilities confirmed they are in the process of updating policies and procedures, even though staff have received a copy and understand the consent requirements.
- One facility responded it does not have policies and procedures addressing the statutory consent requirements.
- Six facilities did not respond. (page 4)