



Division of Child Care & Early Childhood Education  
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**Corrective Action Agreement**

**Date: September 29,2021**

**To: Matt Wiltshire**

**Owner Name: Habilitation Center, Inc.**

**Facility Name: Little Creek Behavioral Health**

**License Number: 255**

This document constitutes a formal Corrective Action Agreement (CAA) agreed upon by Little Creek Behavioral Health and the Department of Human Services, Division of Child Care and Early Childhood Education, Placement and Residential Licensing Unit. This CAA will be in effect for a period of six months from the date of signing by both parties. This agreement may be extended beyond six months should DHS determine any non-compliance with the CAA during the stated CAA period.

The purpose of this agreement is to gain and maintain a high degree of compliance with licensing requirements. The following non-compliant areas have been cited since 7/1/2021.

**Regulation: 905 Behavior Management**

**905.9** Physical restraints shall be performed using minimal force and time necessary. Physical restraint means the application of physical force without the use of any device, for the purposes of restraining the free movement of a resident's body. Briefly holding a child without undue force in order to calm or comfort or holding a hand to safely escort a child from one area to another, is not considered a physical restraint.

- **Little Creek Behavioral Health has been cited for staff failing to use the minimal time and force necessary after initiating a restraint hold on the following dates:**
  - 2021- Staff [REDACTED] used an inappropriate restraint hold/excessive force on resident [REDACTED] when resident [REDACTED] charged at a resident and staff [REDACTED] grabbed the

- resident by the shirt and flung him to the ground. Staff [REDACTED] then kicked resident [REDACTED] in the knee and forcibly held him to the ground until additional staff came to assist.
- [REDACTED]/2021- Staff [REDACTED] used an inappropriate restraint hold/excessive force when resident [REDACTED] was slammed to the ground in the process of a restraint hold.
  - [REDACTED]/2021-Staff [REDACTED] used an inappropriate restraint hold/excessive force on resident [REDACTED] during a restraint hold in which staff [REDACTED] placed his hands around residents [REDACTED] neck as he held him to the ground.

#### **Regulation: 907 Ratio and Supervision**

**907.2** Child caring staff shall be responsible for providing the level of supervision, care, and treatment necessary to ensure the safety and well-being of each child at the facility, taking into account the child's age, individual differences and abilities, surrounding circumstances, hazards and risks.

- **Little Creek Behavioral Health has been cited for staff not providing the level of supervision, care, and treatment necessary to ensure the safety and well-being of each child at the facility on the following dates:**
  - [REDACTED]/2021- Staff [REDACTED] was out of ratio with residents when resident [REDACTED] attempted to attack a peer and was placed in an inappropriate restraint hold with excessive force.
  - [REDACTED]/2021-Staff [REDACTED] left resident [REDACTED] alone on the unit for approximately 15 minutes before realizing that the resident was missing from the group.

The agency is required to complete the following:

- The agency shall ensure that all staff having direct contact with children receive re-training on the agency's behavior de-escalation and restraint hold techniques. Documentation of all applicable staff receiving the retraining will be provided to the Licensing Specialist by 11/1/2021.
- All staff with the agency shall receive intent training on sections R905 and R907 of the Minimum Licensing Standards. All staff who cannot be present during the training will be provided with an electronic link to review the recorded training. Documentation

that all staff have been trained shall be provided to the Licensing Specialist within 30 days of the intent training presented by the Licensing Specialist.

- The agency shall consistently follow their policies and procedures to ensure all restraint holds performed by staff are debriefed by the staff who participated in the restraint hold. The agency shall provide this written protocol to the Licensing Specialist by 11/01/2021.
- All restraint holds shall be reviewed including witness statements and/or applicable video footage for compliance with the Minimum Licensing Standards by the agency. If it is found that any restraint hold is performed inappropriately or with excessive force, the agency shall notify the Licensing Unit by the next business day.

This document is intended to clarify any outstanding issues and to reduce the risk of misunderstanding or miscommunication.

Please be advised that any serious non-compliance deficiencies cited during this corrective action period may result in a recommendation for adverse action on the license. Any serious violation of this corrective action plan will result in recommendation for adverse action on the license.

Do not hesitate to contact the Placement and Residential Licensing Unit if you have any questions or concerns regarding ongoing compliance with this agreement or any other licensing requirement.

The signature of the licensee constitutes full acceptance of the provisions of this agreement.

  
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Owner/ Administrator/Agency Representative

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Licensing Specialist

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Licensing Supervisor

9/30/2021  
\_\_\_\_\_  
Date

