

# Senate Interim Human Services Committee

## Use of Restraints in Children's Residential Programs December 8, 2020

### Presenters:

*Office of Training, Investigations and  
Safety (OTIS)*

Chuck Hibner, *Director*

Tom van der Veen, Children's Care  
Licensing Program Manager

*Office of Developmental Disabilities  
Services (ODDS)*

Lilia Teninty, *Director*

# The Role of OTIS in Child Safety

OTIS serves two distinct functions;

- The Children's Care Licensing Program (CCLP) is responsible for the licensing of child caring agencies (CCAs).
- The Investigations Unit investigates allegations of child abuse involving CCAs, educational providers, foster homes certified by CCAs, ODDS licensed group home, and ODDS licensed host homes.

# What is a CCA?

There are 8 types of CCAs;

- Academic Boarding Schools
- Adoption Agencies
- Day Treatment Agencies
- Foster Care Agencies
- Homeless, Runaway, and Transitional Living Shelters
- Outdoor Youth Programs
- Residential Care Agencies
- Therapeutic Boarding Schools

# Crisis Management Systems Utilized in Oregon CCAs

Name of System	Supine or Prone Physical Interventions Trained
Non-violent crisis intervention through Crisis Prevention Institute (CPI)	Yes
Pro-Act	Yes
Right Response	Yes prone/no supine
Oregon Intervention System (OIS)	No
Aegis	No
Therapeutic Crisis Intervention (TCI)	Yes
Life Space Crisis Intervention	No
Mandt	No

# Definition of Wrongful Restraint

ORS 418.257 (1) (j)-

A wrongful use of a physical or chemical restraint of a child in care, excluding an act of restraint prescribed by a physician and any treatment activities that are consistent with an approved treatment plan or in connection with a court order.

# Considerations for Restraint Investigations

- Was there an imminent risk of harm?
- Was it a measure of last resort?
- Was the person trained in the use and was it used properly?
- Was it for the convenience of the caregiver or for discipline?

# Wrongful Restraint Investigations in CCA's

	2018	2019	2020*
Allegations Investigated	35	29	30
Substantiated Reports	9	10	7
Percent Substantiated	26%	34%	23%

\*January 1, 2020 to October 30, 2020





# Positive Behavior Supports

- Encourage individual choices
- Assess the whole person
- Build and teach new skills to promote positive behaviors
- Treat people with dignity and respect
- Facilitate community integration and inclusion

# Oregon Intervention System (OIS)

- Reduce challenging behaviors by providing positive behavior supports
- Providers are required to use OIS as the ODDS approved curriculum
- Each person's Positive Behavior Support Plan documents all proactive and Personal Protective Interventions (PPIs)
- Approved OIS PPIs are used as the last resort
- Does not allow prone, supine, mechanical or chemical restraints

# Wrongful Restraint Investigations in ODDS Group Homes

	2018	2019	2020*
Allegations Investigated	37	15	13
Substantiated Reports	11	5	3
Percent Substantiated	30%	33%	23%

\*January 1, 2020 to October 30, 2020

Thank you!