pennsylvania
DEPARTMENT OF HUMAN SERVICES

JUL 28 2015

Mr. Robert E. Dauer, Jr., Esquire
Meyer, Unkovic & Scott LLP
Henry W. Oliver Building
535 Smithfield Street, Suite 1300
Pittsburgh, Pennsylvania 15222

RE: The Bradley Center – Robinson
5180 Campbells Run Road
Pittsburgh, Pennsylvania 15205

Dear Mr. Dauer:

This is to acknowledge receipt of your request to appeal the Department's decision to issue a PROVISIONAL license for The Bradley Center – Robinson. Your request has been forwarded to the Department of Human Services, Bureau of Hearings and Appeals. You will be contacted regarding the date and time of the hearing.

Sincerely,

Matthew J. Jones
Director

cc: Gene Cuccarese, Office of General Counsel

Meyer, Unkovic & Scott LLP
ATTORNEYS AT LAW

Henry W. Oliver Building
535 Smithfield Street, Suite 1300
Pittsburgh, Pennsylvania 15222-2315
Tel: (412) 456-2800
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Writer's direct dial phone number and e-mail address:

412-456-2835 ~ red@muslaw.com

July 24, 2015

RECEIVED
JUL 27 2015
Human Services Licensing

[redacted] Enforcement Manager
Human Services Licensing
Department of Human Services
Room 631 Health and Welfare Building
625 Foster Street
Harrisburg, PA 17120

RE: Appeal on behalf of The Bradley Center, Inc. ("The Bradley Center")
License #401010
Provisional License #: 401011

Dear Mr. [redacted]

The Bradley Center hereby requests an appeal through hearing before the Bureau of Hearing Appeals, Department of Human Services in accordance with 1 Pa. Code Part II, Chapters 31-35 of the revocation of The Bradley Center's License #401010 and issuance of a provisional license #401011. A copy of the decision of the Department of Human services is attached hereto as Exhibit "A".

The Bradley Center appeals the revocation of License #401010 and denies and appeals finding of any violation of 55 Pa. Code Ch. 3800.

The Department of Human Services erred in its findings that: (1) The Bradley Center violated or failed to comply with the provisions of the Public Welfare Code (62 P.S. §1026(b)(1); and (2) The Bradley Center failed to comply with the Department's program licensure or approval regulations.

The Department of Human Services erred in its findings in revoking The Bradley Center's License #401010 that there was a violation of 55 Pa. Code §3800.32(b) or that any child at The Bradley Center was abused, mistreated, threatened, harassed or subject to corporal punishment.

Therefore, The Bradley Center respectfully requests that the Department of Human Services' decision and revocation of License #401010 be overturned and that License #401010 be reinstated.

Respectfully submitted,

MEYER, UNKOVIC & SCOTT LLP

[redacted] Jr., Esquire (Pa. I.D. #61699)
Attorneys for The Bradley Center, Inc.

cc: Lisa Fox, CEO

1869735.1

pennsylvania
DEPARTMENT OF HUMAN SERVICES

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
MAILING DATE: JUL 17 2015

Ms. Lisa R. Fox, Chief Executive Officer
The Bradley Center, Inc.
5180 Campbells Run Road
Pittsburgh, Pennsylvania 15205

RE: The Bradley Center – Robinson
License #: 401011

Dear Ms. Fox:

As a result of the Department of Human Services' licensing inspection on March 4, 2015, March 10, 2015, April 9, 2015 and April 23, 2015 of the above facility, the violations specified on the enclosed Licensing Inspection Summary were found.

Based on violations with 55 Pa.Code Ch. 3800 (relating to Child Residential and Day Treatment Facilities), your current license # 401010 dated January 18, 2015 to January 18, 2016 is REVOKED. A FIRST PROVISIONAL license is being issued based on your plan to correct the violations as specified on the Licensing Inspection Summary. This FIRST PROVISIONAL license replaces all previously issued licenses and is effective for six months from the date of issuance. The license dated January 18, 2015 to January 18, 2016 is NOT reinstated upon expiration of this FIRST PROVISIONAL license. This decision is made pursuant to 62 P.S. 1026(b)(1) and 55 Pa.Code § 20.71(a)(2) (relating to conditions for denial, nonrenewal or revocation.) Your FIRST PROVISIONAL license is enclosed.

All violations specified on the Licensing Inspection Summary must be corrected by the dates specified on the Licensing Inspection Summary and continued compliance with 55 Pa.Code Ch. 3800 must be maintained.

If you disagree with the decision to issue a PROVISIONAL license, you have the right to appeal through hearing before the Bureau of Hearings and Appeals, Department of Human Services in accordance with 1 Pa.Code Part II, Chs. 31-35. If you decide to appeal your PROVISIONAL license, a written request for an appeal must be received within 10 days of the date of this letter by:

[redacted] Enforcement Manager
Human Services Licensing
Department of Human Services
Room 631 Health and Welfare Building
625 Forster Street
Harrisburg, Pennsylvania 17120

This decision is final 11 days from the date of this letter, or if you decide to appeal, upon issuance of a decision by the Bureau of Hearings and Appeals.

Sincerely,

Matthew J. Jones
Director

Enclosures
License
Licensing Inspection Summary

VIOLATION REPORT
CHILD RESIDENTIAL LICENSING - 55 Pa.Code Chapter 3800

Facility Name: THE BRADLEY CENTER ROBINSON	License Number: 40101
Address: 5180 CAMPBELLS RUN ROAD, PITTSBURGH, PA 15205	County: Allegheny
Director: Megan Georges	Region: WEST

Legal Entity Name: THE BRADLEY CENTER INC

Legal Entity Address: 5180 CAMPBELLS RUN ROAD, PITTSBURGH, PA 15205

Certificate(s) of Occupancy

Program Type:	Licensed Capacity:	Number of Children Served:
Residential Services	104	97

Type of Inspection: Partial	BHA Docket Number:	Notice: Unannounced

Reason(s) for Inspection(s)
Incident

On-Site Inspections Dates and Department Representatives On-Site
03/04/2015: Pugh, Bridget; Mundy, Olivia
03/10/2015: Pugh, Bridget; Mundy, Olivia
04/09/2015: Pugh, Bridget; Lester, Marie
04/23/2015: Pugh, Bridget; White, Anthony

Off-Site Inspection Dates and Inspectors, If Applicable

Other Details

Partial or Full Triggers:	Random Indicators:

Child Demographic Data as of Inspection Dates

Age of Children:	Number of Children who:
0 to 5 years: 0	Are Adjudicated Delinquent: 2
6 to 13 years: 39	Are Dependent: 21
14 to 17 years: 57	Have Mental Illness: 97
18 to 21 years: 1	Have an Intellectual Disability: 24
	Have a Physical Disability: 0

Licensing Inspection Summary: 40101 - 03/04/2015 - Pugh, Bridget
Facility Name: THE BRADLEY CENTER ROBINSON

1. REGULATION 55 Pa.Code §3800
3800.32(b) - A child may not be abused, mistreated, threatened, harassed or subject to corporal punishment.

2a. DESCRIPTION OF VIOLATION
Resident #1, 16 years old, had an *Individual Crisis Management Plan* dated 11/5/2014 indicating that he/she, "masturbates in front of others, visits sexually inappropriate websites, talks about wanting to have sex and to not 'be a virgin anymore.'" Resident #2, 13 years old, recently disclosed a history of sexual abuse victimization. The facility was aware of Resident #1's sexual behaviors and Resident #2's background and assigned the residents a shared bedroom on 2/23/2015. Resident #1 engaged in forcible anal intercourse with Resident #2 on 3/15/2015 and at least two other times in bedroom A2 of the Insights unit.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed

The Bradley Center serves children with severe trauma histories. The Bradley Center's Admissions Department begins to collect information regarding a resident's trauma history as part of the admissions process and includes this information in an Intake Summary and an Individual Crisis Management Plan. Once admitted, a Biopsychosocial Assessment is completed to continue to explore the resident's past trauma history. Components of the Biopsychosocial Assessment consist of: Individual, Family, Nursing, and School assessments. This information helps to guide treatment when a resident is first admitted. In this instance, it had been reported during the admissions process that 16 y/o Resident 1 had reportedly masturbated, viewed pornography and verbalized that he wanted a girlfriend. These behaviors were included in Resident 1's Intake Summary and his Individual Crisis Management Plan. Prior to admission, it was reported by a caseworker to The Bradley Center's admission department, that Resident 2 had recently disclosed a history of sexual abuse victimization; however, the caseworker was not confident in the details and stated that records would be given to The Bradley Center once collected. The caseworker did not produce any verifying documentation regarding the alleged report that Resident 2 had made. Although notable, the trauma histories of these two residents in conjunction with team review and daily course of treatment, could not have predicted inappropriate contact between Resident 1 and 2.

Resident 1 is no longer at The Bradley Center and has no contact with Resident 2.

The Bradley Center at time of admission will continue to collect trauma histories and report the information on Intake Summaries and Individual Crisis Management Plans for each resident admitted to The Bradley Center. The therapists, nurses, and teachers will continue to complete the Biopsychosocial assessment. As additional information is garnered the new information is added to the resident's Individual Crisis Management Plan and Treatment Plan. This information is communicated to the entire resident's treatment team which includes a Board Certified Psychiatrist.

The Bradley Center's physical layout has both single and double rooms. Room assignments are made on an individual basis. Room assignments are changed on an as needed basis. Room assignments and room changes are discussed by members of the treatment team. All room assignments are to be discussed with the Clinical Director of the unit and/or the resident's therapist. Trauma history, current behaviors and risk are taken into consideration when assigning rooms. Effective June 15, 2014, room changes including justification will be discussed in the Monday Morning Update meeting and documented in the minutes. This meeting occurs at 10am every Monday and includes staff members from the units, Admissions Department, Quality Services, and Administration. See pages 2A, 2B

Repeat Violation: Yes	Date(s) of Previous Violation(s):	09/29/2014		

Signature of Legal Entity Representative (Required on EVERY Page) Lisa R Fox

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) Lisa R. Fox, CEO

Date 6-9-15

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of 7/8/15 (Date)

The above plan of correction was approved by BB (Initials)

Plan of correction implementation status as of _____ (Date)

- ☐ Fully Implemented
- ☐ Partially Implemented - Adequate Progress
- ☐ Partially Implemented - Inadequate Progress
- ☐ Not Implemented

Licensing Inspection Summary: 401010
Facility Name: The Bradley Center Robinson
03/04/15 – [redacted]

3800.32(b)
The Bradley Center serves children with severe trauma histories. The Bradley Center's Admissions Department begins to collect information regarding a resident's trauma history as part of the admissions process and includes this information in an Intake Summary and an Individual Crisis Management Plan. Once admitted, a Biopsychosocial Assessment is completed to continue to explore the resident's past trauma history. Components of the Biopsychosocial Assessment consist of: Individual, Family, Nursing, and School assessments. This information helps to guide treatment when a resident is first admitted. In this instance, it had been reported during the admissions process that 16 y/o Resident 1 had reportedly masturbated, viewed pornography and verbalized that he wanted a girlfriend. These behaviors were included in Resident 1's Intake Summary and his Individual Crisis Management Plan. Prior to admission, it was reported by a caseworker to The Bradley Center's admission department, that Resident 2 had recently disclosed a history of sexual abuse victimization; however, the caseworker was not confident in the details and stated that records would be given to The Bradley Center once collected. The caseworker did not produce any verifying documentation regarding the alleged report that Resident 2 had made. Although notable, the trauma histories of these two residents in conjunction with team review and daily course of treatment, could not have predicted inappropriate contact between Resident 1 and 2.

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All current Bradley Center Employees have received 3 hours of training in the Child Protective Services Law (CPSL). All new employees are trained in CPSL within their first 2 weeks of employment and prior to working alone with any children. The current curriculum is approved by The Department of Public Welfare (DPW) and provided by The University of Pittsburgh. Every Bradley Center employee will continue to be trained within the timeframes outlined in the law.

The Bradley Center's physical layout has both single and double rooms. Room assignments are made on an individual basis. Room assignments are changed on an as needed basis. Room assignments and room changes are discussed by members of the treatment team. All room assignments are to be discussed with the Clinical Director of the unit and/or the resident's therapist. Trauma history, current behaviors and risk are taken into consideration when assigning rooms. The Bradley Center has a

Signature of Legal Entity: [signature]

Printed Name and Tile of Legal Entity Representative: Lisa R. Fox, CEO Date: 6/23/15

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JUL 01

WEST [illegible]
Human [illegible]

Licensing Inspection Summary: 401010
Facility Name: The Bradley Center Robinson
03/04/15 – [redacted]

3800.32(b) con't
Monday Morning Update meeting that occurs every Monday and includes staff members from the units, Admissions Department, and Administration. The Administrator of Quality Services chairs this meeting and is responsible for ensuring that effective June 15, 2015 that all room changes including justification will be discussed in the Monday Morning Update meeting and documented in the minutes.

Along with the screening process that occurs upon admission, and roommate changes being reviewed in Monday Morning Update, an additional new process will be implemented. In an effort to gauge a child's level of comfort with either an assigned roommate or other peers on the unit, all residents will be asked at least bi-monthly if there is anything that they would like to discuss specifically in relation to roommates/peers. This opportunity for the child to discuss any potential issues will occur in private with a trained mental health therapist. Any potential issues will be brought to the attention of unit leadership and action will be taken as necessary. On June 24, 2015, the Administrator of Clinical Programming will meet with the mental health therapists and a discussion will take place to create a set of standard questions to ask of the residents. These questions will be reviewed by Administrator of Quality Services to ensure that they are likely to elicit comments from the residents that will assist in preventing any future violations. The full implementation date for this preventative action is July 6, 2015.

At time of admission, The Bradley Center will continue to inform the resident and his/her family of the therapist(s) assigned to work with them. As is standard practice, the therapist(s) will inform the resident and family that they will be provided a minimum of 2 hours a therapy a week; one hour of family therapy and one hour of individual therapy. The therapists' offices are located on the unit. Therefore, they are in the milieu and available to meet with the resident outside of the two therapy sessions as needed. MG 7.1.15

Signature of Legal Entity: Lisa R. Fox

Printed Name and Title of Legal Entity Representative: Lisa R. Fox, CEO Date: 6/23/15

[redacted] Administrator of Quality Services 7/1/15

Licensing Inspection Summary: 40101 - 03/04/2015 - Pugh, Bridget
Facility Name: THE BRADLEY CENTER ROBINSON

1. REGULATION 55 Pa.Code §3800
3800.87(a) - Floors, walls, ceilings, windows, doors and other surfaces shall be free of hazards.

2a. DESCRIPTION OF VIOLATION
On 3/6/2015, Resident #3 self-harmed with a piece of glass he/she reported to have found near the back doors of hallway A of the Expressions unit. Resident #3 was sent to Ohio Valley Hospital via ambulance where he/she was treated with medical glue for an injury to his/her left arm.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

There is maintenance staff in the building 24 hours a day and 7 days a week. The maintenance staff conducts daily walkthroughs of the building looking for items in need of repair and potentially unsafe items. To ensure the cleanliness of the agency, The Bradley Center has housekeeping staff from 7am to 10pm, 7 days a week. The housekeeping staff clean the common areas, bedrooms, and school program daily. Housekeeping staff are directed to look for potentially unsafe items during their shift. The housekeeping staff document their cleaning efforts and if any unsafe conditions were noted on a Housekeeping Form. A member of the Maintenance Department and the Clinical Director of each unit conduct a monthly walkthrough to monitor for unsafe conditions. Two members of the certified safety committee do a walk through monthly looking for potentially unsafe items.

The Bradley Center has a monthly employee newsletter. There is a safety article in every addition. The Chief Operating Officer/Chair of the Safety Committee contributes a safety article in each addition. The July safety article will focus on the shared responsibility for every individual to monitor the environment for potentially unsafe items. Each unit has a Clinical Director that conducts a monthly staff meeting. The July staff meetings (July 2, 9, and 13, 2015) will address the need to be constantly aware of their surroundings and to monitor for potentially unsafe items.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) John R Fox

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) Lisa R. Fox, CEO

Date 6-9-15

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