

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  15G726	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED  03/01/2012
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NAME OF PROVIDER OR SUPPLIER  OPPORTUNITY ENTERPRISES	STREET ADDRESS, CITY, STATE, ZIP CODE 501 ALBERT ST VALPARAISO, IN 46383
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W0000	<p>This visit was for the fundamental recertification and state licensure survey.</p> <p>Dates of survey: February 27, 28, 29, and March 1, 2012.</p> <p>Surveyor: Kathy Craig, Medical Surveyor III</p> <p>Facility Number: 004789 Provider Number: 15G726 AIMS Number: 200827230</p> <p>These deficiencies also reflect state findings under 460 IAC 9. Quality Review completed 3/12/12 by Ruth Shackelford, Medical Surveyor III.</p>	W0000		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Any deficiency statement ending with an asterisk (\*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (see instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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W0149	<p>483.420(d)(1) STAFF TREATMENT OF CLIENTS The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect or abuse of the client.</p> <p>Based on record review and interview, the facility failed for 1 former client (client #7) who lived in the group home, by not following its policy to prevent neglect of client #7 when they failed to prevent her from eating solid food when she was on a pureed diet, and who had previously been in the hospital for aspiration pneumonia, and failed to follow their policy to take sufficient corrective action after a pattern of client to client aggression had developed (client #1).</p> <p>Findings include:</p> <p>A. Review on 2/27/12 at 2:15 PM of the facility's records was conducted, and included their BDDS (Bureau of Developmental Disabilities Services) incident reports and their internal incident reports from 2/27/11 to 2/27/12. The following incidents involved a former client, client #7:</p> <p>1. A BDDS report dated 5/14/11 indicated on 5/13/11 "Staff [initials of staff] noticed that [client #7]'s lips were blue while doing personal care. She took her blood pressure and temperature, which were both normal. Nurse [initials]</p>	W0149	<p>The QDDP-D will retrain staff on all consumers' dining plans. The GH manager will complete weekly checks to ensure all staff adheres to the dining plans. To ensure future compliance the QDDP-D will check during monthly house visits as well as the dietician during quarterly visits.</p> <p>The QDDP-D will retrain staff on all BSP's and ensuring safety for all consumers. The behavior therapist for client #1 is also involved and visits client #1 at both home and work. The GH manager will ensure BSP's are followed correctly during weekly checks. The QDDP-D will ensure future compliance by checking at monthly house visits. Each IDT will meet monthly to discuss behaviors within each group home. If any issues arise or patterns are identified, teams will meet sooner to address any issues of aggression.</p>	03/31/2012			

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	<p>was notified and instructed staff to take [client #7] to the emergency room. At the emergency room, an x-ray, EKG and blood work were completed. The x-ray was clear, but after the EKG and bloodwork, the doctor determined [client #7] has pneumonia. The said [client #7] was aspirating. The physician ordered [client #7] to be on honey-thickened liquids and a pureed diet for the next week. . . ." The follow-up report dated 5/22/11 indicated client #7 saw her primary physician on 5/13/11 and it indicated the physician wanted client #7 to continue on the pureed and honey-thickened liquid diet for a month and then she will send client #7 for a cookie swallow. On the follow-up report, it indicated "All staff are trained on different types of dining plans and are all aware of honey thick and pureed food."</p> <p>2. A BDDS report dated 7/3/11 indicated on 7/3/11, client #7 "went into the laundry room to place her clothes in there and when she exited to the kitchen, staff was not present in the room. When staff [staff #1] came into the kitchen, she found [client #7] trying to open a banana. There were two empty banana peels on the counter next to her. [Staff #1] asked [client #7] if she had eaten the 2 bananas and [client #7] nodded. [Staff #1] moved the remainder of the bananas to the top of</p>			

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	<p>the refrigerator and reminded [client #7] that she has to have all of her food pureed, and then explained that she can choke if she eats food that is not pureed." Under "Plan to Resolve", it indicated a 7-day aspiration observation was being completed and all staff were being reminded that they must be in the kitchen if client #7 was present.</p> <p>3. A BDDS report dated 8/20/11 indicated on 8/20/11, "Staff [staff #2] and assistant manager were completing [staff #2]'s supervised med pass for med certification. After [staff #2] finished her meds, she left the med room. Staff [#1 and #2] were going through proper procedures before leaving the med room and when [staff #2] left the med room, she found [client #7] in the kitchen eating a banana. She had eaten about 1/3rd of the banana when [staff #2] found her. [Staff #2] told [client #7] that if she wanted a banana that it should be pureed. [Client #7] was prompted to drink liquids and [staff #2] helped her to puree the rest of the banana." Under "Plan to Resolve", it indicated a 7-day aspiration log was started and client #7 showed no signs of aspiration "at this time" and was behaving normally. It also indicated staff "will also work informally with [client #7] to seek out staff's help before going to eat in the kitchen."</p>			

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	<p>Review on 2/27/12 at 2:15 PM of the facility's "Universal Policies &amp; Procedures Adult Services" policy dated 4/14/10, indicated Opportunity Enterprises, Inc. "will not tolerate. . . neglect. . .of individuals served." The definition of neglect in this policy indicated: "Includes the refusal or failure to provide appropriate care, food, medical care, or supervision. . . ."</p> <p>Review on 3/1/12 at 9:35 AM of a physician's order dated 9/6/11 after client #7's follow-up appointment indicated she was to remain on a pureed diet.</p> <p>Review on 3/1/12 at 9:36 AM of a physician's order dated 10/18/11, indicated client #7's diet was to be changed to mechanical ground.</p> <p>Interview on 2/28/12 at 1:15 PM with the QMRP (Qualified Mental Retardation Professional) was conducted. The QMRP indicated the staff were retrained on client #7's pureed diet and to let client #7 eat a banana smashed up - pureed consistency, after the incidents. She indicated they completed an aspiration log each time and the physician changed client #7's diet later to mechanical ground.</p> <p>B. Review on 2/27/12 at 2:15 PM of the</p>			

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	<p>facility's internal incident reports was conducted. The following incident reports involved client #1 being aggressive towards other clients and staff:</p> <p>1. On 1/4/12, client #1 was eating dinner at the dinner table and client #3 said "hi" to all of her housemates when she came home from an outing. Client #1 began yelling and swatting at the air, she almost hit another roommate that was sitting next to her. She flipped client #3 off and told her "[****] leave [client #3]." Staff prompted client #1 to use one of her coping skills. Client #1 "became very upset" and started kicking and swatting at the air. Staff then told her that she needed to go to her room. She fell to the floor and started kicking and screaming. Staff used a 2 arm transfer hold to escort her to her room. In this process client #1 kicked client #3 in the back. The kick did not have too much force and their were no marks on client #3. Client #1 also kicked, punched, and slapped staff while going to her room. She kicked the walls and doors. Client #1 stayed in her room for 30 minutes before coming out and joining her housemates.</p> <p>2. On 1/5/12, client #1 bolted onto the van and hit client #6 on top left side of her head with a closed fist then began hitting client #6's right side of head into</p>						

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	<p>the van window. There were no injuries noted.</p> <p>3. On 1/10/12, staff #2 was standing at the coffee pot with client #6 doing a hand over hand pouring a cup of coffee when client #3 yelled out staff #2's name from the toaster. Staff #2 turned around and saw client #1 standing there with her fingernails digging and scratching into client #3's upper left arm. Staff #2 stepped in between client #1 and client #3 and asked client #1 to "please take her seat, which she did." Staff #2 did a body check on client #3 and client #3 had 3 to 4 light scratches and a red mark on her upper left arm.</p> <p>4. On 1/15/12, client #3 took out a blue cup out of the cabinet and client #1 said to client #3 "that's my cup." Staff #3 explained to client #1 that they don't have assigned cups and moved toward her but before staff #3 could interfere, client #1 smacked client #3's back as she walked out of the living room. Per her behavior plan, staff #3 ignored the behavior as she was not still aggressing. Then client #1 began telling client #3 "I hate you, [client #3]." Staff #3 was standing between client #1 and client #3 in the kitchen. Staff #3 told client #1 that she should use her coping skills to calm down or she would have to go to her room. She</p>						

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	<p>yelled, "No, I don't want to go to my room!" and stomped her feet. Client #3 left the kitchen and client #1 said "I'm sorry, [client #3]." Client #3 did not respond. Client #1 began yelling, "she's ignoring me." Client #1 came into the kitchen and hit the stove. Staff #3 told her she needed to go to her room and calm down. Client #1 refused, so staff #4 and staff #3 attempted to use the 2 person transport hold. Client #1 dropped to the floor before they could do that. Client #1 continuously kicked at staff #4 and staff #3 placed her in a basket hold. Client #1 attempted to bite staff #3. Client #1 became more verbally and physically aggressive. After staff #3 placed client #1 in a basket hold and prompted her to count and breathe and once this was successful for 2 minutes, staff #3 released the hold. Client #1 began crying but did not escalate any more for the rest of the evening.</p> <p>5. On 1/30/12, client #1 came down the hallway with tangled braids in her hair. Staff #4 asked client #1 if she brushed her hair and client #1 responded, "Yes." Staff then asked client #1 if she could bring her brush and they could brush her hair again. Client #1 yelled, "No, I don't want to b****" and showed her middle finger. Staff #4 then verbally prompted client #1 to calm down and if she couldn't in 2</p>						

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	<p>minutes then she would need to go to her room and utilize her coping skills. Staff #4 walked out of the room for a couple of minutes and when she returned she asked client #1 if she was calm. Client #1 replied yes but began to hit her chair. Staff #4 verbally prompted client #1 to go to her room and client #1 said no that she did not want to and stood up from the chair coming toward staff swatting her hands. Staff attempted to utilize a basket hold and client #1 dropped to the ground swatting and kicking. Staff #4 then placed her in a basket hold again and remained there for about 7 minutes. During the time that staff had client #1 in the hold they continued to count and take deep breaths. After that client #1 was calm and walked to her room with staff. There were no injuries from the restraint.</p> <p>6. On 2/6/12, client #1 hit client #6 on the shoulder. No injuries.</p> <p>Review on 2/28/12 at 11:00 AM of client #1's Behavior Support Plan dated 12/24/11 was conducted. It included target behaviors as verbal aggression, physical aggression, property destruction, tantrum, Self-injurious behavior, non-compliance, and invading personal space. It indicated if client #1 engages in physical aggression, property destruction, verbal aggression, invasion of personal</p>						

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	<p>space, or tantrum, she will lose access to reinforcing/preferred items for that designated time frame. It indicated if client #1 displays physical aggression, property destruction, or tantrums escalates to the point that she is a risk to herself or others, physical restraint will be used including a transport hold to the time-out room; therapeutic intervention trained by OE staff should be implemented. Other approved holds include a 1-arm hold, 2-arm hold, basket hold, corner hold, or team control position when client #1 has not calmed down after being verbally prompted and attempting to use coping skills. A force bag may also be utilized to block property destruction and physical aggression. Client #1 is not on any behavior medications. It did not include staff was to be present when client #1 was in the room.</p> <p>Review on 2/27/12 at 2:15 PM of the facility's "Universal Policies &amp; Procedures Adult Services" policy dated 4/14/10, indicated Opportunity Enterprises, Inc. "does not condone and will not tolerate physical, verbal or sexual abuse, neglect or exploitation of individual's served." The definition of abuse indicated in this policy included, but not limited to, "The willful infliction of pain or injury. . . ."</p>						

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	<p>Interview on 2/28/12 at 1:15 PM with the QMRP (Qualified Mental Retardation Professional) was conducted. She indicated client #1's behavior plan was changed on 12/24/11 but they had to wait until the HRC (Human Rights Committee) reviewed and approved it before it was implemented. The QMRP indicated there were some changes from her previous one such as she would lose rewards if she has aggressive behavior and her parents had told her client #1 was unable to call them if she has behaviors. The QMRP indicated staff were to be present when client #1 was in the room but client #1 was not one-on-one.</p> <p>9-3-2(a)</p>			

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W0157	<p>483.420(d)(4) STAFF TREATMENT OF CLIENTS If the alleged violation is verified, appropriate corrective action must be taken.</p> <p>Based on record review and interview, the facility failed to take appropriate corrective action in regards to 1 of 3 sampled clients (client #1) to prevent her from aggressing against other clients in the group home and staff.</p> <p>Findings include:</p> <p>Review on 2/27/12 at 2:15 PM of the facility's internal incident reports was conducted. The following incident reports involved client #1 being aggressive towards other clients and staff:</p> <p>1. On 1/4/12, client #1 was eating dinner at the dinner table and client #3 said "hi" to all of her housemates when she came home from an outing. Client #1 began yelling and swatting at the air, she almost hit another roommate that was sitting next to her. She flipped client #3 off and told her "[****] leave [client #3]. " Staff prompted client #1 to use one of her coping skills. Client #1 "became very upset" and started kicking and swatting at the air. Staff then told her that she needed to go to her room. She fell to the floor and started kicking and screaming. Staff used a 2 arm transfer hold to escort her to</p>	W0157	<p>Client #1 moved into the home at the end of December and had an adjustment period upon first moving in. She has not exhibited any aggression since 2/16/12. The team previously adjusted client #1's BSP and has seen improvement. Staff were retrained on client #1's BSP. The manager will monitor weekly to ensure staff are following the BSP. The QDDP-D will ensure further compliance by monitoring during monthly house visits. Each IDT will meet monthly to discuss behaviors within each group home. If any issues arise or patterns are identified, teams will meet sooner to address any issues of aggression.</p>	03/31/2012			

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	<p>her room. In this process client #1 kicked client #3 in the back. The kick did not have too much force and their were no marks on client #3. Client #1 also kicked, punched, and slapped staff while going to her room. She kicked the walls and doors. Client #1 stayed in her room for 30 minutes before coming out and joining her housemates.</p> <p>2. On 1/5/12, client #1 bolted onto the van and hit client #6 on top left side of her head with a closed fist then began hitting client #6's right side of head into the van window. There were no injuries noted.</p> <p>3. On 1/10/12, staff #2 was standing at the coffee pot with client #6 doing a hand over hand pouring a cup of coffee when client #3 yelled out staff #2's name from the toaster. Staff #2 turned around and saw client #1 standing there with her fingernails digging and scratching into client #3's upper left arm. Staff #2 stepped in between client #1 and client #3 and asked client #1 to "please take her seat, which she did." Staff #2 did a body check on client #3 and client #3 had 3 to 4 light scratches and a red mark on her upper left arm.</p> <p>4. On 1/15/12, client #3 took out a blue cup out of the cabinet and client #1 said</p>			

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	to client #3 "that's my cup." Staff #3 explained to client #1 that they don't have assigned cups and moved toward her but before staff #3 could interfere, client #1 smacked client #3's back as she walked out of the living room. Per her behavior plan, staff #3 ignored the behavior as she was not still aggressing. Then client #1 began telling client #3 "I hate you, [client #3]." Staff #3 was standing between client #1 and client #3 in the kitchen. Staff #3 told client #1 that she should use her coping skills to calm down or she would have to go to her room. She yelled, "No, I don't want to go to my room!" and stomped her feet. Client #3 left the kitchen and client #1 said "I'm sorry, [client #3]." Client #3 did not respond. Client #1 began yelling, "she's ignoring me." Client #1 came into the kitchen and hit the stove. Staff #3 told her she needed to go to her room and calm down. Client #1 refused, so staff #4 and staff #3 attempted to use the 2 person transport hold. Client #1 dropped to the floor before they could do that. Client #1 continuously kicked at staff #4 and staff #3 placed her in a basket hold. Client #1 attempted to bite staff #3. Client #1 became more verbally and physically aggressive. After staff #3 placed client #1 in a basket hold and prompted her to count and breathe and once this was successful for 2 minutes, staff #3 released			

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	<p>the hold. Client #1 began crying but did not escalate any more for the rest of the evening.</p> <p>5. On 1/30/12, client #1 came down the hallway with tangled braids in her hair. Staff #4 asked client #1 if she brushed her hair and client #1 responded, "Yes." Staff then asked client #1 if she could bring her brush and they could brush her hair again. Client #1 yelled, "No, I don't want to b****" and showed her middle finger. Staff #4 then verbally prompted client #1 to calm down and if she couldn't in 2 minutes then she would need to go to her room and utilize her coping skills. Staff #4 walked out of the room for a couple of minutes and when she returned she asked client #1 if she was calm. Client #1 replied yes but began to hit her chair. Staff #4 verbally prompted client #1 to go to her room and client #1 said no that she did not want to and stood up from the chair coming toward staff swatting her hands. Staff attempted to utilize a basket hold and client #1 dropped to the ground swatting and kicking. Staff #4 then placed her in a basket hold again and remained there for about 7 minutes. During the time that staff had client #1 in the hold they continued to count and take deep breaths. After that client #1 was calm and walked to her room with staff. There were no injuries from the restraint.</p>			

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	<p>6. On 2/6/12, client #1 hit client #6 on the shoulder. No injuries.</p> <p>Review on 2/28/12 at 11:00 AM of client #1's Behavior Support Plan dated 12/24/11 was conducted. It included target behaviors as verbal aggression, physical aggression, property destruction, tantrum, Self-injurious behavior, non-compliance, and invading personal space. It indicated if client #1 engages in physical aggression, property destruction, verbal aggression, invasion of personal space, or tantrum, she will lose access to reinforcing/preferred items for that designated time frame. It indicated if client #1 displays physical aggression, property destruction, or tantrums escalates to the point that she is a risk to herself or others, physical restraint will be used including a transport hold to the time-out room; therapeutic intervention trained by OE staff should be implemented. Other approved holds include a 1-arm hold, 2-arm hold, basket hold, corner hold, or team control position when client #1 has not calmed down after being verbally prompted and attempting to use coping skills. A force bag may also be utilized to block property destruction and physical aggression. Client #1 is not on any behavior medications. It did not include staff was to be present when client #1 was</p>						

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	<p>in the room.</p> <p>Interview on 2/28/12 at 1:15 PM with the QMRP (Qualified Mental Retardation Professional) was conducted. She indicated client #1's behavior plan was changed on 12/24/11 but they had to wait until the HRC (Human Rights Committee) reviewed and approved it before it was implemented. The QMRP indicated there were some changes from her previous one such as she would lose rewards if she has aggressive behavior and her parents had told her client #1 was unable to call them if she has behaviors. The QMRP indicated staff were to be present when client #1 was in the room but client #1 was not one-on-one.</p> <p>9-3-2(a)</p>				

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W0227	<p>483.440(c)(4) INDIVIDUAL PROGRAM PLAN The individual program plan states the specific objectives necessary to meet the client's needs, as identified by the comprehensive assessment required by paragraph (c)(3) of this section.</p> <p>Based on record review and interview, the facility failed for 1 of 3 sampled clients (client #3) by not addressing dental recommendations with a plan in client #3's ISP (Individual Support Plan).</p> <p>Findings include:</p> <p>Review on 2/28/12 at 11:30 AM of client #3's records was conducted. Client #3's 7/13/11 dental examination recommended she improve her oral hygiene. Her dental exam indicated she had "fair" oral hygiene. Client #3's ISP dated 10/26/11, did not include a goal to improve her oral hygiene. Client #3's functional assessment dated 9/6/11 indicated she could not brush her teeth without supervision.</p> <p>Interview on 2/29/12 at 4:36 PM with the QMRP (Qualified Mental Retardation Professional) was conducted. The QMRP indicated client #3 did not have a toothbrushing goal after her 7/13/11 dental examination and after her 10/26/11 ISP.</p>	W0227	<p>Client #3 will now have a teeth brushing goal to assist with her dental hygiene. The ISP has been updated to reflect this goal also. The team will monitor this goal through monthly meetings and change the goal as needed through reports from her dentist. To ensure compliance, each team will monthly review all goals ensuring all necessary goals are in place to meet the consumer's needs. The Vice President of Consumer Services will monitor monthly reports to ensure compliance.</p>	03/31/2012			

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W0448	<p>9-3-4(a)</p> <p>483.470(i)(2)(iv) EVACUATION DRILLS The facility must investigate all problems with evacuation drills, including accidents. Based on record review and interview, the facility failed for 1 additional client (client #5) by not investigating her refusals to participate in fire drills.</p> <p>Findings include:</p> <p>Review on 2/27/12 at 4:00 PM of the facility's evacuation drills was conducted. Client #5 refused to participate in the following fire drills: 3/20/11 at 9:00 PM; 4/17/11 at 1:00 PM; 8/8/11 at 5:00 AM; 10/15/11 at 12:00 AM; 12/4/11 at 4:50 PM, and 12/27/11 at 2:00 AM. There was no investigation into these refusals available for review.</p> <p>Interview on 2/28/12 at 1:15 PM with the QMRP (Qualified Mental Retardation Professional) was conducted. She indicated there was no investigation into client #5's refusals to participate in the above-mentioned fire drills.</p> <p>9-3-7(a)</p>	W0448	<p>A goal has been placed in Client #5's ISP to address compliance with fire drill evacuations. The team will monitor compliance through the IPP and meet monthly to discuss the goal. If further non compliance is documented the QDDP-D will investigate for any possible reason that the client is refusing and the team will meet to adjust the goal. To ensure compliance, each team will monthly review all goals ensuring all necessary goals are in place to meet the consumer's needs. The Vice President of Consumer Services will monitor monthly reports to ensure compliance.</p>	03/31/2012			

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W0449	<p>483.470(i)(2)(iv) EVACUATION DRILLS The facility must investigate all problems with evacuation drills and take corrective action.</p> <p>Based on record review and interview, the facility failed for 1 additional client (client #5) by not investigating her refusals to participate in fire drills and take corrective action.</p> <p>Findings include:</p> <p>Review on 2/27/12 at 4:00 PM of the facility's evacuation drills was conducted. Client #5 refused to participate in the following fire drills: 3/20/11 at 9:00 PM; 4/17/11 at 1:00 PM; 8/8/11 at 5:00 AM; 10/15/11 at 12:00 AM; 12/4/11 at 4:50 PM, and 12/27/11 at 2:00 AM. There was no investigation into these refusals available for review.</p> <p>Review on 2/28/12 at 1:15 PM of client #5's records was conducted. Her ISP (Individual Support Plan) dated 5/9/11 did not include a goal to participate in fire drills.</p> <p>Interview on 2/28/12 at 1:15 PM with the QMRP (Qualified Mental Retardation Professional) was conducted. She indicated there was no investigation into client #5's refusals to participate in the above-mentioned fire drills and client #5</p>	W0449	See 0448	03/31/2012			

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	<p>did not have a goal to participate in fire drills.</p> <p>9-3-7(a)</p>			