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JUL 13 PM 4:03

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

ANNA MARIA WESTON, by her)
guardian Barbara Weston, et al.,)

Plaintiffs,)

v.)

CIVIL ACTION NO. C90-0004

WYOMING STATE TRAINING)
SCHOOL, et al.,)

Defendants,)

STIPULATION ON IMMEDIATE NEEDS ISSUES

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IN GENERAL

Plaintiffs, by and through its Committee and Defendants, by and through its Committee, acting in concert as the Central Committee as provided for in the Stipulation approved by Order of this Court dated April 24, 1990; and counsel for the respective parties hereby approve this Stipulation, agree to the entry of this Stipulation regarding Immediate Needs into the Court record for approval of the Court. This Stipulation is to establish the agreed upon framework to address and implement resolutions of those conditions which are considered to be of such risk at the Wyoming State Training School that they require immediate relief. Accordingly, the parties have agreed to this Stipulation to address those risks and reduce or eliminate the immediate dangers to the clients at Wyoming State Training School.

BACKGROUND

The parties entered into a Stipulation Agreement dated April 24, 1990, to address and resolve the various issues in this action. Among the identified issues in that Stipulation was the issue of immediate needs and services to the clients of Wyoming State Training School. The above-referenced Stipulation Agreement required that the Plaintiffs submit a plan to eliminate immediate needs issues to which the Defendants were to respond. On June 15, 1990, the Central Committee met at Wyoming State Training School in Lander, Wyoming to address immediate needs issues. The results

of that meeting was this Stipulation that addresses and attempts to resolve those issues that have been identified as immediate needs conditions.

The undersigned Central Committee, together with the attorneys for all parties, have agreed to a resolution of the Immediate Needs Issues proposed by the Plaintiffs and answered and responded to by the Defendants.

The Central Committee and the parties hereby stipulate and agree, subject to an order of the Court, as follows:

1. An Immediate Needs Assessment Team shall be established to develop plans and recommendations to address individual needs which shall be integrated into Individual Habilitation Plans (IHP's).
2. Three areas of concern are as follows:
 - a. Lack of physical therapy, appropriate positioning and related equipment.
 - b. Lack of individualized eating assistance strategies for persons whose oral/motor function is limited or compromised.
 - c. Lack of behavioral supports including staff training, behaviorists, behavior management plans, and environments conducive to building positive behaviors.
3. The Immediate Needs Assessment Team (INAT) shall use IHP's and IEP's, if appropriate, as sources of information for the screening process hereinafter discussed. The INAT shall have full access to all

staff and documentation and make personal observations without limitations within WSTS.

4. The INAT will develop a screening procedure to identify people with immediate needs.
5. The INAT shall screen the individual residents of WSTS to identify immediate needs and prioritize those needs on an individual basis.
6. The INAT shall submit plans and recommendations so that people with the greatest immediate needs are identified and served first.
7. The INAT shall prepare individual written immediate needs plans including specific staff development needs.
8. The following shall be INAT's time table:


June 30, 1990 - INAT identified and confirmed.
July 15, 1990 - A screening process is developed.
September 15, 1990 - All immediate needs plans shall be completed; and shall further be completely implemented within 30 days thereafter, except for reasons beyond the control of WSTS.
9. The INAT team shall be composed of five members and shall consist of:
 - a. A medical and psychiatric team headed by C. Thomas Gualtieri, M.D.
 - b. The Quality Assurance and Certification Directors of WSTS, Sherry Binckley and Grant Lloyd.

- c. Two Consultant Ph.D. Behavioralists, Ken Keith, Ph.D. and Charles Whisenhunt, Ph.D.
 - d. A Consultant Speech Pathologist/Occupational Therapist, Helen English, O.T..
 - e. A Consultant Physical Therapist, Susanne McAllister P.T..
10. Should the parties involved be unable by July 6, 1990 to agree to the makeup of the INAT, the parties shall submit their respective choices to the Court. The Court shall then select the members of the INAT.
 11. Protection & Advocacy System, Inc. shall provide the primary monitoring of the implementation of the INAT's plans and recommendations. The Central Committee shall later determine any additional follow-up necessary for this activity.
 12. The State of Wyoming shall pay all costs associated with INAT.

IT IS HEREBY STIPULATED.

THIS STIPULATION IS DATED this 13th day of July, 1990.

Central Committee



Tim Bepler




Sheila Sandubrae-Davis



Scott Bergey

ATTORNEYS:



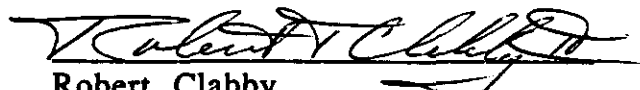
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Michael H. Reese
Michael R. O'Donnell
Attorneys for Plaintiffs

THIS STIPULATION IS DATED this 13th day of July, 1990.

Central Committee



Dr. Audrey Cotherman

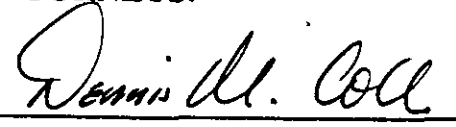


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