

FEB 9 1990

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Proposed Notice Letter to the Governor of Pennsylvania
Regarding Ebensburg Center

INFORMATION MEMORANDUM

This is to advise you that today I have notified Governor Robert Casey of the results of the Department's investigation of the Ebensburg Center (Ebensburg) at Ebensburg, Pennsylvania, pursuant to the Civil Rights of Institutionalized Persons Act, 42 U.S.C. 1997 et seq. (CRIPA). This letter supplements and updates an earlier letter of findings sent to the Governor on November 10, 1987, and advises the Governor that we found that conditions at Ebensburg continue to deprive residents of their constitutional rights to adequate medical care, a reasonably safe environment, freedom from unreasonable risks of harm and undue bodily restraints, and training that an appropriate professional would consider reasonable to ensure those interests.

Specifically, the letter advises the Governor that there exists at Ebensburg: a lack of adequate training programs to ensure residents' safety and to facilitate their ability to function free from bodily restraints; inappropriate uses of medication; inadequate care of residents at risk nutritionally or with impaired eating ability; a lack of a sufficient number of qualified and adequately trained and supervised nurses; inadequate infection control; inadequate inservice training for and coordination among staff; inadequate medical documentation; and inadequate properly fitted adaptive equipment. As required by CRIPA, the minimum remedial measures that we believe are necessary to remedy the cited deficiencies are specified in the letter.

We anticipate meeting with State officials in the near future to seek a means to remedy the cited deficiencies and establish constitutional conditions at Ebensburg.

James P. Turner
Acting Assistant Attorney General
Civil Rights Division

cc: Records Peabody Katz Varley
Chrono Nelson Greenberg Hold