

**Consent Judgment with the
United States Department of Justice**

Department of State Hospitals Compliance Report

Third & Fourth Quarter Report 2011-2012

A Report to the Legislature in Response to

Chapter 74, Statutes of 2006, Section 74



June 2012

**Cliff Allenby
Acting Director**

DEPARTMENT OF STATE HOSPITALS REPORT
ON STATUS OF COMPLIANCE WITH CONSENT JUDGMENT WITH
THE UNITED STATES DEPARTMENT OF JUSTICE

Executive Summary

Third and Fourth Quarter Report 2011-2012

The Department of State Hospitals (DSH) *Report on the Status of Compliance with the Consent Judgment with the United States Department of Justice (USDOJ)* is enclosed. The report is prepared in accordance with Chapter 74, Statutes of 2006, Section 74, which requires DSH to report quarterly to the Legislature on the status of compliance with the Consent Judgment. It includes all monitoring reports produced in the previous six months by the Court Monitor and copies of other correspondence between USDOJ, the Court Monitor and DSH regarding compliance. The Consent Judgment is operationalized at the State Hospitals as the Enhancement Plan (EP).

This report includes documents submitted for the period beginning October 1, 2011 and ending on March 31, 2012. When the Consent Judgment was released in May 2006, DSH began its reporting using data from the quarter that began on April 1, 2006; therefore, for any given year, the January 1 - March 31 quarter is classified as the fourth quarter of the Consent Judgment period.

The initial 2006 reports provided detailed baseline assessments for each of the State Hospitals. Subsequent evaluation reports provide more detail specific to each hospital's individual level of compliance with the EP.

In December 2011, Atascadero State Hospital and Patton State Hospital were released from USDOJ oversight by the United States District Court for the Central District of California. Napa State Hospital and Metropolitan State Hospital continue to receive oversight for a small percentage of sections in the EP that the USDOJ believes have not yet met requirements for substantial compliance. The focus of any additional reviews will be limited to those sections.

Evaluation reports are an essential tool to ensure proper attention and leadership by facility staff to achieve the expectations of the Consent Judgment as well as prepare the facilities to self-monitor independent of external oversight.

Evaluation reports received this reporting period:

- Napa State Hospital site evaluation conducted July 2011
- Metropolitan State Hospital site evaluation conducted August-September 2011
- Atascadero State Hospital site evaluation conducted October 2011
- Patton State Hospital site evaluation conducted December 2011

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The requirements for the content of the report to the Legislature include overlapping time periods which would require that some materials be provided twice. In the interest of efficiency, documents provided in the report immediately preceding this one will be referenced only. This report includes the following documents and reports submitted for the third and fourth quarter period October 1, 2011 through March 31, 2012, which is enclosed on CD ROM:

- Schedule of hospital site visits, January 2011 – December 2011;
- List of acronyms used in Enhancement Plan;
- Napa State Hospital site visit evaluation 11 and Key Indicator Report – July 2011;
- Metropolitan State Hospital site visit evaluation 11 and Key Indicator Reports – August-September. 2011;
- Atascadero State Hospital site visit evaluation 11 and Key Indicator Report – October 2011;
- Patton State Hospital site visit evaluation 11 and Key Indicator Report – December 2011;
- Department of State Hospitals response to Court Monitor report of Napa State Hospital compliance with Consent Judgment;
- Department of State Hospitals response to Court Monitor report of Metropolitan State Hospital compliance with Consent Judgment;
- Department of State Hospitals response to Court Monitor report of Atascadero State Hospital compliance with Consent Judgment;
- Department of State Hospitals response to Court Monitor report of Patton State Hospital compliance with Consent Judgment;
- Correspondence between the Department of State Hospitals, the Court Monitor, and the United States Department of Justice regarding compliance with the Consent Judgment;

- Monthly Trigger Reports for Atascadero, Metropolitan, Napa and Patton State Hospitals;
- All death reports, citations, deficiencies and other correspondence submitted to the Court Monitor and Department of State Hospitals from State Hospitals during the period October 1, 2011 through March 31, 2012.

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- Attachment 4: Atascadero State Hospital site visit evaluation 11 and Key Indicator reports through August 2011. Patton State Hospital site visit evaluation 11 and Key Indicator reports through September 2011
- Attachment 5: Correspondence between the Department of State Hospitals, the Court Monitor, and the United States Department of Justice regarding compliance with the Consent Judgment
- Attachment 6: Department of State Hospitals' responses to Court Monitor report of Napa and Metropolitan State Hospitals compliance with Consent Judgment
- Attachment 7: Department of State Hospitals' responses to Court Monitor report of Atascadero and Patton State Hospital compliance with Consent Judgment
- Attachment 8: Monthly Trigger Reports for Atascadero, Metropolitan, Napa and Patton State Hospitals
- Attachment 9: All death reports, citations, deficiencies and other correspondence submitted to the Court Monitor and Department of State Hospitals from State Hospitals during the period July 1, 2011 through September 30, 2011