

OFFICE OF THE SPECIAL MASTER

FEDERAL DISTRICT COURT

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EVENTS OF THE LAST TWELVE MONTHS

IN THE PENNHURST CASE

Moved From Pennhurst This Year

1. Only 7 individuals, of the 65 who were scheduled, moved from Pennhurst to community services in the Southeastern Region (since July 1, 1980).

Moved From Pennhurst Per Month

2. Including the school-age residents who should have moved by September, 1979, the Commonwealth and county defendants have provided community services to an average of less than 3 additional Pennhurst residents per month.

Moved From Pennhurst Since 1978

3. 149 individuals moved from Pennhurst to Community Living Arrangements (CLA's) between March 17, 1978 Court Order and June 8, 1981.

Deaths Of Pennhurst Residents

4. 232 people who were residents of Pennhurst on March 17, 1978 are no longer there. Of that number, 59 Pennhurst residents died.

March 2, 1981 Implementation Order

5. Because of the slow implementation, Federal Judge Raymond Broderick issued an Implementation Order on March 2, 1981. The Order required Commonwealth and County defendants to provide community services to 61 Pennhurst residents and 29 other persons by June 30, 1981. The March 2, 1981 Order also mandates services to 150 Pennhurst residents and 100 other persons from the Southeastern Region and 100 Pennhurst residents from the rest of the State next fiscal year, (by June 30, 1982).

Level Of Retardation

6. 90% of the individuals who moved to CLA's during this fiscal year were classified as either severely or profoundly mentally retarded.

No Return To Pennhurst

7. No individual returned to Pennhurst from the community.

IHP Prior To Move From Pennhurst

8. No individual moves from Pennhurst without an approved Individual Habilitation Plan. Prior to Court-ordered case manager's and Guidelines, almost everyone who moved from Pennhurst lacked an individual plan.

Current And Approved IHPS Now

9. For 147 persons, the program of services, based on the person's needs, was described in an Individual Habilitation Plan. Two out of every three were updated recently and conformed to the Special Master's guidelines.

Residents Per Living Area

10. Each of the 149 individuals lived in a CLA with fewer residents than in their former Pennhurst living area. CLA's averaged 2.5 residents; the Pennhurst areas averaged 21.2 residents.

Staff Per Residents In Living Area

11. Each CLA resident lived in a CLA with more staff members per resident than in their former Pennhurst living area. CLA's averaged one staff member for two residents; the Pennhurst areas averaged one staff member for eight residents (3-11 p.m.).

Attend Day Program In Community

12. All of the individual regularly attended school, vocational training, or skill training programs away from their residences (except for one person temporarily).

Health Care In community

13. Primary health care, such as annual health examinations, was provided to the individuals in the community. Many specialized health needs were also successfully addressed.

Visits With Family

14. Retarded individuals' visits with their families and family visits to the individuals increased greatly after move to the community.

Parent/Family Training

15. Family members are being trained in the development of an individual plan and provision of community services for their relative.

Parent/Family Involvement In Planning Services

16. Five times as many families participated in planning for services once their family member moved to the community from Pennhurst.

Appointment Of Advocates

17. In the absence of a parent/guardian, or at their request, or upon the request of a Pennhurst resident, a trained Certified Advocate was assigned to represent the individual in the development of the plan of services. A proposal was prepared to establish and fund an independent Citizen Advocacy Program.

Individual Monitoring Visits By Special Master

18. To fill the void created by the Commonwealth's failure to monitor the quality and quantity of services, the Special Master monitored the services for each retarded person to assure health and safety and to assure that the IHP was being implemented. Teams of two monitors, generally included a parent.

Commonwealth's Pilot Individual Monitoring

19. In November, 1980, the Commonwealth of Pennsylvania piloted an individually-based system of monitoring of community services. While the monitoring reports for these twenty persons' services is not yet complete, it is a first step to compliance with the Court Order requiring monitoring.

Prepared By:

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