

Children's Hope

In compliance with the Court's order dated February 21, 2020, in which the Court directed DFPS to "provide detailed information on why Children's Hope Facility located in Lubbock, TX was originally closed in 2016, why it was then re-opened in December 2016, and closed again in December, 2019," Defendants provide the following chronology of events:

1. In 2012, DFPS initiated a contract with Children's Hope to provide residential treatment care; the first DFPS child was placed in the facility in May 2012.
2. Between July 23rd and 25th 2013, seven CPS state office placement, regional and contracts staff conducted a site visit and reviewed records, interviewed children and staff and toured Children's Hope facilities located in Levelland, Texas.
3. As a result of the CPS FY 2013 site visit, CPS staff identified the following areas for improvement for both the West and Washington campuses of the Children's Hope RTCs:
 - a. Treatment planning;
 - b. Educational services provided to children;
 - c. Therapy services;
 - d. Incident/containment reports;
 - e. Supervision/safety;
 - f. Facility/physical plant issues;
 - g. Medical services;
 - h. Daily needs;
 - i. Staff concerns; and
 - j. Administrative challenges.
4. During the site visit, CPS staff conducted an exit interview and developed a plan with Children's Hope leadership and a member of the Board of Directors to correct the identified concerns.
5. By November 7th 2013, Children's Hope addressed the identified issues in the following manner:
 - a. Treatment planning/Education services- Administrators and Clinical Directors were made aware that their review process needed to be strengthened to ensure accurate data was being used in all documents. The Vice President of Quality Assurance directed all compliance officers to randomly review documents to ensure their accuracy and then to give feedback to that campus' leadership of the results. Service plans were individualized and incorporated ARD information and psychological recommendations. Plans were put in place for completing school work if a child was expelled from school. The facility was in process of obtaining a tutor for after school hours.
 - b. Therapy services- Therapy was set up after school hours and on weekends except for assessment that relate to suicidal ideation, homicidal ideation and runaway ideation.
 - c. Incident/containment reports-The RTC created consistent forms, created new processes for, created enhanced training, utilized common verbiage for certain terms, explored the enhanced grievance process, and instituted weekly drop-ins occurring by corporate office holders 3 times per week. On-campus administrations were required to initiate a morning and evening walkthrough daily.

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- d. Supervision/safety- On-campus management conducted door secure checks at least once per hour and implemented enhanced trainings.
 - e. Facility/physical plant issues- The RTC painted the facility, removed carpet and upgraded, installed televisions, installed thicker mattresses, obtained and upgraded all bedding and fixed bathrooms. Minimal process had been made outside of the West campus building.
 - f. Medical information- Staff implemented a checks systems to ensure all signatures were present on medical documentation.
 - g. Daily Care Needs- The rewrote the clothing purchase system policy to ensure that clothing needs were assessed at the time of treatment plan review. Ethnic personal care was improved through the procurement of African American suppliers and service providers. All food menus were created and approved by a licensed nutritionist and then submitted to USDA for approval. Church involvement was strengthened for children that are wanting to participate.
 - h. Staff concerns-Opportunities were offered for staff training through a video library. All staff was re-trained on obligation to report abuse and neglect. Staff was trained on acceptable levels of cleanliness and management. Corporate conducted frequent walk-throughs. The supply request system was reviewed and modified to ensure that the campus was getting the supplies they required timely.
Administrative- Wednesday consultation was implemented to ensure that direct care staff, clinical staff and management were all sharing information on the child's treatment progress and regression. Monthly staff conferences were implemented. Administrative staff presence was ensured both campuses.
6. As result of the issues identified, Children's Hope West location in Levelland, Children's Hope Washington location in Levelland and the Children's Hope Lubbock location were placed on corrective action – evaluations from April 10, 2014 – October 10, 2014. These locations showed compliance with the corrective action and the evaluations were completed.
 7. On January 14th 2016, the FITS agenda included discussion and review of concerns related to the Residential Treatment Centers operated by Children's Hope in Lubbock and Levelland. It was determined that a team made up of DFPS Residential Child Care Licensing, CPS Placement and CPS Contracts staff would conduct a joint unannounced visit to each of the facilities operated by Children's Hope between January 25th and 27th 2016.
 8. On January 26th 2016, two CPS Placement Services Division Administrators who had conducted unannounced visits to the Children's Hope facilities contacted the CPS Director of Foster Care Redesign and expressed concerns related to the following:
 - a. Some of the food the children were being served appeared to be out of date, some had grown mold, some of the food appeared to have been cooked and was not stored properly and was re-served.
 - b. Some children complained that they were not getting enough to eat.
 - c. Some children appeared unkempt and when interviewed indicated that they were not showering because the facilities did not have sufficient hot water.

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- d. Some children made allegations that they had witnessed or themselves been injured during restraints.
- e. The West facility had mouse droppings in the kitchen and bedrooms and dead roaches throughout.
- f. Some children with diabetes reported that they did not have proper testing equipment which had resulted in hospitalization.
- g. Both the West and Lubbock facility were covered in graffiti.
- h. The bed mattresses appeared too short for most of the children.
- i. Some children made allegations of being kicked and choked by staff members.
- j. What appeared to be feces was smeared on the walls in some rooms.
- k. One female resident alleged that a female staff exposed her breasts to a child in an attempt to compare breast size.
- l. One child had purposefully cut her arm. CPS staff observed the child to be bleeding, and, when Children's Hope staff was asked, they indicated that the child had refused medical treatment. CPS staff directed that the child go to the hospital immediately, where she was assessed and admitted due to suicidal ideation.
- m. Garbage cans were overflowing and the kitchen and bathroom floors appeared to have built up dirt and residue.
- n. At the Lubbock campus a child had allegedly been locked in a room with no access to a bathroom due to her attempts to sexually act out with other children (the child's room was observed to have deadbolt locks on the outside of the door.)
- o. The bathrooms had mildew growing in the showers and there was a smell of what appeared to be methane gas coming from one bathroom.

Also on January 26, 2016, the DFPS District Director for Residential Licensing noted the same concerns to the Director of Field for Residential Operations.

9. Based on the above listed concerns an emergency meeting was held on January 28th 2016 in Austin with the DFPS team that had conducted the on-site visits, as well as other DFPS state leadership. It was determined that based on the concerns expressed by the team, CPS would immediately suspend all placements into these facilities, as well as deploy CPS staff to be present in these facilities on a 24/7 continual basis to ensure the safety of the children. In addition, staff determined that the CPS State Director for DFPS Residential Child Care Licensing, State Director for CPS Placement Services and State Director of Foster Care Redesign would all travel to Lubbock and Levelland to conduct an unannounced walk-through of all facilities as well as meet with facility staff and some children.
10. On January 29th 2016, the team of DFPS Directors arrived unannounced at the West campus at approximately 9:30PM. They met with the Executive Director of Children's Hope, James Aldrich and the Director of Children's Hope Residential Treatment Services Melissa Woods. Mr. Aldrich and Ms. Woods indicated that they were aware of the concerns expressed and were working to rectify those concerns. They claimed that all of the expired food had been thrown away; they had people working to remodel one of the restrooms and working to clean the facilities. At that time the DFPS Directors conducted a walk-through of the West campus and made the following observations:

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- a. There are many doors throughout the facility and no one staff person seems to have the correct key to unlock the each of the doors. Mr. Aldrich and Ms. Woods had to look to various staff to provide the right key to the appropriate lock, a safety concern if there was a fire or other emergency.
 - b. Everything is locked including the bathrooms, this was at night and many of these children and youth are IDD and some have autism, many have enuresis and encopresis and so having access to an open bathroom is imperative.
 - c. Water buckets are lining the walls and are locked up; children do not have ready access to a drinking water.
 - d. There were piles of clothes on tables, lining the halls and on the floor.
11. On January 30th 2016, the DFPS Directors conducted an unannounced visit to the Children's Hope Lubbock campus, met with staff and made the following observations:
- a. Kitchen staff was not only responsible for preparing food and cleaning the kitchen but were also responsible for dispensing and managing medication for these very children with very high needs. This includes monitoring glucose levels for children with diabetes. Based on logs at the Lubbock and West campus children at times had glucose levels in the 400s and it was unclear as to how the kitchen staff were able to ensure that the child's medical needs were met.
 - b. The facility had graffiti on walls, tables, beds, etc. and there did not appear to be a plan for covering the graffiti.
 - c. Clothing, shoes and other items were spread throughout the girl's wing. There was what appeared to be dried vomit on one of the beds, the unit had a strong smell of urine and Ms. Shaw had to direct staff to pick up shards of broken plastic that were found in one of the bedrooms.
 - d. Some children appeared not to have showered and were in dirty clothing.
 - e. Items such as broken couches were in the hallway, broken TV's hung on the wall and when questioned, there did not appear to be a clear plan for upkeep and fixing many of the items.
12. On the afternoon of January 30th 2016, the DFPS Directors returned to the West campus to conduct a walk-through during the children's awake hours and made the following observations:
- a. Same concern as before in that all doors are locked and no one seems to have the right key for the right door.
 - b. Ceiling tiles were missing or hanging loosely in the hallway and in some of the bedrooms, with wiring exposed.
 - c. Most of the children did not appear to have many personal belongings including clothes and shoes. Children's Hope received a daily per diem of between \$103.03-\$260.95 per child per day to help supply them with the basic necessities.
 - d. Some windows were broken and covered with plywood, including one whole panel in the gym.
 - e. Some of the same staff that were observed working at the facility during the walkthrough the night before were still on shift over 12 hours later.

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13. On January 30th 2016, a staffing was held with DFPS Executive Leadership. It was determined that the children at the Lubbock and West campuses would be moved on February 1, 2016 to ensure that each child in legal conservatorship of the state is completely safe, well-cared for, and is in the most appropriate placement for that child.
14. On February 1st 2016, DFPS moved 86 children from Lubbock and Levelland to San Antonio and placed them in a General Residential Operation with BCFS services.
15. Following this event and as a part of the formal corrective action plan, DFPS issued an abeyance of the Executive Director for Children's Hope, and required that the operation hire an external consultant to review policies, procedures and training for their residential facilities. Children's Hope hired Millstone Management to perform these functions.

Summary: The Children's Hope operation was closed in 2016 because of the egregious and ongoing pattern of safety and minimum standards violations observed during the January 2016 visits as described above. The FITS team agreed that all children in the operation were at risk such that total census removal and placement suspension was necessary.

16. On April 21st 2016, DFPS received a letter from the Interim Executive Director for Children's Hope indicating that the operation wished to resume services at the Lubbock campus facility in May 2016.
17. In May 2016, DFPS RCCL staff inspected the Lubbock campus facility, identified some concerns related to the physical plan and requested necessary repairs be made. Following the repairs, the facility was determined to meet minimum standards.
18. On October 26th 2016, a meeting was held with the Executive Director for Children's Hope and DFPS Leadership. The Executive Director presented a plan for the Lubbock campus facility which included hiring a new administrator, and a newly designed treatment program that would center on evidence-based and trauma-focused care. All of the staff would be trained and certified in this new model and no staff would be re-hired to the facility if they had been named in any role in a previous investigation. The plan also focused on a narrower admissions criteria, serving only males with IQ's of 60 and above.
19. After consideration of the Children's Hope plan, DFPS authorized a conditional lift of placement suspension at the Lubbock campus of the RTC facility in December 2016. This conditional lift included the following criteria:
 - a. A cap of no more than 20 males, 10-14 years of age initially.
 - b. CPS will send an experienced staff member to the facility to conduct unannounced visits at least monthly for 90 days.
 - c. RCCL will conduct unannounced monthly inspections for the first 90 days to monitor the progress and condition of the facility.
 - d. The contracts division will conduct an unannounced contract monitoring visit within three months.

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- e. The facility will remain on the FITS agenda for at least 90 days and increases in placement capacity and age range will be carefully modified in that setting.

Summary: The Children's Hope operation was allowed to reopen in December 2016, because the operation laid out an acceptable plan to address areas of concern and agreed to meet the conditions related to the lift of the placement suspension.

- 20. From December 2018 to June 2019, the Lubbock campus of the Children's Hope facility was placed on Evaluation with RCCL to address issues related to:
 - a. Emergency Behavior Intervention
 - b. Prohibited Punishment
 - c. Ratio Issues
 - d. Employment Responsibility: intervening
 - e. Supervision

In June 2019, it was determined the operation met the conditions of evaluation based on the compliance history at that time.

- 21. As a part of the FITS process it was noted that a number of new intakes had been initiated at Children's Hope in Lubbock in November 2019. The intakes centered around the following areas of concern:
 - a. Emergency Behavior Intervention;
 - b. Supervision/ratio issues;
 - c. Physical plant issues; and
 - d. Bedding issues.

- 22. On November 26th 2019 DFPS initiated the following action plan:
 - a. Issued a placement hold for all children in DFPS conservatorship;
 - b. Required that the CEO and/or Licensed Administrator be on-site at the RTC 7 days a week;
 - c. State office placement division began assessing the appropriateness of placement for each child at the operation;
 - d. DFPS and SSCC began conducting twice-per-day safety checks (occurring both day and night).

- 23. Safety checks resulted in the following concerns:
 - a. Several children reported feeling "unsafe";
 - b. Staff were observed during safety checks to be disengaged, on their phones;
 - c. Issues with bullying and staff do not intervene when appropriate;
 - d. Children reporting child sexual aggression allegation;
 - e. Children reporting getting hurt in restraints;
 - f. Night staff thought to be asleep during shift.

- 24. On December 3rd 2019, DFPS and HHSC held a staffing, and it was determined that DFPS would be executing a plan to move children from the Children's Hope Lubbock facility and proceed with terminating the contract with for this facility. By December 16 2019, all children were moved from the facility.

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25. On December 19th 2019, DFPS received and accepted relinquishment of Children's Hope contract on the Lubbock RTC facility.
26. On December 19, 2019, HHSC held a teleconference with Children's Hope and their attorney and notified the operation of the intent to revoke the license of the Children's Hope Lubbock location. Children's Hope has requested an administrative review of this decision.

Summary: The decision to issue the intent to revoke was based on the (1) number of reason to believe findings within the last two years; (2) pattern of deficiencies cited within the last two years; and (2) pattern of the operation not being able to maintain compliance with regulatory standards.