



## Justice Center for the Protection of People with Special Needs

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Governor

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### NYS Justice Center for the Protection of People with Special Needs Advisory Council Meeting Summary April 27, 2023

Advisory Council Members Present: William Gettman (Chair), Norwig Debye-Saxinger, Jason Hershberger, Walt Joseph, Glenn Liebman, Ron Lehrer, Tom McAlvanah, Delores McFadden,

Advisory Council Members Not Present: Veronica Crawford, Joe Macbeth, Kathy O'Keefe, Judith O'Rourke, Harvey Rosenthal, Jeff Savoy, Euphemia Strauchn, and Mary St. Mark.

Justice Center Staff Present: Denise Miranda, Executive Director, Christa Book, General Counsel, Laura Darman, Executive Deputy Director, Christine Buttigieg, Director of Public Information, Erin Hogan, Deputy Director of Public Information, Davin Robinson, Deputy Director Outreach, Prevention and Support, Susmita Saha, Director of Intergovernmental Affairs, Jody Signoracci, Assistant Director, Outreach, Prevention and Support.

#### I. Justice Center Updates

##### Justice Center Summit

The 2023 Justice Center Summit began on April 18 and concluded on April 26. In total, the Justice Center conducted 8 webinars providing information to stakeholders on a variety of topics including policy updates, trends, prevention tools and investigative techniques. Over 1,600 people registered in 2023, (up from 1,000 last year). Recordings of each of the sessions are available on the Justice Center website.

##### HALT

In 2022, the Justice Center:

- visited 21 correctional facilities to monitor compliance with New York State correction law concerning segregated confinement and residential rehabilitation units and the quality of mental health care provided to incarcerated individuals,
- initiated fifteen mental health service reviews of individuals who died by suicide at nine different facilities.

In total, the Justice Center completed 698 cell-side and 121 private interviews with incarcerated individuals and referred 91 people for evaluation by OMH. Records from 372 individuals were reviewed and the quality of mental health care of 318 individuals receiving mental health services was also reviewed.

Seven compliance reviews were finalized in 2022. Four facilities were reviewed prior to April 1; therefore, compliance was assessed based on the SHU Exclusion Law. Only one of those four facilities was found to be in compliance with the SHU Exclusion Law. Three reviews were finalized after the HALT law went into effect. The Justice Center found that two of the three facilities reviewed were in compliance. Individual facility findings can be found on the Justice Center website.

The Justice Center's annual report on HALT implementation with recommendations will be posted on the Justice Center website when it is finalized.

### 10 year anniversary

The Justice Center will be issuing a report on its first ten years of operation in June.

## **II. Incident Management Roundtables**

The Justice Center has been holding a series of roundtable discussions with provider agencies and their state oversight agency about the incident management systems the State has developed over the past decade. These small group discussions provide an opportunity for the Justice Center and the state oversight agency to receive feedback from stakeholders to inform process improvement. At each roundtable we also discuss how we can assist provider agencies so that families are aware of the protections afforded their loved ones in care and receive timely notification of incidents of abuse and neglect when they occur.

After the roundtables the Justice Center will be meeting with the state oversight agencies to discuss the follow up that will be needed.

## **III. Committee Reports**

### *Legislation and Regulations*

The Committee reported that there had not been any action on any of the Justice Center's legislative proposals including the bill to provide notification to all providers agencies about a job candidate who had been substantiated for a category 2 finding of abuse and neglect. Under current law, only provider agencies licensed or operated by the Office for People With Developmental Disabilities receives such notification. The other bill would permit electronic signatures for Surrogate Decision-Making Committee decisions.

### *Workforce Issues*

The committee met on April 10 and reported that they would like to get more nominations from all of the provider types that are under the Justice Center's jurisdiction (e.g. OCFS, OMH, SED).

Joe Macbeth provided an update on the three-year grant NADSP received to credential DSPs in voluntary OPWDD agencies. The goal of this project, the E-Badge Academy, is to introduce a career pathway that will help increase job satisfaction and retention among the workforce and improve outcomes for people receiving services. The E-Badge Academy can be used by the direct services workforce across service sectors to include mental health, substance use disorders, developmental and physical disabilities, because it is based on the federal CMS core competencies. The long-range vision is to expand and create a true on-line academy where the fastest growing occupation in the country - the caregiving workforce - can learn, practice and be recognized for their complex and demanding jobs. In the first quarter of this year, over 150 people received certifications. More information can be found on the NADSP website at: <https://ebadge.nadsp.org/>.

Members of the committee discussed a proposal by OMH for credentialing a qualified mental health associate. The goal of this effort is get more paraprofessionals into the field but it does not appear likely to be included in the budget this year. Members noted that OCFS has no such plans underway and that credentialing that focuses on competencies would help agencies retain qualified staff.

### *Abuse Prevention*

The committee met on April 6, 2023. The committee learned about the cross-agency prevention committee that held its first meeting in February. The committee is comprised of state oversight agency staff and the workgroup is creating a repository for abuse and neglect prevention materials can be centralized and used as a resource by all provider agencies.

The committee also received an overview of the Justice Center's systemic review of food choking incidents in OPWDD settings. The full report with the response from OPWDD can be found on the Justice Center website.

### *Investigator and Law Enforcement Training*

The Justice Center's Sex Abuse Response Team had a two-day in-service training the week of April 17.

There will be an in-person, agency-wide in-service training on November 1 and 2. When the agenda is finalized, committee members will receive it and are encouraged to attend whatever portions they can.

Webinars on specific topics continue to be offered and can be found on the Justice Center website: <https://www.justicecenter.ny.gov/training-resources>. In July there will be a training on professional boundaries and in November there will be a training on developing a corrective action plan.

It was noted that social workers are now required to receive three hours of training on professional boundaries and the Justice Center's training is three hours in length so demand for this training is expected to continue.

**Next Meeting  
June 22, 2023**