

State of Oregon

Department of Human Services
Office of Investigations and Training



Report of Abuse and Neglect Allegations
For Adults and Children Who Receive
Mental Health and Developmental Disabilities Services

Year 2003 Statewide Results



August 2004

The Office of Investigations and Training

The Office of Investigations and Training (OIT) is located within the State of Oregon’s Department of Human Services. OIT is responsible for directly investigating or overseeing county investigations of allegations of abuse and neglect of people with mental illness or developmental disabilities who receive services. State and county staff also ensure the provision of necessary protective services to victims of abuse or neglect. OIT staff are responsible for training about mandatory reporting requirements, investigation, and protective services.

OIT’s Mission Statement

The Office of Investigations and Training is committed to ensuring all investigations, protective services and trainings are conducted with integrity, fairness, and quality.

Authority

OIT and its designees (the county mental health authority) are authorized to conduct investigations and provide protective services to alleged victims under Oregon Revised Statutes (ORS) 430.735 to 430.765 and the following Oregon Administrative Rules (OARs): “Abuse Reporting and Protective Services in Community Programs and Community Facilities” (OAR 309-40-200 through 290); “24-Hour Residential Services for Individuals with Developmental Disabilities (DD)” (OAR 309-49-030 through 225); “Employment and Alternatives to Employment” (OAR 309-47-000 through 140); “Case Management Services for Individuals with Developmental Disabilities and Their Families” (OAR 309-41-375 through 480); “Adult Foster Homes” (OAR 309-40-000 through 100); “Residential Care Facilities for Mentally or Emotionally Disturbed Persons” (OAR 309-35-100 through 190); “Patient and Resident Rights” (OAR 309-116-000 through 100); and “Support Services for Adults with Developmental Disabilities” (OAR 309-041-1750 through 1920).

Definitions and Categories of Abuse

In addition to the statute, there are different OARs that apply depending on the type of service and the person's disability. The following list is an abbreviated listing of the definitions (complete definitions are available from OIT and can also be found on the internet at http://arcweb.sos.state.or.us/rules/OAR_default.html):

- A) Death: Any death caused by other than accidental or natural means or occurring in unusual circumstances;
- B) Physical Abuse: Any physical injury caused by other than accidental means, or that appears to be at variance with the explanation given. The willful infliction of physical pain or injury, etc.;
- C) Sexual Abuse/Exploitation: Any sexual harassment or exploitation including, but not limited to, any sexual contact between a provider or provider employee and a client/patient.;
- D) Financial Abuse/Exploitation: Any exploitation or inappropriate expending of client/patient funds including, but not limited to, theft, borrowing from or loaning money to clients/patients, commingling resident's funds with caregiver or other resident's funds, etc.;
- E) Neglect: Failure to act/neglect that leads to or is in imminent danger of causing physical injury, through negligent omission, treatment, or maltreatment of a client/patient, etc.;
- F) Unauthorized Restraint: Using physical restraints without a written physician's order, or as part of an Individual Support Plan, unless a resident's actions present an imminent danger to himself/herself or others, and only until appropriate action is taken by medical, emergency, or police personnel.;
- G) Unauthorized Restriction: Placing restrictions on a resident's freedom of movement by seclusion in a locked room or restriction to a specific area.;

H) Verbal Abuse/Mistreatment: Subjecting a patient/client to the use of derogatory names, phrases, profanity, ridicule, harassment, coercion or intimidation and threatening injury or withholding of services or supports, including implied or direct threat of termination of services.;

I) Other: A form of abuse that does not clearly fit into one of the other categories of abuse.

Investigation Results

The following investigation conclusions are defined by OAR:

A) “Substantiated” means the determination based on the evidence that there is reasonable cause to believe that conduct in violation of the abuse policy occurred and such conduct is attributable to the person(s) or program alleged to have engaged in the conduct.

B) “Inconclusive” means that the matter is not resolved. The available evidence does not support a final decision that there was reasonable cause to believe that either abuse occurred or did not occur.

C) “Not Substantiated” means that based on the evidence, it was determined that there is reasonable cause to believe that the alleged incident was not in violation of the abuse policy and/or attributable to the person(s) or program alleged to have engaged in such conduct.

Terminology and Abbreviations (referred to in the following graphs and spreadsheets)

C – Children: Investigations conducted when the alleged victim is under 18 and receiving services from a DD children’s residential program.

SO – State Operated Community Program (SOCP): Investigations conducted when the alleged victim is receiving services from a state operated 24-hour residential program.

EOTC – Eastern Oregon Training Center (EOTC): Investigations conducted when the alleged victim is receiving services at EOTC.

OSH – Oregon State Hospital: Investigations conducted when the alleged victim is receiving services from the Oregon State Hospital.

EOPC – Eastern Oregon Psychiatric Center (EOPC): Investigations conducted when the alleged victim is receiving services at EOPC.

FTC – Fairview Training Center: While this facility has been closed and no investigations have been conducted there since 1999, this facility (for people with developmental disabilities) had investigations that are described in the “Comparison of Allegations and Incidents Investigated by or Reported to OIT and Counties” spreadsheet.

SDI – Special Division Investigation: Investigations that are normally undertaken by county staff (MH or DD) but are instead conducted by OIT staff due to possible conflict of interest, complexity, or other identified need.

SDIA – Special Division Investigation Assist: Investigations that are undertaken by county staff (MH or DD) and closely assisted by OIT staff due to possible conflict of interest, complexity, or other identified need.

Special – An investigation conducted by OIT when an individual who receives services is found to have unexplained serious or suspicious injuries. Also, no alleged perpetrator was identified at the time reported.

Review - A review by a forensic specialist of an unexplained injury or series of injuries investigated by OIT or county staff.

County DD - Abuse and neglect investigations conducted by county staff for individuals with developmental disabilities who receive services.

County MH – Abuse and neglect investigations conducted by county staff for individuals with mental illness who receive services.

Critical Incident / Miscellaneous Information – A serious incident involving a client or patient, the nature of which did not meet the definition of abuse or neglect (for example, an accidental or natural death).

Additional Information

Due to budget considerations, this report has been printed without color. A colorized version of this report is available in electronic (.pdf) format. Additional explanation, information, or an electronic copy of this report may be obtained by calling OIT at 503-945-9495 or writing to PO Box 14250 Salem, OR 97309-0740.

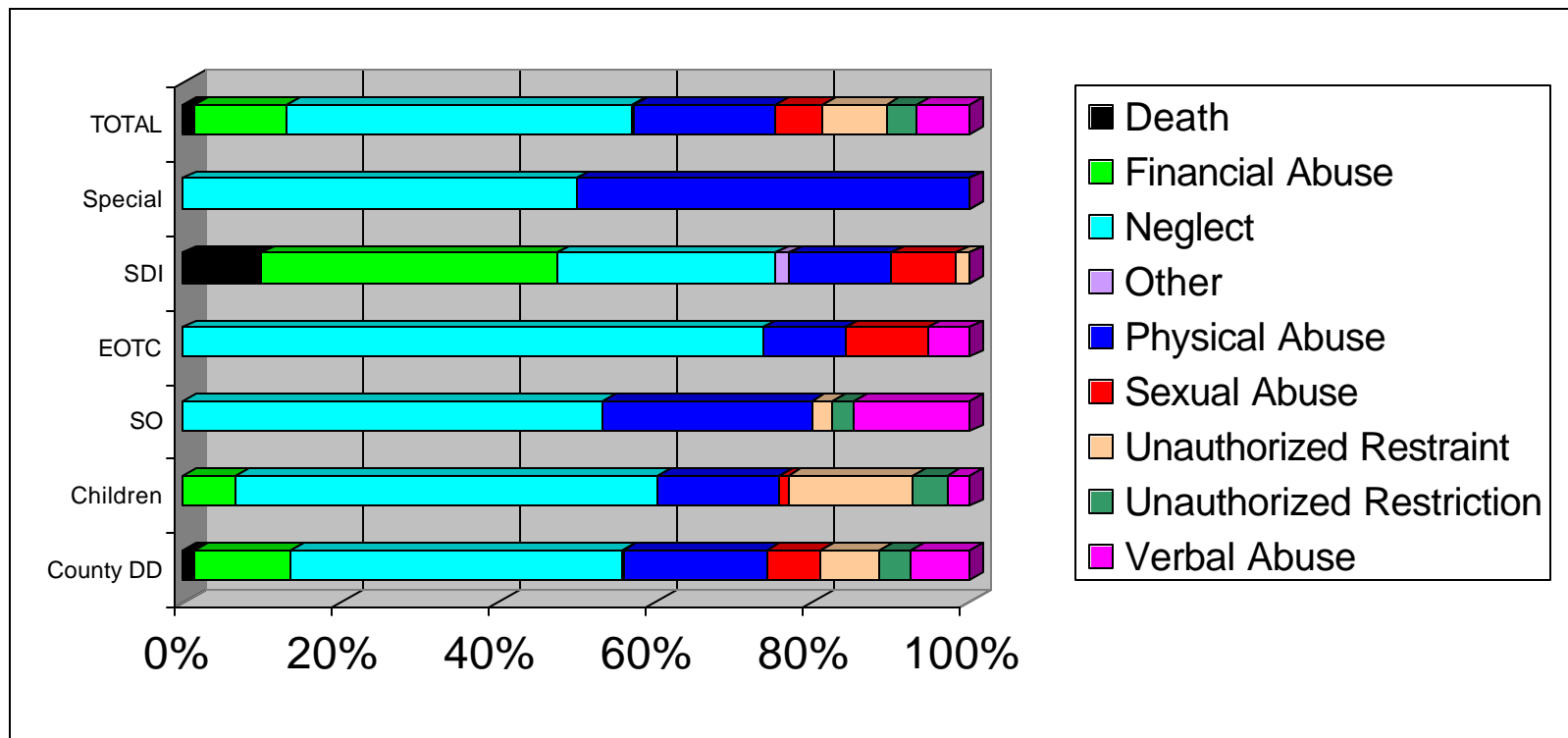
Comparison of Allegations and Incidents Investigated by or Reported to OIT and Counties

1992-1999 Data Derived From Previous Reports

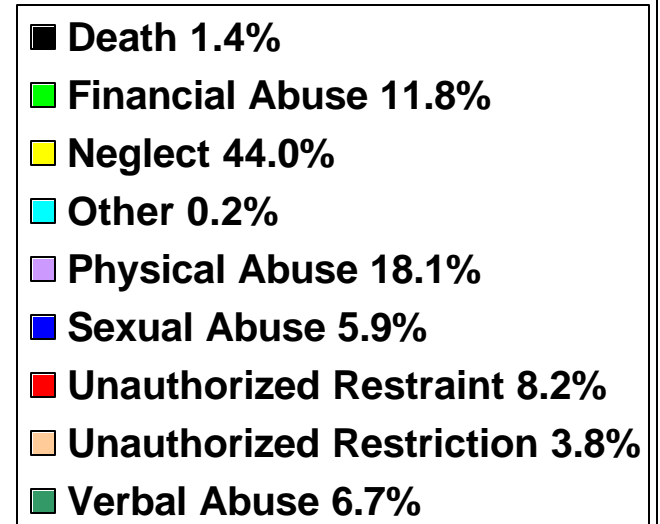
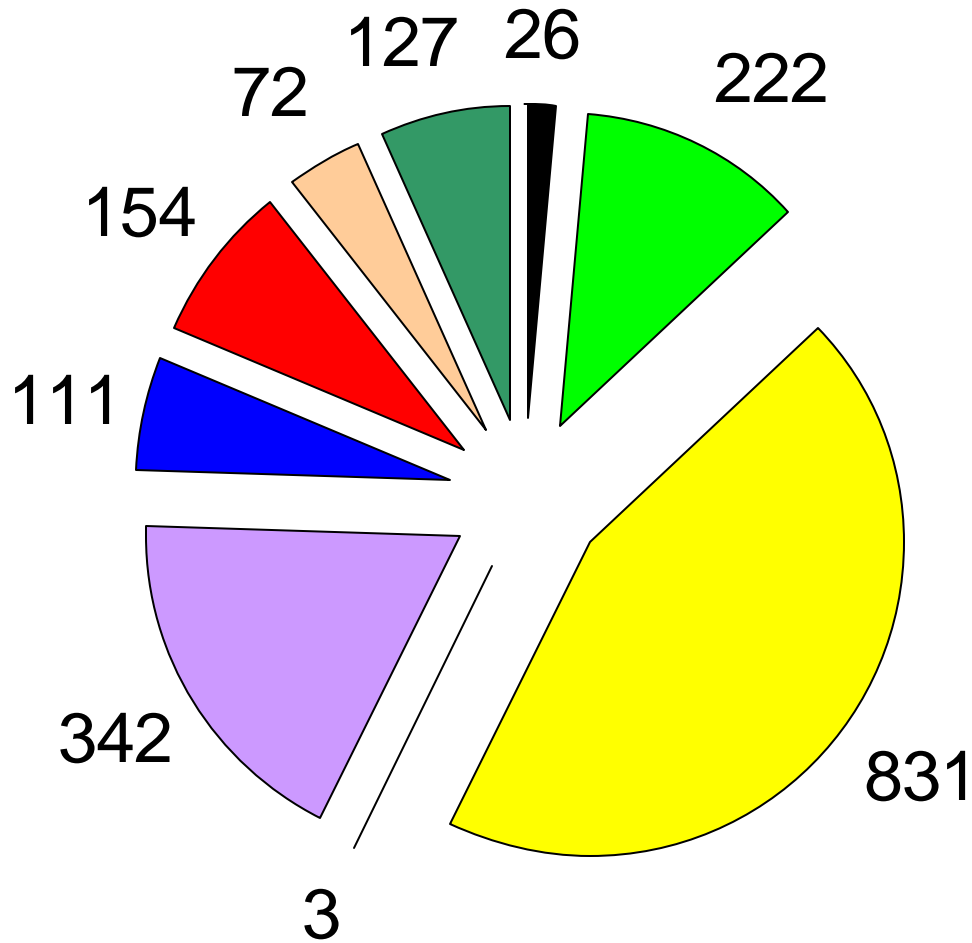
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	
SO (DD)	13	12	12	8	16	56	27	31	100	51	56	75	SO (DD)
EOTC (DD)	16	15	12	19	35	32	44	64	36	32	29	19	EOTC (DD)
OSH (MH)	89	51	154	128	108	80	62	41	103	57	84	91	OSH (MH)
EOPC (MH)	3	9	6	8	9	21	3	7	0	8	3	12	EOPC (MH)
Children (DD)	0	0	0	0	0	0	19	98	154	138	169	252	Children (DD)
FTC (DD)	90	113	116	264	327	150	117	82	0	0	0	0	FTC (DD)
SDI (DD)	0	0	0	0	0	0	0	6	32	20	57	61	SDI (DD)
SDI (MH)	0	0	0	0	0	0	0	0	9	21	7	26	SDI (MH)
Special (MH)	0	0	0	0	0	0	0	0	1	9	0	2	Special (MH)
Special (DD)	0	0	0	0	0	0	0	0	35	13	27	10	Special (DD)
Review (DD)	0	0	0	0	0	0	0	0	25	16	9	9	Review (DD)
Review (MH)	0	0	0	0	0	0	0	0	0	0	1	4	Review (MH)
SDIA (DD)	0	0	0	0	0	0	0	0	0	2	28	67	SDIA (DD)
SDIA (MH)	0	0	0	0	0	0	0	0	0	2	1	10	SDIA (MH)
OIT Totals	211	200	300	427	495	339	272	329	495	369	471	638	OIT Totals
County DD								501	1293	1943	1646	1471	County DD
County MH									139	251	387	351	County MH
OIT & County Totals	211	200	300	427	495	339	272	830	1927	2563	2504	2460	OIT & County Totals
Information Not Available													

Types of DD All Program Allegations in 2003

	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse	TOTAL
County DD	20	182	620	2	268	101	111	59	108	1471
Children	0	17	135	0	39	3	40	11	7	252
SO	0	0	40	0	20	0	2	2	11	75
EOTC	0	0	14	0	2	2	0	0	1	19
SDI	6	23	17	1	8	5	1	0	0	61
Special	0	0	5	0	5	0	0	0	0	10
TOTAL	26	222	831	3	342	111	154	72	127	1888

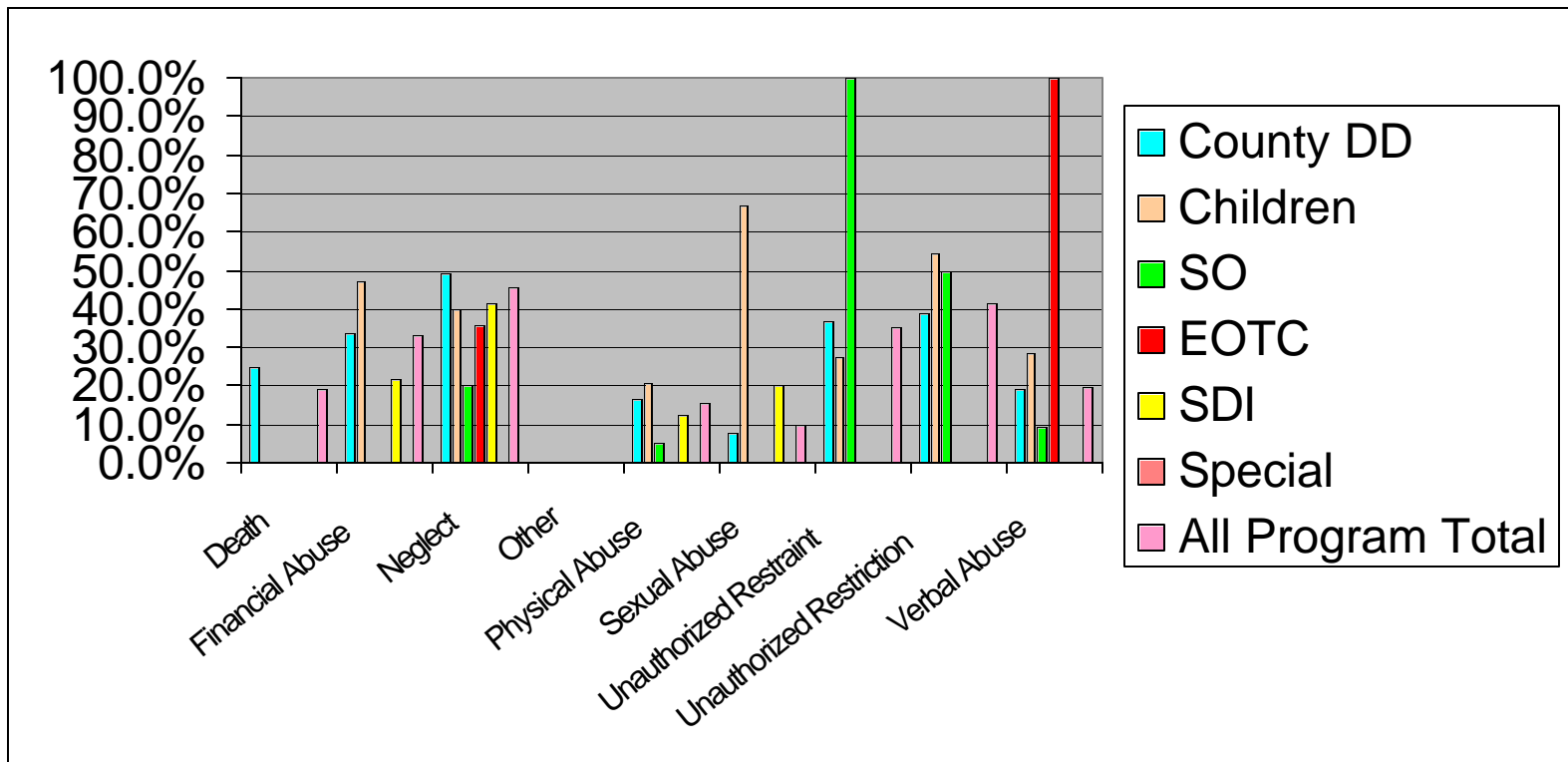


DD All Program Investigations in 2003
1888 Total Allegations



DD All Program Substantiation Rates in 2003 Comparison

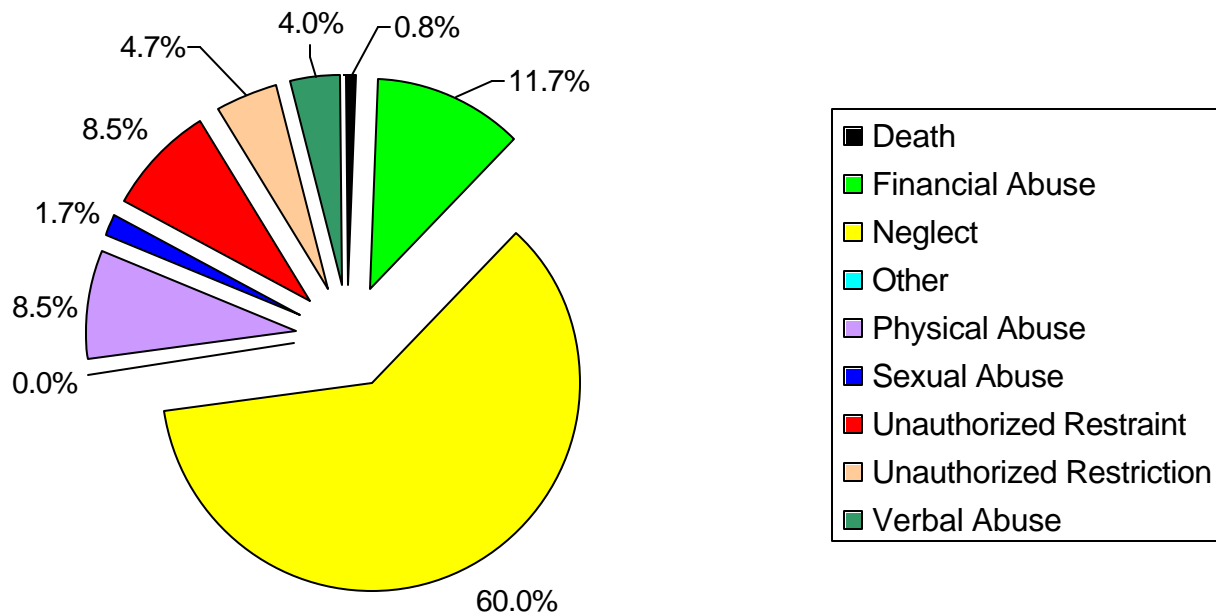
	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse
County DD	25.0%	33.5%	49.2%	0.0%	16.4%	7.9%	36.9%	39.0%	19.4%
Children	n/a	47.1%	40.0%	n/a	20.5%	66.7%	27.5%	54.5%	28.6%
SO	n/a	n/a	20.0%	n/a	5.0%	n/a	100.0%	50.0%	9.1%
EOTC	n/a	n/a	35.7%	n/a	0.0%	0.0%	n/a	n/a	100.0%
SDI	0.0%	21.7%	41.2%	0.0%	12.5%	20.0%	0.0%	n/a	n/a
Special	n/a	n/a	0.0%	n/a	0.0%	n/a	n/a	n/a	n/a
All Program Total	19.2%	33.3%	45.6%	0.0%	15.8%	9.9%	35.1%	41.7%	19.7%



2003 Substantiation Rates DD All Program

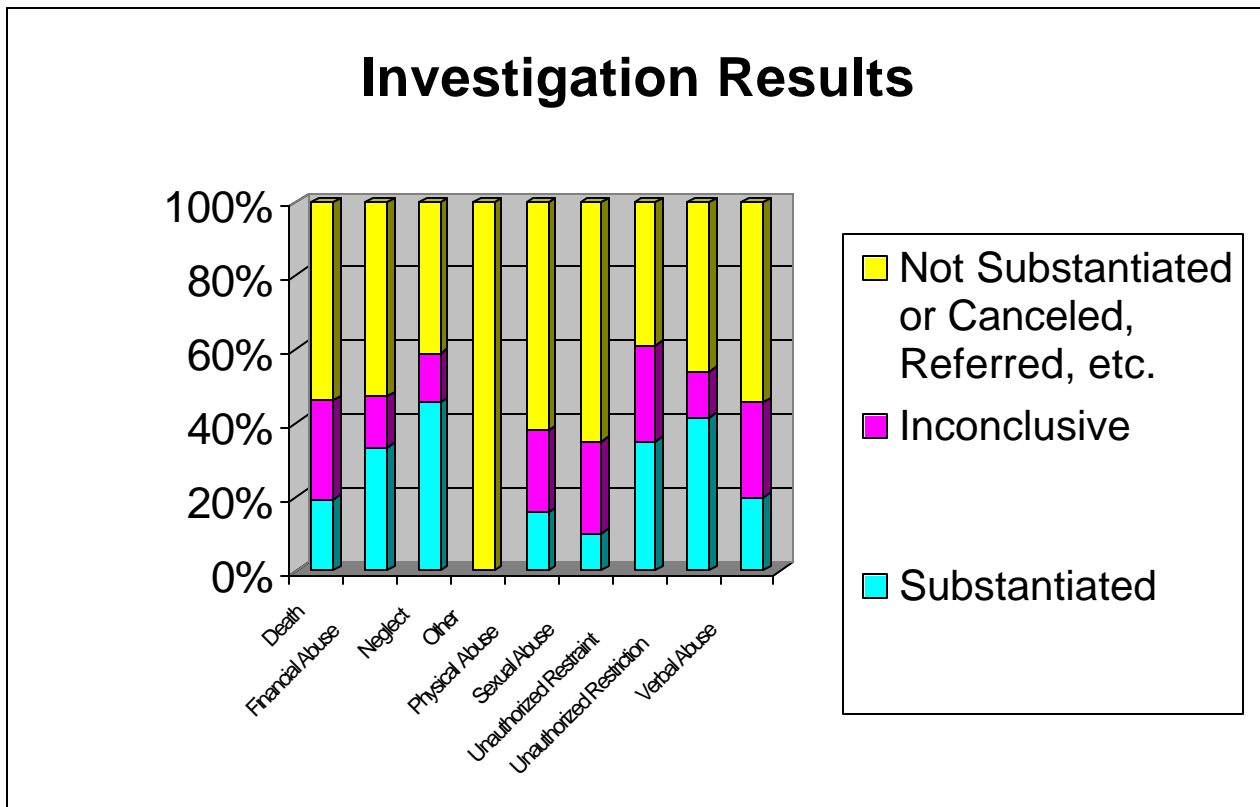
	Allegations	Substantiated	Inconclusive	Not Substantiated or Canceled, Referred, etc.	Substantiation Rate
Death	26	5	7	14	19.2%
Financial Abuse	222	74	31	117	33.3%
Neglect	831	379	112	340	45.6%
Other	3	0	0	3	0.0%
Physical Abuse	342	54	76	212	15.8%
Sexual Abuse	111	11	28	72	9.9%
Unauthorized Restraint	154	54	40	60	35.1%
Unauthorized Restriction	72	30	9	33	41.7%
Verbal Abuse	127	25	33	69	19.7%
Totals	1888	632	336	920	33.5%

632 Total Substantiated Allegations



2003 DD All Program Investigation Results

	Allegations	Substantiated	Inconclusive	Not Substantiated or Canceled, Referred, etc.	Substantiation Rate
Death	26	5	7	14	19.2%
Financial Abuse	222	74	31	117	33.3%
Neglect	831	379	112	340	45.6%
Other	3	0	0	3	0.0%
Physical Abuse	342	54	76	212	15.8%
Sexual Abuse	111	11	28	72	9.9%
Unauthorized Restraint	154	54	40	60	35.1%
Unauthorized Restriction	72	30	9	33	41.7%
Verbal Abuse	127	25	33	69	19.7%
Totals	1888	632	336	920	33.5%



County Investigated DD Allegations for 2003

Report Depicted Over Two Pages

County Name	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse	Total	# Clients Served in 2003	% Allegations to Clients Served	Total Substantiated Allegations	% Substantiated Allegations to Clients Served
Baker										0	79	0.00%	0	0.00%
Benton			3		4	1	1			9	360	2.50%	4	1.11%
Clackamas		1	29		13	3	2		10	58	1128	5.14%	31	2.75%
Clatsop			9		2			2	1	14	176	7.95%	7	3.98%
Columbia		5	5		2	2	6	5	4	29	194	14.95%	9	4.64%
Coos	1		10		6		2	6	3	28	253	11.07%	3	1.19%
Crook					1			6		7	45	15.56%	0	0.00%
Curry			3							3	113	2.65%	3	2.65%
Deschutes		19	6		6	1	1	1	2	36	384	9.38%	15	3.91%
Douglas		2	8		7	9	6	1	10	43	388	11.08%	7	1.80%
Gilliam - See Mid-Columbia										n/a	n/a	n/a	n/a	n/a
Grant						1		2		3	30	10.00%	0	0.00%
Harney						1				1	17	5.88%	0	0.00%
Hood River - See Mid-Columbia										n/a	n/a	n/a	n/a	n/a
Jackson		3	26		10	6	6	1	5	57	707	8.06%	23	3.25%
Jefferson										0	77	0.00%	0	0.00%
Josephine				2	2	4				8	353	2.27%	0	0.00%
Klamath	3	3	10		7	1			4	28	375	7.47%	1	0.27%
Lake										0	24	0.00%	0	0.00%
Lane	1	6	18		12	5	7	2	4	55	1380	3.99%	21	1.52%
Lincoln			5		1		3	2	2	13	189	6.88%	10	5.29%
Linn		4	7		1	1	2	1		16	501	3.19%	0	0.00%
Malheur		6	4		4			1	2	17	129	13.18%	13	10.08%
Marion	4	30	68		45	9	20	6	9	191	1762	10.84%	74	4.20%
Mid-Columbia		6	6		2	1	1	1	5	22	211	10.43%	10	4.74%
Morrow										0	23	0.00%	0	0.00%
Multnomah	8	57	236		86	36	29	7	28	487	3427	14.21%	113	3.30%
Polk		13	8		6	2	3	1	5	38	341	11.14%	13	3.81%
Sherman - See Mid-Columbia										n/a	n/a	n/a	n/a	n/a
Tillamook					1					1	140	0.71%	0	0.00%
Umatilla	1		36		8	3	4	4	2	58	269	21.56%	29	10.78%
Union			7		6				3	16	130	12.31%	8	6.15%

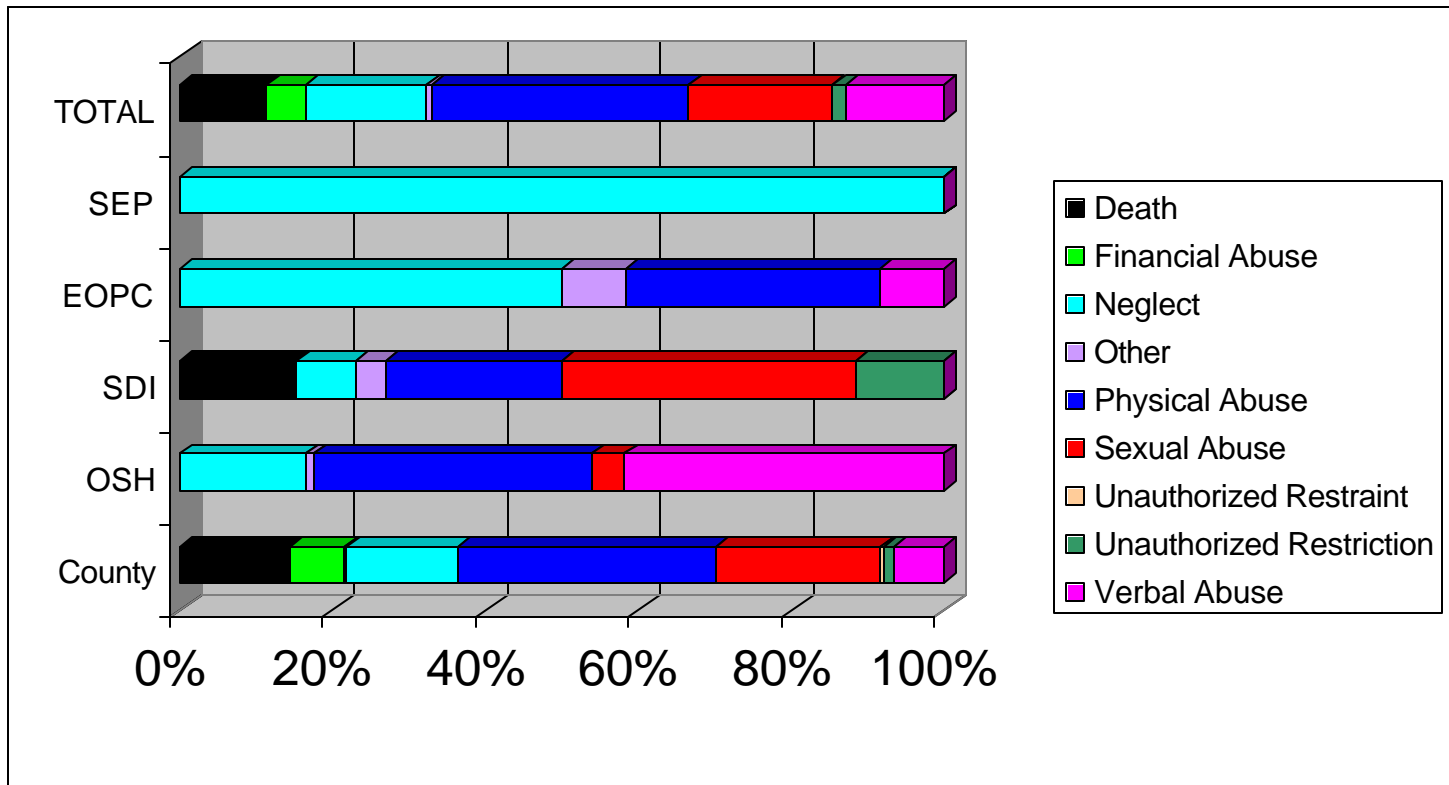
County Investigated DD Allegations for 2003

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County Name	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse	Total	# Clients Served in 2003	% Allegations to Clients Served	Total Substantiated Allegations	% Substantiated Allegations to Clients Served
Unlisted or N/A										n/a	n/a	n/a	n/a	n/a
Wallowa										0	26	0.00%	0	0.00%
Warm Springs										0	47	n/a	0	0.00%
Wasco - See Mid-Columbia										n/a	n/a	n/a	n/a	n/a
Washington	2	16	98		23	13	17	9	6	184	1318	13.96%	93	7.06%
Wheeler										n/a	n/a	n/a	n/a	n/a
Yamhill		11	18		13	2	1	1	3	49	422	11.61%	21	4.98%
Totals	20	182	620	2	268	101	111	59	108	1471	15018	9.79%	508	3.38%
Percentages	1.4%	12.4%	42.1%	0.1%	18.2%	6.9%	7.5%	4.0%	7.3%					

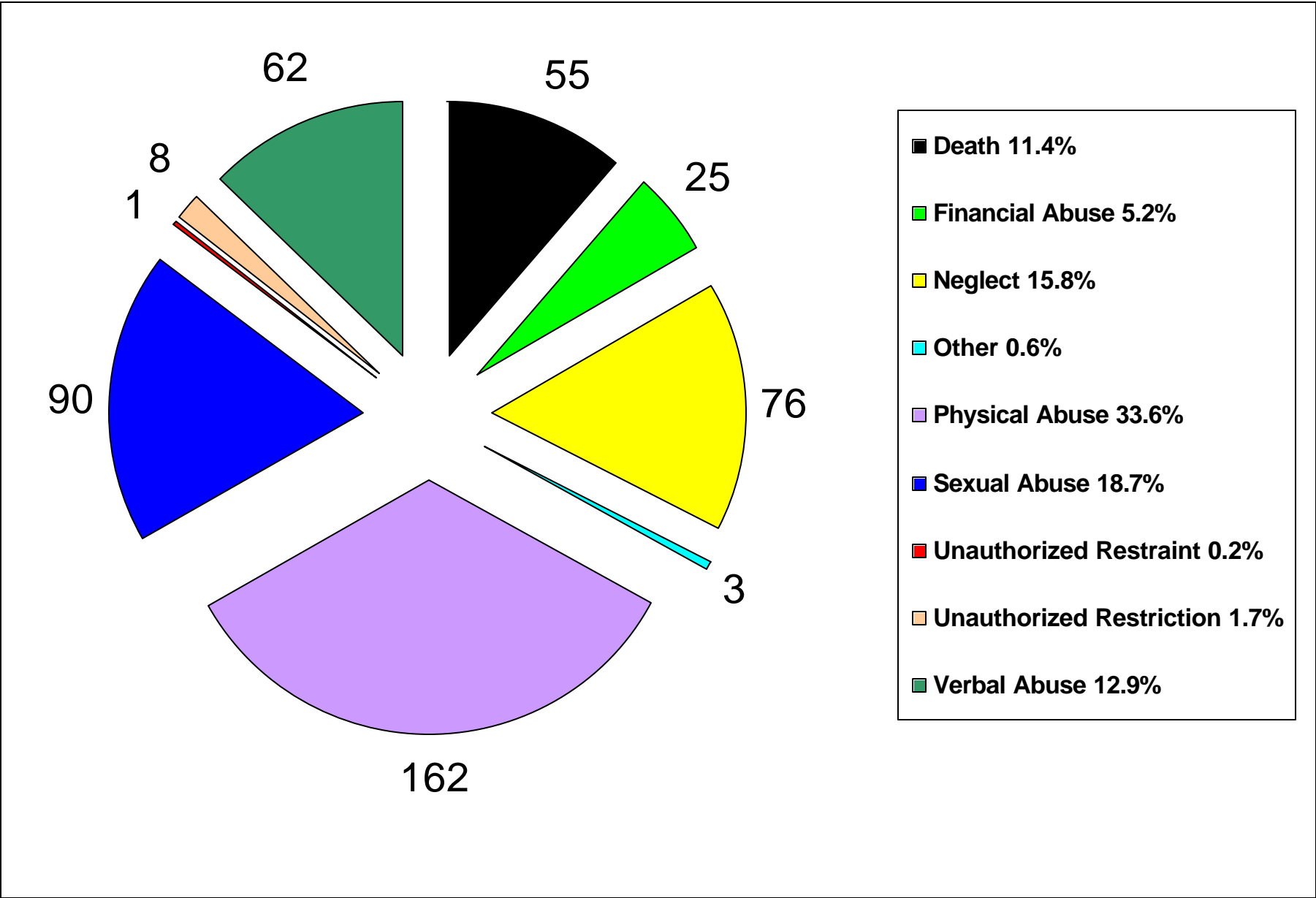
Types of MH All Program Allegations in 2003

	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse	TOTAL
County	51	25	51	0	119	76	1	5	23	351
OSH	0	0	15	1	33	4	0	0	38	91
SDI	4	0	2	1	6	10	0	3	0	26
EOPC	0	0	6	1	4	0	0	0	1	12
SEP	0	0	2	0	0	0	0	0	0	2
TOTAL	55	25	76	3	162	90	1	8	62	482



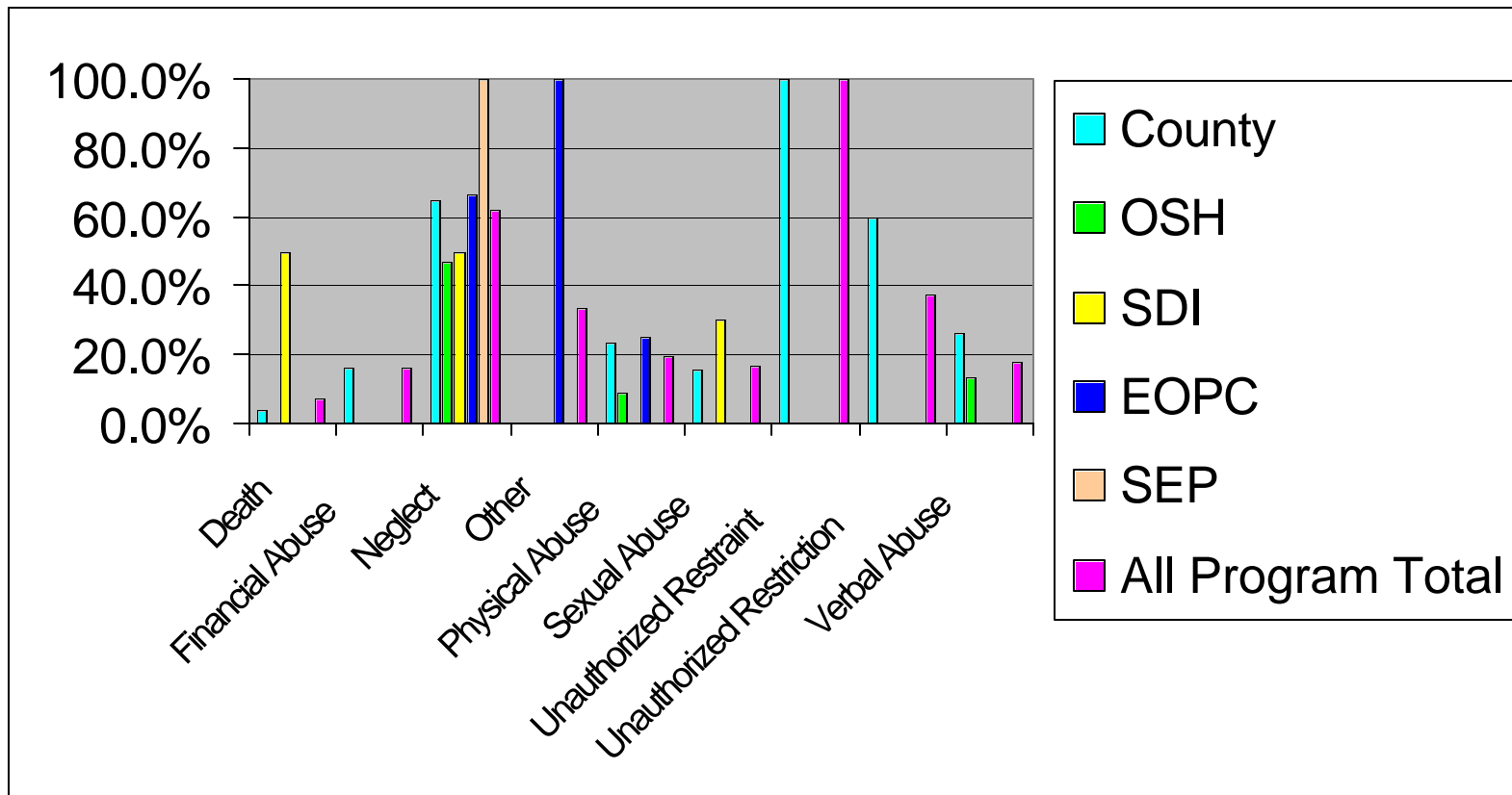
MH All Program Investigations in 2003

482 Total Allegations



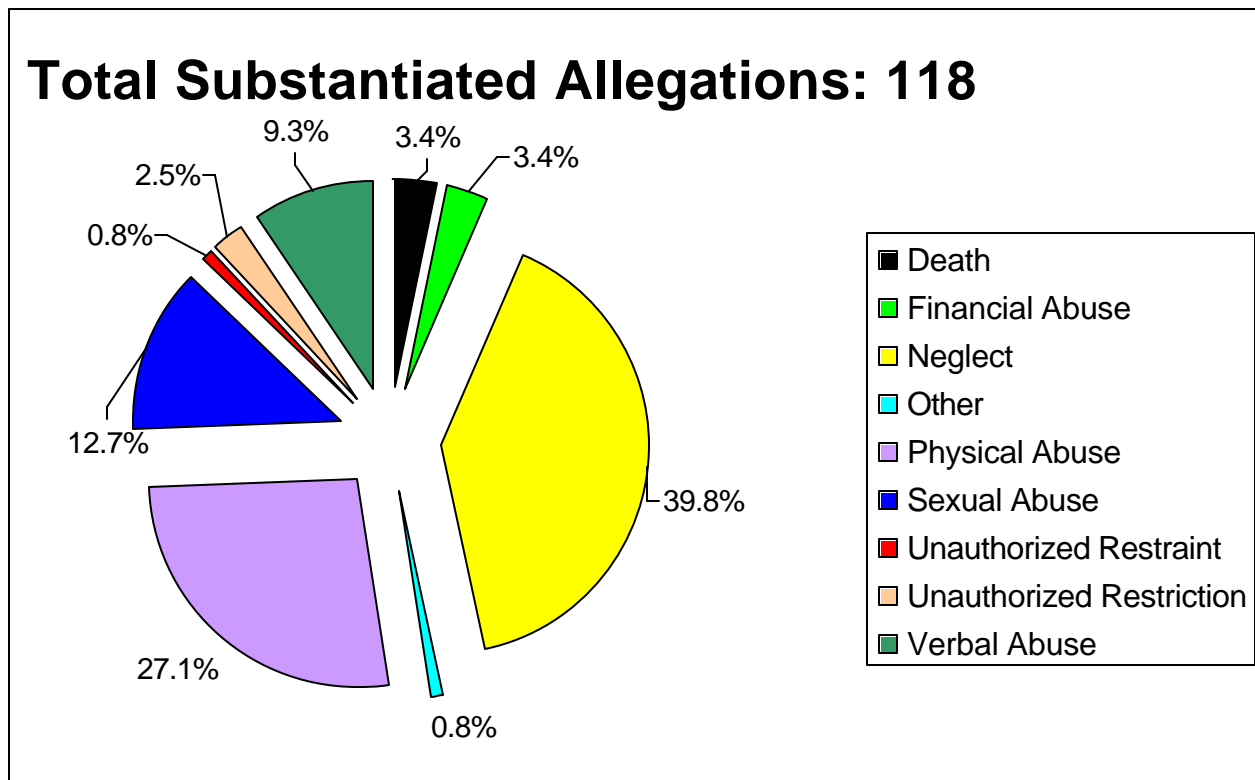
MH All Program Substantiation Rates in 2003 Comparison

	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse
County	3.9%	16.0%	64.7%	n/a	23.5%	15.8%	100.0%	60.0%	26.1%
OSH	n/a	n/a	46.7%	0.0%	9.1%	0.0%	n/a	n/a	13.2%
SDI	50.0%	n/a	50.0%	0.0%	0.0%	30.0%	n/a	0.0%	n/a
EOPC	n/a	n/a	66.7%	100.0%	25.0%	n/a	n/a	n/a	0.0%
SEP	n/a	n/a	100.0%	n/a	n/a	n/a	n/a	n/a	n/a
All Program Total	7.3%	16.0%	61.8%	33.3%	19.8%	16.7%	100.0%	37.5%	17.7%



2003 Substantiation Rates MH All Program

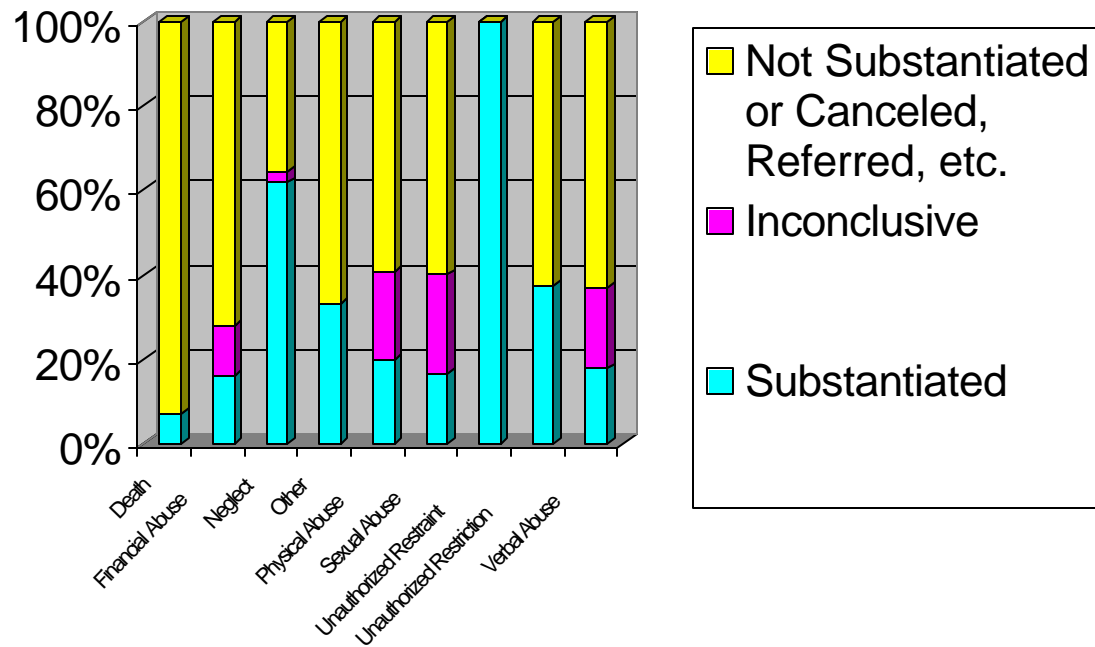
	Allegations	Substantiated	Inconclusive	Not Substantiated or Canceled, Referred, etc.	Substantiation Rate
Death	55	4	0	51	7.3%
Financial Abuse	25	4	3	18	16.0%
Neglect	76	47	2	27	61.8%
Other	3	1	0	2	33.3%
Physical Abuse	162	32	34	96	19.8%
Sexual Abuse	90	15	21	54	16.7%
Unauthorized Restraint	1	1	0	0	100.0%
Unauthorized Restriction	8	3	0	5	37.5%
Verbal Abuse	62	11	12	39	17.7%
Totals	482	118	72	292	24.5%



2003 MH All Program Investigation Results

	Allegations	Substantiated	Inconclusive	Not Substantiated or Canceled, Referred, etc.	Substantiation Rate
Death	55	4	0	51	7.3%
Financial Abuse	25	4	3	18	16.0%
Neglect	76	47	2	27	61.8%
Other	3	1	0	2	0.0%
Physical Abuse	162	32	34	96	19.8%
Sexual Abuse	90	15	21	54	16.7%
Unauthorized Restraint	1	1	0	0	100.0%
Unauthorized Restriction	8	3	0	5	37.5%
Verbal Abuse	62	11	12	39	17.7%
Totals	482	118	72	292	24.5%

Investigation Results



County Investigated MH Allegations for 2003

Report Depicted Over Two Pages

County Name	Critical Incident / Misc Info	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse	Total Allegations	# Clients Served CPMS	% Allegations to Clients Served	Total Substantiated Allegations	% Substantiated Allegations to Clients Served
Baker	1										0	668	0.0000%	0	0.0000%
Benton	7		1				1				2	1441	0.1388%	0	0.0000%
Clackamas	19	5	2			3	2			1	13	4747	0.2739%	2	0.0421%
Clatsop	1	2									2	1485	0.1347%	0	0.0000%
Columbia			1			1	1			1	4	760	0.5263%	0	0.0000%
Coos	3	1		1		1					3	1949	0.1539%	1	0.0513%
Crook	5										0	672	0.0000%	0	0.0000%
Curry											0	590	0.0000%	0	0.0000%
Deschutes	10	3				1	2				6	3432	0.1748%	1	0.0291%
Douglas	12	2	1	8		4	5	1		2	23	2775	0.8288%	12	0.4324%
Gilliam - See Mid-Columbia											0	n/a	n/a	n/a	n/a
Grant		1									1	331	0.3021%	0	0.0000%
Harney	2										0	199	0.0000%	0	0.0000%
Hood River - See Mid-Columbia											0	n/a	n/a	n/a	n/a
Jackson	5	9	1	3		1			2	1	17	3390	0.5015%	4	0.1180%
Jefferson											0	539	0.0000%	0	0.0000%
Josephine	7	2		3		3					8	3583	0.2233%	5	0.1395%
Klamath	5	2									2	2051	0.0975%	0	0.0000%
Lake	1										0	118	0.0000%	0	0.0000%
Lane	7		2	2							4	10012	0.0400%	3	0.0300%
Lincoln		4				1	2			2	9	1949	0.4618%	3	0.1539%
Linn	13	2	2	1		3	1			2	11	3067	0.3587%	1	0.0326%
Malheur			3	3		2					8	761	1.0512%	0	0.0000%
Marion	33	3	2	2		43	22		2	6	80	10633	0.7524%	19	0.1787%
Mid-Columbia	8										0	1201	0.0000%	0	0.0000%
Morrow	1					1					1	217	0.4608%	0	0.0000%
Multnomah	49	11	3	10		51	28			6	109	26458	0.4120%	16	0.0605%
Polk	10	1									1	1507	0.0664%	0	0.0000%
Sherman - See Mid-Columbia											0	n/a	n/a	n/a	n/a
Tillamook											0	972	0.0000%	0	0.0000%
Umatilla	8	1	1			1	4				7	1377	0.5084%	0	0.0000%
Union							1				1	706	0.1416%	0	0.0000%

County Investigated MH Allegations for 2003

Report Depicted Over Two Pages

County Name	Critical Incident / Misc Info	Death	Financial Abuse	Neglect	Other	Physical Abuse	Sexual Abuse	Unauthorized Restraint	Unauthorized Restriction	Verbal Abuse	Total Allegations	# Clients Served CPMS	% Allegations to Clients Served	Total Substantiated Allegations	% Substantiated Allegations to Clients Served
Unlisted or N/A	1										0	633	n/a	n/a	n/a
Wallowa											0	266	0.0000%	n/a	n/a
Warm Springs											0	198	0.0000%	n/a	n/a
Wasco - See Mid-Columbia											0	n/a	n/a	n/a	n/a
Washington	36	1	6	18		3	7		1	2	38	6767	0.5615%	22	0.3251%
Wheeler											0	n/a	n/a	n/a	n/a
Yamhill	8	1									1	2224	0.0450%	0	0.0000%
Totals	252	51	25	51	0	119	76	1	5	23	351	97678	0.3593%	89	0.0911%
Percentages		14.5%	7.1%	14.5%	0.0%	33.9%	21.7%	0.3%	1.4%	6.6%					