pennsylvania
DEPARTMENT OF HUMAN SERVICES

Sent via e-mail: STone@northamptoncounty.org
Mailing Date: August 14, 2017

Mr. Stephen L. Tone, Director
County of Northampton
669 Washington St
Easton, Pennsylvania 18042

RE: Northampton County Juvenile Justice Center
650 Ferry St
Easton, PA 18042
License #: 206680

Dear Mr. Tone:

As a result of the Department of Human Services' licensing inspection on February 22, 2017 of the above facility, the violations with 55 Pa.Code Ch. 3800 (relating to Child Residential and Day Treatment Facilities) specified on the enclosed License Inspection Summary were found.

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

Sincerely,

Brian Hazlak, MA
Child Residential Licensing Manager

Enclosure
Licensing Inspection Summary

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

Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER	**License Number:** 20669
Address: 650 FERRY STREET, EASTON, PA 18042	**County:** Northampton
Director: Steve Tone	**Region:** NORTHEAST
Legal Entity Name: COUNTY OF NORTHAMPTON	
Legal Entity Address: 669 WASHINGTON STREET, EASTON, PA 18042	

Certificate(s) of Occupancy

Other
05/06/1999
L & I

Program Type:	**Licensed Capacity:**	**Number of Children Served:**
Secure Care	18	15

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

Reason(s) for Inspection(s)

Incident

On-Site Inspections Dates and Department Representatives On-Site

02/22/2017: Bosack, Amie; Piazza, Gerard

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:

0 to 5 years: 0

6 to 13 years: 1

14 to 17 years: 14

18 to 21 years: 0

Number of Children who:

Are Adjudicated Delinquent: 14

Are Dependent: 1

Have Mental Illness: 9

Have an Intellectual Disability: 13

Have a Physical Disability: 0

Licensing Inspection Summary: 20669 - 02/22/2017 - Bosack, Amie
Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER

1. REGULATION 55 Pa.Code §3800

3800.15(a) - The facility shall immediately report suspected abuse of a child in accordance with 23 Pa.C.S. § § 6301-6385 (relating to the Child Protective Services Law) and Chapter 3490 (relating to protective services).

2a. DESCRIPTION OF VIOLATION

The facility learned of child abuse allegations stemming from incident on [redacted] with Child #1, Staff Member A and Staff Member B on [redacted] However, the facility did not report child abuse allegations involving Child #1, Staff Member A and Staff Member B until [redacted] The facility learned of child abuse allegations from incident on [redacted] with Child #2, Staff Member B, and Staff Member C on [redacted] However, the facility did not report child abuse allegations involving Child #2, Staff Member B, and Staff Member C until [redacted]

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.

See attachment A.

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

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tove

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TOVE DIRECTOR

Date 4/17/17

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

The above plan of correction is approved as of 4-17-17 (Date)

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

Plan of correction implementation status as of 8-14-17 (Date)

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

A-1 BH 4-17-17

Attachment A. 3800.15(a)

The NCJJC apologizes for the delay in reporting of the above mentioned incidents and sequential order that they were reported.

As a result for this citation the NCJJC understand that the 24 hour reporting is directed to HCSIS and not ChildLine calls. We further realize the "immediate" infers a greater urgency than the time taken to report these events.

In an effort to insure that this does not occur in the future the NCJJC will be implementing the following plan of action. We will immediately enact a safety plan for any involved individuals pertaining to the allegations. Second, once the safety plan is enacted a report will be made to ChildLine to report the allegations. When this information arises as a result of a written grievance from the resident, the following action plan will be employed. A policy change to the current grievance policy was made to reflect that all written grievances and allegations of abuse will be immediately given to supervisory staff for review. (See policy change page 3).

All staff will be updated on the new policy and made aware of the new grievance protocol, by no later than April 14, 2017. The Director of Operation will be responsible for implantation for this change.

Licensing Inspection Summary: 20669 - 02/22/2017 - Bosack, Amie
Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER

1. REGULATION 55 Pa.Code §3800
3800.15(b) - If there is an allegation of child abuse involving facility staff persons, the facility shall submit and implement a plan of supervision in accordance with 23 Pa.C.S. § 6368 (relating to investigation of reports) and § 3490.56 (relating to county agency investigation of suspected child abuse perpetrated by persons employed or supervised by child care services and residential facilities).

2a. DESCRIPTION OF VIOLATION
On [redacted] the facility became aware of child abuse allegations with Child #1, Staff Member A, and Staff Member B. The facility did not implement a safety plan to protect Child #1 from Staff Member A and Staff Member B until [redacted]
On [redacted] the facility became aware of child abuse allegations with Child #2, Staff Member B, and Staff Member C. The facility did not implement a safety plan to protect Child #2 from Staff Member B and Staff Member C until [redacted]

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.

See Attachment B.

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

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE DIRECTOR

Date 4/7/17

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The above plan of correction is approved as of 4-17-17 (Date)

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

Plan of correction implementation status as of 8-14-17 (Date)

- [ ] Fully Implemented
- [x] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

A-2 BH 4-17-17

Attachment B. 3800.15(b)

The NCJJC apologizes for the delay in reporting of the above mentioned incidents and sequential order that they were reported.

As a result for this citation the NCJJC understand that the 24 hour reporting is directed to HCSIS and not ChildLine calls. We further realize the "immediate" infers a greater urgency than the time taken to report these events.

In an effort to insure that this does not occur in the future the NCJJC will be implementing the following plan of action. We will immediately enact a safety plan for any involved individuals pertaining to the allegations. Second, once the safety plan is enacted a repport will be made to ChildLine to report the allegations. When this information arises as a result of a written grievance from the resident, the following action plan will be employed. A policy change to the current grievance policy was made to reflect that all written grievances and allegations of abuse will be immediately given to supervisory staff for review. (See policy change page 3).

All staff will be updated on the new policy and made aware of the new grievance protocol, by no later than April 14, 2017. The Director of Operation will be responsible for implantation for this change.

Licensing Inspection Summary: 20669 - 02/22/2017 - Bosack, Amie
Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER

1. REGULATION 55 Pa.Code §3800
3800.16(c) - The facility shall complete a written reportable incident report, on a form prescribed by the Department, and send it to the appropriate Departmental regional office and the contracting agency, within 24 hours.

2a. DESCRIPTION OF VIOLATION
The facility became aware of child abuse allegations involving Child #2, Staff Member B, and Staff Member C on [redacted] However, the facility did not report allegations involving Child #2, Staff Member B, and Staff Member C to the Department until [redacted]

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.

See Attachment C.

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

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE DIRECTOR

Date 4/7/17

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

Plan of correction implementation status as of 8-14-17 (Date)

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

A-3 BH 4-17-17

Attachment C. 3800.16(c)

The NCJJC apologizes for the delay in reporting of the above mentioned incidents and sequential order that they were reported.

As a result for this citation the NCJJC understand that the 24 hour reporting is directed to HCSIS and not ChildLine calls. We further realize the "immediate" infers a greater urgency than the time taken to report these events.

In an effort to insure that this does not occur in the future the NCJJC will be implementing the following plan of action. We will immediately enact a safety plan for any involved individuals pertaining to the allegations. Second, once the safety plan is enacted a report will be made to ChildLine to report the allegations. When this information arises as a result of a written grievance from the resident, the following action plan will be employed. A policy change to the current grievance policy was made to reflect that all written grievances and allegations of abuse will be immediately given to supervisory staff for review. (See policy change page 3).

All staff will be updated on the new policy and made aware of the new grievance protocol, by no later than April 14, 2017. The Director of Operation will be responsible for implantation for this change.

Licensing Inspection Summary: 20669 - 02/22/2017 - Bosack, Amie
Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER

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
Based on staff and child interviews, as well as video footage review and pictorial documentation of injuries, the investigation determined that Child #1 was involved in a restraint with Staff Member A and Staff Member B on [redacted] The investigation determined that Child #1 was mistreated by Staff Member A and Staff Member B on [redacted] which resulted in multiple bruising on Child #1 from restraint.

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.

See Attachment D.

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

Signature of Legal Entity Representative
(Required on EVERY Page) Stephen L Tone

Printed Name and Title of Legal Entity Representative
(Required on EVERY Page) STEPHEN L. TONE DIRECTOR

Date 4/7/17

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

The above plan of correction is approved as of 4-17-17 (Date)

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

Plan of correction implementation status as of 8-14-17 (Date)

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

A-4 BH 4-17-17

Attachment D. 3800.32(b)

Upon hire all staff of the Northampton County Juvenile Justice Center undergoes sixteen hours of training in Safety Crisis management (SCM) they are also required to complete refresher training of eight hours annually. Further all staff is required to complete de-escalation techniques as a part of their orientation training.

In response to this citation, it is unclear as to why staff member A and staff member B were named based on our internal investigations. According to all reports, during the restraint staff member A was utilized to bridge resident # 1's legs and staff member B supervised the restraint. Our report does indicate an impact cushion was never utilized. Due to lack of video footage it's hard to ascertain when resident #1 suffered the bruising or how [redacted] suffered the bruising. Secondly, according to staff's written report of the restraint it confirms the position of the staff named within this incident.

However, in response to this citation and to assist staff members to better manage interaction with residents; NCJJC will continue to implement de-escalation training along with proper SCM protocol to insure all residents and staff remain safe and injury free. All parties named in this citation will be sent for retraining between now and April 14, 2017. Secondly direct care staff and Supervisors have been encouraged, when possible reasonable efforts, to keep themselves on camera when interacting with the residents. They also have been encouraged not to enter resident's rooms or IIC rooms unless the resident is in eminent danger of hurting themselves or others. On March 29, 2017 Staff where again reminded of this expectation. The NCJJC Training Coordinator will conduct these trainings and the Director of Operations will be responsible for implementation of this plan.

Licensing Inspection Summary: 20669 - 02/22/2017 - Bosack, Amie
Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER

1. REGULATION 55 Pa.Code §3800
3800.142 - If the health and safety assessment in § 3800.141 (relating to health and safety assessment) identifies a health or safety risk, a written plan to protect the child shall be developed and implemented within 24 hours after the assessment is completed.

2a. DESCRIPTION OF VIOLATION
Child #1 was admitted to the facility pending several Arson charges. However, Child #1 did not have a safety plan for fire setting behaviors.

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.

See Attachment E.

Repeat Violation: Yes	**Date(s) of Previous Violation(s):**	10/24/2016		

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE DIRECTOR

Date 4/7/17

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The above plan of correction is approved as of 4-17-17 (Date)

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

Plan of correction implementation status as of 8-17-17 (Date)

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

A-5 4-17-17 BH

Attachment E. 3800.142

The NCJJC ensure that a safety plan is written within 24 hours after the resident has been admitted and assessed. The NCJJC will continue to utilize the Massachusetts Youth Screen Instrument to determine health and safety risks. If a health or safety risk has been documented, the staff member conducting the MAYSI will immediately notify the shift supervisor/senior staff to complete a health and safety plan for identified risk. Upon completion of any health and safety plan, all designated staff will be notified via email. Further, a copy of the safety plan will be made part of the resident's permanent file along with a staff copy to be kept on pod in the unit's Health and Safety binders.

The NCJJC is not in full agreement with this citation. Specifically the citation states the resident has "several" arson charges which is not accurate. Resident #1 was adjudicated on one (1) related charge of Risking a Catastrophe. The use of the word "several" falsely gives the impression that this is a patterned behavior that is not being addressed by staff. Second, regulations 3800.142 and 3800.141 does not require charge specific health and safety plans. Lastly, a health and safety plan is in place for the resident regarding aggressive and violent behaviors (please see attached).

However, to satisfy this citation the NCJJC will continue to monitor the residents with patterned behaviors specific to 3800.141 and it will continue to use the screening tool aforementioned within the required time frames. The NCJJC will also continue to follow its existing policies that universally protect its residents regarding fire safety. Specific to this citation, the NCJJC will continue to enforce its numerous policies and procedures for all employees, visitors and residents to prevent any incendiary devises from entering into the facility. All employees will be reminded of their responsibilities in this area by no later than 4/14/2017. The Director and Deputy Director of Operations will oversee continued implementation and compliance in this area.

Licensing Inspection Summary: 20669 - 02/22/2017 - Bosack, Amie
Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER

1. REGULATION 55 Pa.Code §3800
3800.151 - A staff person or volunteer who comes into direct contact with the children or who prepares or serves food, shall have a statement signed and dated by a licensed physician, certified registered nurse practitioner or licensed physician's assistant, within 12 months prior to working with children or food service and every 2 years thereafter, stating that the person is free of serious communicable disease that may be spread through casual contact or that the staff person has a serious communicable disease that may be spread through casual contact but is able to work in the facility if specific precautions are taken that will prevent the spread of the disease to children.

2a. DESCRIPTION OF VIOLATION
Staff Member A had an initial physical completed on [redacted] Staff Member A did not complete another physical until [redacted]

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.

See Attachment F

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

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE DIRECTOR

Date 4/7/17

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The above plan of correction is approved as of 4-17-17 (Date)

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

Plan of correction implementation status as of 6-16-17 (Date)

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

A-Le BH 4-17-17

Attachment F 3800.151

The facility has an established tracking system to insure compliance regarding physicals for all employees at the facility. In this particular incident the date of hire was mistakenly used as the date of the employee's physical date. Due to this over sight all employee files were reviewed to insure compliance regarding employee physicals, to date no further errors were detected. In the future any employee who falls out of compliance will not be permitted to work until the compliance has been restored. Administrative staff and the facility Training Coordinator will continue to oversee this area to insure this oversight does not occur in the future

Licensing Inspection Summary: 20669 - 02/22/2017 - Bosack, Amie
Facility Name: NORTHAMPTON COUNTY JUVENILE TREATMENT CENTER

1. REGULATION 55 Pa.Code §3800
3800.202(b) - With the exception of exclusion as specified in § 3800.212 (relating to exclusion), a restrictive procedure may be used only to prevent a child from injuring himself or others.

2a. DESCRIPTION OF VIOLATION
Based on child and staff interviews as well as video footage review and pictorial documentation of injuries, the investigation determined that Child #2 was involved in an improper restraint on [redacted] with Staff Member B and Staff Member C.

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.

See Attachment G

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

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L Towe

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TOWE DIRECTOR

Date 4/7/17

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

Plan of correction implementation status as of 6-14-17 (Date)

- [ ] Fully Implemented
- [x] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

A-7 BH 4-17-17

Attachment G 3800.202(b)

Upon hire, all staff of the Northampton County Juvenile Justice Center undergoes 16 hours of training in Safe Crisis Management (SCM). Staff receives 8 hours of re-certification every year in SCM. The NCJJC Training Coordinator is responsible for the oversight of this training.

In response to this citation, the facility is not in full agreement in regards to the Bureau findings. Based on the video footage, child #2's level of aggression cannot be determined due to not being visible on camera. Further, a review of the behavioral reports shows ongoing negative behaviors by child # 2 that ultimately led to [redacted] removal from the pod and [redacted] peers. Documentation states that child #2 attempted to slap staff member C, which led to SCM techniques being utilized. Further review of the documents indicates that staff utilized techniques such as verbal redirection, planned ignoring and staff one on one intervention to address child #2's ongoing and escalating behaviors before SCM was utilized. Further, according to video footage and written reports, at no time was staff member B involved in the restraint of child #2.

However in response to this citation, the involved staff will meet with the Training Coordinator to ensure that they are fully aware of the proper use of SCM techniques. Secondly direct care staff and Supervisors have been encouraged, when possible to keep themselves on camera when interacting with the residents. They also have been encouraged not to enter a resident's room or IIC rooms unless the resident is in eminent danger of hurting themselves or others. On March 29, 2017 staff where again reminded of the expectation. The Director of Operations will oversee implementation of this plan.