

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

)	
UNITED STATES OF AMERICA,)	
<i>Plaintiff,</i>)	
)	
v.)	Case No. 13-cv-442-M-PAS
)	
STATE OF RHODE ISLAND,)	
<i>Defendant.</i>)	
)	

ORDER FOR COMPLIANCE WITH THE OUTSTANDING
INTERIM SETTLEMENT AGREEMENT REQUIREMENTS

This order deals with the State’s current obligations under the Interim Settlement Agreement (ISA). The dates for various actions, articulated at the status conference of May 23, 2017, are set forth and incorporated in this Order (Section I).

This Order additionally outlines employment placements for the target group of forty-six (46) individuals requiring follow-up action for compliance. A chart is attached hereto and shows the status of the TTP/Birch population for purposes of follow-up for employment compliance.

I. ACTION DATES

As presented at the May 23, 2017 status conference, the State intends to achieve the following actions on the specified dates:

1. The R.I. Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals (DDD) will implement the variance and retirement policy by June 30, 2017, to discern specifically those who do not identify with either current or long-term employment goals. The R.I. Department of Human

Services, Office of Rehabilitation Services (ORS) will assist DDD with ORS-related service implementation.

2. DDD will ensure quality Career Development Plans (CDP) / Person Centered Planning (PCP) for all active members through a comprehensive review of each plan no later than July 30, 2017. This review will include confirmation that goals and services align with current employment interest. ORS will assist DDD with any ORS-related service implementation for CDPs/PCPs.
3. DDD will prioritize placement through its performance-based Person Centered Supported Employment Program (PCSEPP) for all interested active class members before June 30, 2017. This will include outreach to each member identified in this order as not employed (46) to confirm interest in participation or satisfaction with their current supported employment services through the PCSEPP.
4. DDD will provide continued oversight of the CWS quality management plan, in compliance with the requirements of the ISA and Consent Decree, as well as technical assistance in the areas of supported employment, integrated day, CDP development, and staff training on person centered planning. ORS will assist DDD with quality management and review on ORS-related services.
5. DDD will develop guidance and standards for integrated day service by June 30, 2017. This guidance will be reviewed internally and externally and will be disseminated through the provider network no later than July 30, 2017.

6. DDD will require completion of Personal Action Towards Health (PATH) and McGill Action Planning Systems (MAPS) for all Birch and TTP members at CWS who have not been provided this self-discovery opportunity by July 30, 2017.
7. DDD will have a fully developed interim and long-term quality improvement plan, in accord with the requirements of the ISA and Consent Decree, complete with timelines and strategies by July 30, 2017. ORS will assist DDD with implementation and monitoring on ORS-related services.
8. DDD will complete an in depth review of all ISA class members by 6/30/17 to ensure the validity of data reported from multiple sources.
9. DDD will amend its contract with Sherlock Center to include \$50,000 for FY18 for the purpose of benefits planning.

II. PLACEMENT STATUS

There are one hundred and twenty-six (126) individuals in the combined target group of TTP and Birch. Exhibit A is a chart containing figures for each status category, including TTP, Birch, and combined (total). As will be noted, the status of eighty (80) individuals in the target group requires no current action, including nine (9) who identify with specific interests for retirement as documented in their PCP. Forty-six (46) individuals require current action, including employment placement for twenty-nine (29) TTP individuals and seventeen (17) Birch individuals. Of these, eight (8) are not currently attending services and require follow up to determine how to re-engage, if possible.

III. JOB PLACEMENTS

In order to comply with employment placements, the forty-six (46) individuals requiring current action will be provided the level of employment supports and services in accordance with each individual's person-centered plan. In addition to integrated day services, these supports and services may include any or all of the following in accordance with the PCP: job exploration/discovery, job trials, placement, job coaching, and retention.

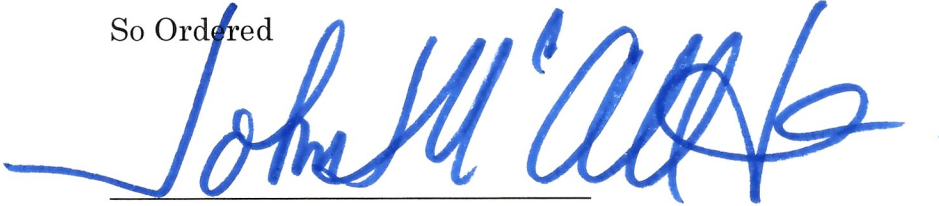
IV. COMPLIANCE DATES

The State expects to place thirty-one (31) individuals, or two-thirds of those requiring employment placements, within twelve months. Of these thirty-one (31) placements, the State's goal is to place fifteen (15) individuals within 6 - 9 months and another sixteen (16) within the twelve-month period. The remaining fifteen (15) individuals, or one-third of the forty-six (46) requiring action, are likely to occur after twelve months.

For each individual, the State will demonstrate its provision of person centered planning, job exploration, discovery, work trials, and vocational supports that align with the individual's preferences and needs. Data, including outcomes, regarding the forty-six (46) individuals, will be made available on a quarterly basis. The State will identify the specific individuals not placed within twelve months on a confidential basis and the reasons for lack of placement, if necessary. The Court will later address a definitive timeframe for any individuals who have not been placed within twelve months.

This Compliance Order does not alter the terms and obligations set forth in the
ISA.

So Ordered

A handwritten signature in blue ink, appearing to read "John J. McConnell, Jr.", written over a horizontal line.

John J. McConnell, Jr.
U.S. District Court Judge

Dated: June 23, 2017

Exhibit A: Status of ISA Population

TTP/Birch Status

STATUS	TOTAL	TTP	Birch
Deceased	3	2	1
Closed	19	8	11
Never Applied	3	0	3
Medical Leave	5	4	1
Retired	9	9	0
Employer Paid Placement	36	22	14
Past Placement, Not Currently Employed	5	4	1
Subtotal	80	49	31

STATUS Needing Follow Up	TOTAL	TTP	Birch
Active - Not Attending	8	3	5
Never Employed	34	24	10
Provider Paid	4	2	2
Subtotal	46	29	17

TTP/Birch Total Population	TOTAL	TTP	Birch
TOTAL	126	78	48