

AGING AND LONG-TERM SUPPORT ADMINISTRATION
RESIDENTIAL CARE SERVICES
“Transforming Lives”

CHAPTER 24 – WESTERN STATE HOSPITAL (WSH)

Note: DSHS authority for complaint investigations was limited to the period beginning July 9, 2018 through September 30, 2018.

Western State Hospital – Overview

Western State Hospital (WSH) is an inpatient psychiatric hospital that was formerly certified by the Federal Centers for Medicare and Medicaid Services. With more than 800 beds and 1,800 employees, WSH is one of the largest psychiatric hospitals west of the Mississippi. It is located in Lakewood, Washington, seven miles south of Tacoma.

WSH is one of two state-owned psychiatric hospitals for adults in Washington and provides services to individuals in 20 western Washington counties. WSH provides evaluation and inpatient treatment for individuals with serious or long-term mental illness. Patients are referred to the hospital through the Regional Support Network (RSN), the civil court system when individuals meet the criteria for involuntary treatment (RCW 71.05) or through the criminal justice system (RCW 10.77).

- [CHAPTER 70.124 RCW - ABUSE OF PATIENTS](#)
- [CHAPTER 71.05 RCW – MENTAL ILLNESS](#)
- [TITLE 42 C.F.R. §482.13 CONDITIONS OF PARTICIPATION: PATIENT’S RIGHTS](#)

This chapter contains information about the RCS complaint investigations being conducted in WSH regarding abuse, neglect, and exploitation under chapter 70.124 RCW and patient rights under the standards identified in chapter 71.05 RCW and Title 42 C.F.R. §482.13.

Subject Matter Experts

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24A – INTERIM WSH COMPLAINT INVESTIGATIONS

BACKGROUND

The Secretary of the Department of Social and Health Services (“the Secretary”) has directed Residential Care Services (RCS) to investigate complaints of abuse, neglect, and exploitation in Western State Hospital (WSH) effective July 9, 2018, in response to the CMS decertification of WSH. The Secretary issued this directive to RCS in order to promote a safe and compliant hospital, transparency, accountability, and to assure the public that complaints are being investigated and responded to for correction by WSH. As of the date of this document, no formal direction has been given or agreed upon between WSH and RCS as to the process for these investigations. In recognition that discussions have indicated that these investigations will likely be transferred to the Department of Health (DOH) at an indeterminate future date, RCS is issuing these interim policies regarding its internal processes to investigate complaints at WSH during this transitional period.

PROCEDURE

- A. RCS will investigate all allegations of abuse, neglect, and exploitation at WSH that are made directly to RCS by the public or by WSH, as well as any allegations that are made to others and subsequently referred or otherwise submitted to the RCS Complaint Resolution Unit (CRU). Such investigations will be unannounced and may occur at any time. In conducting investigations, RCS will follow the complaint investigation methodologies as defined in Chapter 5 of the CMS State Operations Manual.
- B. The RCS/CRU will screen all allegations of abuse, neglect, and exploitation received in accordance with standard RCS complaint resolution policies for processing allegations, including the forwarding of such allegations to any appropriate external entities.
- C. RCS may from time to time check the WSH incident logs against the reports that have been forwarded from WSH in order to determine whether allegations from WSH have been assessed for credibility and forwarded to RCS appropriately. In addition, RCS may perform random chart reviews to identify incidents that may not have been logged in the incident reporting system or called in through the WSH hotline.

D. If there are any disputes with the Behavioral Health Administration (BHA) or WSH over access to evidence, witnesses, staff, interference, or other disputes with WSH regarding an investigation, RCS will attempt to resolve it with the BHAWSH designee for RCS investigations first.

E. RCS will create and submit a statement of deficiencies to WSH for any allegations that RCS determines:

1. Constitutes abuse, neglect or exploitation under chapter 70.124 RCW;
2. Violates internal WSH policy regarding mandatory reporting; or
3. Constitutes a violation under chapter 71.05 RCW or 42 CFR 482.13.

F. RCS will provide the statement of deficiencies to WSH and any other entity at the direction of the Secretary.

G. RCS will request that upon receipt of the statement of deficiencies, WSH will provide a plan of correction within 10 calendar days to RCS for review.

H. If RCS determines that any plan of correction submitted by WSH in response to a statement of deficiencies is inadequate, RCS may reject it and require an amended one. If RCS determines that WSH is unable or unwilling to provide or implement an acceptable plan of correction, RCS will notify WSH and may recommend actions that must be implemented pending correction.

I. RCS will retain all records related to RCS investigations at WSH.

J. This policy shall be in effect from the date of this policy until such time as the responsibility for investigations are clarified, transferred, or are otherwise removed from the purview of RCS. RCS may rescind or amend this policy at any time.

APPENDIX A – CHANGE LOG

EFFECTIVE DATE	CHAPTER SECT #	WHAT CHANGED? BRIEF DESCRIPTION	REASON FOR CHANGE?	COMMUNICATION & TRAINING PLAN
<u>10/1/2018</u>	<u>Intro</u>	<u>DSHS complaint investigation authority transferred to DOH effective 10/1/18</u>	<u>Administrative Appointment</u>	
08/23/2018	Chapter 24 all sections	Initial publishing of Chapter	WSH Complaint investigations	Publish in SOP Manual