



Division of Child Care & Early Childhood Education
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Letter of Reprimand

Piney Ridge Treatment Center

Matt Whiltshire, CEO
2805 E. Zion Rd
Fayetteville, AR 72703

March 3, 2021

Dear Mr. Whiltshire,

On February 25, 2021, the Division of Child Care and Early Childhood Education recommended to the Child Welfare Agency Review Board that a Letter of Reprimand be issued to Piney Ridge Treatment Center based on noncompliance of the Minimum Licensing Standards. The Child Welfare Agency Review Board voted unanimously to issue this letter. The authority for the Board to grant a Letter of Reprimand is listed within the License Status Section of the Minimum Licensing Standards for Residential Facilities. It states, "The Board shall have the power to deny an application to operate a child welfare agency or to revoke or suspend a previously issued license. The Board may also issue letters of reprimand or caution to a child welfare agency." The Division of Child Care and Early Childhood Education will provide status updates to the Board regarding this matter per the Board's request.

Piney Ridge Treatment Center has failed to maintain substantial compliance with the Minimum Licensing Standards in the areas of buildings, grounds, and behavior guidance. If the agency does not substantially comply with Minimum Licensing Standards, a Probationary License may be issued by the Child Welfare Agency Review Board. A Probationary License may be issued to an agency that has not maintained compliance with Minimum Licensing Standards, but the Board believes that compliance can be restored and subsequently maintained. This license may be issued for up to one (1) year, at the discretion of the Board. (Arkansas Code Annotated § 9-28-401, Minimum Licensing Standards for Child Welfare Agencies).

The compliance history below reflects the excessive citations and lack of sustained compliance at Piney Ridge Treatment Center. Because of this, youth are not receiving the required care as intended by the Minimum Licensing Requirements.

Compliance History:

1/7/20 Building and Ground Specialist viewed South, North, East, and West units.

- 912.4/1012.4- Bathroom sink was clogged on South unit.
- 911.15 f- Room 409 had hair bands in the bedroom on South unit.
- 911.15 f- Room 400 had string in bedroom on South unit.
- 912.4/1012.4- Dayroom on west unit smells of urine.
- 912.4- Water damage to wall behind toilet was viewed on west unit.
- 912.4/1012.4- Dayroom bathroom on east unit smells of urine.
- 911.6/1011.7- East unit hallway has large hole in the wall.
- 912.14/1012.4- Bathroom sink in gym is clogged.
- 912.4/1012.4- Gym bathroom smells of urine.
- TA- Discussed that agency is in process of painting units and installing epoxy in bathrooms.

2/6/20 Building and Grounds All buildings and halls were inspected. A Licensing Complaint was initiated. There were no named offenders or victims. One child's record was reviewed with no deficiencies.

- 912.4- Bathroom in the gym and in the hallway smelled of urine and had urine and paper on the floor.
- 911.6- Room 201 had standing water on the floor and leak in the shower.

7/13/20 Buildings and Grounds A virtual visit was conducted due to licensing complaint that there were no PPE or COVID precautions being taken at the facility.

- 912.4- Toilet is clogged in gym bathroom.
- 911.15.d- Strings from sock was viewed in room 404.
- Technical Assistance (TA) - Nurse shall not be counted in ratio.

7/15/20 Complaint

- 905.4.d- The following actions shall not be used as discipline:
 - Derogatory comments about the child, the child's family, race, or gender.
- 912.6- There shall be an adequate supply of soap, towels, and tissue.

8/6/20 Corrective Action for Founded Complaint from 7/15/20

- 905.4.d- The following actions shall not be used as discipline:
 - Derogatory comments about the child, the child’s family, race, or gender.
- 912.6- There shall be an adequate supply of soap, towels, and tissue.

8/7/20 Buildings and Grounds

- No citations in areas viewed.

8/14/20 Building and Grounds Program Manager Ebony Russ and Assistant Director Ashelyn Abney conducted an unannounced monitor visit to Piney Ridge. All areas of the facility were observed including East, West, North, and South units, gym, cafeteria, isolation rooms, yard, classrooms, and front bathrooms. After the completion of the walkthrough, a debriefing was held with CEO Brad McDaris, Program Manager Ebony Russ, and Assistant Director Ashelyn Abney. All concerns, Technical Assistance (TA), and positive feedback were discussed at that time.

- 912.6- There was not any soap in the soap dispensers in the community restrooms.
- 912.4- Wet tissue was on the floors and dirty laundry viewed on the East unit 305 and 306 and North unit 204 and 206.
- 911.6- Trash on floors, beds not made, wet tissue, and dirty laundry on floors were viewed in East 305 and 306, North unit 204 and 206.

8/14/20 Technical Assistance Visit. Technical Assistance was provided by Program Manager Ebony Russ and Assistant Director Ashelyn Abney and were discussed with CEO Brad McDaris. There were several residents that were not wearing face mask during the time of pandemic. Mr. McDaris was advised that the CDC recommends that youth ages 10 and older must wear face mask when social distancing is not possible.

8/21/20 Building and Grounds. Eighty-six residents were present at time of visit. Cafeteria, gym, bathrooms, classrooms, and all units were viewed. Employee training viewed for RZ.

- No citations in areas viewed.

8/26/20 Building and Grounds. Cafeteria, grounds, gym, and all areas viewed. Census was 89 at time of visit.

- No citations in areas viewed.

9/9/20 Building and Grounds. Classrooms, front hallways, gym, yard, cafeteria, and all units viewed.

- 911.6 Ceiling vent cover is missing in room 201 North. Work order has been put in and maintenance notified while specialist was present.

9/16/20 Building and Grounds. Specialist viewed all bathrooms, units, and areas. Census was 97 at time of visit.

- No citations in areas viewed.

9/27/20 Building and Grounds. Licensing Specialist Carlton, Supervisor Litzsey, and two OLTC staff arrived at Piney Ridge at 8:15pm. The team was allowed into the lobby area around 8:30 pm to complete a COVID screening. Nurse Bohannon informed the team that the administrator was on his way to walk us through the building. Supervisor Litzsey requested a copy of all staff on duty. The administrator arrived and began to walk the team to the units at 9pm. Piney Ridge was provided Technical Assistance for having a nurse fill in until staff Simon R arrived at 11 pm. This occurred at 10:30pm. During the initial walk through, Nurse Britley was observed in the main nursing station. Administrator made a comment on the 521 concerning the TA. Review of the staff list: twelve staff were listed on roster and only five staff were working. One staff came in while the team completed the walk through, and a second staff was expected at 11pm. All other staff present and counted in the ratio were from the previous 8 am to 8 pm shift. The following staff to child ratios were observed: North Unit- 5 to 31, South Unit- 2:11, East Unit 3:19, West Unit 3:23, Annex 2 :9.

- 907.4 Nurses can provide breaks for staff if that nurse has the same training as the staff, and another nurse is available at the time. One nurse provided a break for a BHA, but two other nurses were also on staff.

10/1/20 Buildings and Grounds

- 1007.2 Ensure child that is in the back room of the annex building is moved to room that is in visual field of staff.
- 1011.7 Ensure that fire extinguisher is in the annex building and is available to staff.

10/5/20 Founded Complaint.

- 907.3 Staff/child ratio shall be at least 1:6 during waking hours and 1:8 during sleeping hours.

10/13/20 Building and Grounds. Licensing Specialist viewed all units and the following ratios were observed: North 6:31, South 2:13, East 3:21, West 5:20, Annex 2:10

- Technical Assistance (TA) – A hole was viewed in the Annex boy’s room to the right upon entering the room. The hole shall be repaired. The fire extinguisher in the annex building needs to be serviced.

10/14/20 Building and Grounds. The staff records were checked. Ratios were as follows: Annex 2:10, Adventures 2:12, Engineers 2:12 and 3:14, Pioneers 2:12, Explorers 2:11, Sunflowers 2:11, Magnolia 2:11.

- 910.1 The fence around the back of the Annex building shall be secured, two missing boards were viewed. A metal pole from the fence is hanging behind the basketball goal.
- Technical Assistance (TA) - Medication log shall be signed upon giving medication. Nurse on duty stated medication is logged at the end of the shift.

10/21/20 Founded Self-Reported Complaint.

- 1007.2 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 risk.

10/26/20 Building and Grounds

- 907.7 Ensure observation flow charts for visual checks are documented only as checks are completed. One staff member on the West wing had prefilled visual check sheet three spots in advance. One staff was catching up for three time slots while specialist was asking to view the sheet.
- 1014.6 Ensure emergency evacuation plan diagram is in place for North and West units.
- 911.15.d Ensure client shoes on North unit do not have shoestrings.
- Technical Assistance (TA) - Ensure common area bathrooms have soap and towels. Staff stated that they give children soap and towels as needed, because they tear the dispensers off the wall.
- Technical Assistance (TA) - Toilet needs to be cleaned in common area bathroom on West unit.

10/27/20- Complaint received and founded on 11/5/20

- 1011.7 All buildings and furnishings shall be safe, clean, and good repair.

11/5/20 Building and Grounds Unannounced visit was conducted at main campus and Annex building. Complaint from 10/27/20 was addressed. Annex building is being used for quarantine purposes only. This building is not psychiatric safe, and children shall always be within eyesight, when not in the restroom. A safety plan will be developed and sent to PRLU.

- 1008.3 Ensure noon (12:00pm) medication dosages are logged only as dispensed.
- 911.15.f. Ensure draw string shorts/pants and shoelaces are not available to children.
- 1011.4 Fire inspection by fire department officials shall be completed for Annex building.
- 1101.7 Ensure hole near volleyball area is filled. Ensure air conditioning units are fenced. – Plans are in process.
- Annex Building: no children are currently placed in the Annex Building.
 - Ensure hanging wire by front door is repaired.
 - Ensure emergency lights, which were hanging by wires are repaired. (Located in girl's bath and back door.)
 - Electric box by exit door was shut. Lock is recommended.
 - Ensure light switch plate is replaced.
 - Ensure chemicals are not stored in furnace room.
 - Ensure partitions are not stored in children's room.
 - Ensure wall and ceiling are cleaned near trash container in children's room.
 - Floor shall be vacuumed.
 - Replace light fixture covers in ceiling.
- 1012. Ensure common area toilet in West unit is cleaned and lid is replaced due to excessive stains. Ensure boys toilet is repaired in Annex building.
- 1014.6 Ensure evacuation map is posted in Annex building.

12/11/20 Building and Grounds/Children's Record Review

- 1008.3 Ensure medication is logged only as dispensed.
 - All medication was logged for the 12/11/20 pm doses that had not been given. Ensure that the nursing staff is trained on logging medications.
- 911.15.f Ensure cords, strings, pull-ties or other parts that could be used to inflict self-injury shall not be left in the child's room.
 - Shoelaces were found in room on South unit.
 - Charger cord found in room on North unit.
 - Long stretchy headbands were found on East unit. Ensure personal items that could use to inflict self-injury are secure from children.
- 1011.7 Ensure buildings are safe, clean, and in good repair.

- Food and dried toilet paper/napkins were located on ceiling in dining room and throughout many rooms in the facility. Mr. McDaris stated they have called for a scissor lift to clean dining ceiling. The other areas were discovered during licensing walk-through.
- Ensure power boxes to AC units are locked, located near playground.
- An extension has been requested for fencing to be added around AC units.
- 1012.4 Ensure bathrooms are clean and sanitary
 - Feces had been thrown on the ceiling, air vent, and the wall in a South unit bathroom.
 - Feces was on the other toilet in the South unit bathroom.
 - Wet towels with feces on them were on the bathroom floor on the South unit. One of the clients stated that the toilet clogged and overflowed.
 - Ensure paper towels are not on the sink.
 - Ensure loose screw on toilet back is repaired on South unit.
 - Ensure missing screw is replace in shower light cover on North unit.
 - Ensure bathrooms are clean and sanitary.
- Technical Assistance- Ensure adequate paper towels are available in bathroom on South unit. Paper Towels had been requested and staff were waiting for them to be brought to the unit.

12/18/20 Building and Grounds

- 909.2 The facility shall teach each child the daily living tasks required as apart of living in a group setting and shall assign only light chores that are age appropriate.
- 911.6 All buildings and furnishing shall be safe, clean, and in good repair.
 - East unit – Bedrooms had clothing tossed everywhere and beds were not made.
 - North unit – Room 203 has broken lock, clothing is tossed everywhere, beds were not made.
 - West unit – Room 104 has mildew on bathroom ceiling, derogatory remarks on bathroom door, community restroom needs cleaning, clothing tossed everywhere, beds were not made.
 - Fire extinguisher needs to be replaced on East unit Nurses station.
 - Cafeteria had food smeared on ceiling.
 - Classroom 103 has only one key, which is kept by teacher.

Charlotte Galusha
Charlotte Galusha, Licensing Specialist

3/2/21
Date

Ebony Russ
Ebony Russ, Placement & Residential Program Manager

3/2/21
Date

Cc: Tonya Williams, Division Director
Ashelyn Abney, Assistant Director
Michelle Bridges-Bell, OCC Attorney
Division Administrative Staff
Sharra Singleton-Litzsey, Licensing Supervisor