



NH-DC-001-022

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES,)
)
 Plaintiff,)
)
 and)
 M. ANNE HART, DISTRICT)
 OF COLUMBIA LONG-TERM)
 CARE OMBUDSMAN,)
)
 Plaintiff-Intervenor,)
)
 v.)
)
 DISTRICT OF COLUMBIA, et al.,)
)
 Defendants.)



Civ. No. 95-948 (TFH)

FILED

FEB 23 1996

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

ORDER

Upon consideration of the United States' Motion To Assure Full Compliance With Existing Court Orders, and upon determining that the defendants remain in contempt and noncompliance with Court orders, it is hereby **ORDERED** that the United States' motion is granted.

Therefore, it is hereby **ORDERED**:

A. The outplacement of D.C. Village residents is temporarily suspended until Defendants come into full compliance with the existing Court orders detailed below.

B. Defendants shall immediately come into full compliance with all the provisions of § III.A of the Court's December 22, 1995 order. Consistent with the provisions of that section, Defendants shall immediately identify and create the specialty consult transition team for the

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benefit of D.C. Village residents with mental retardation. Consistent with the provisions of that section, in assembling this team, Defendants shall solicit input from the Monitor.

C. Defendants shall immediately come into full compliance with all the provisions of § IV of the Court's December 22, 1995 order. Consistent with the provisions of §IV.B., Defendants shall immediately identify and create the specialty consult transition team for the benefit of D.C. Village residents with mental illness. Consistent with the provisions of that section, in assembling this team, Defendants shall solicit input from the Monitor.

D. Defendants shall immediately come into full compliance with all the provisions of § II of the Court's December 22, 1995 order. Consistent with the provisions of §II.A, Defendants shall ensure that all placement decisions are made on an individualized basis and shall be appropriate and adequate to meet each person's individualized needs.

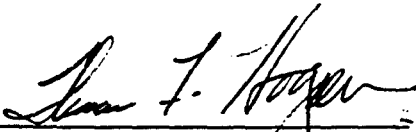
E. Defendants shall fully comply with the provisions of 42 C.F.R. §483.12(b)(3) and shall not deny DCV residents a bed at D.C. Village due to any resident's extended hospitalization or leave or deny any resident the transitional services he or she is to be provided under law.

F. Nothing in this order shall be construed to limit the authority and responsibilities of the Monitor and Ombudsman as set forth in the law and in the Court's orders.

G. While taking steps to comply with the above requirements, Defendants shall continue the process of planning for DCV residents' appropriate and timely discharge and shall notify the

Monitor and Ombudsman of the planned discharges as required by the law and by the Court's orders. Nothing in this order shall prevent the discharge of those DCV residents for whom the Monitor and Ombudsman agree that the above requirements have been met. If a dispute arises between Defendants and the Monitor and/or Ombudsman over whether a particular discharge should proceed, the parties may ask the Court to consider the matter.

February 23rd, 1996



Thomas F. Hogan
United States District Judge