



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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State of Rhode Island Reaches Transformative Settlement with U.S. Department of Justice

Cranston, RI, June 13, 2013 – On June 12, 2013, four State entities - the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (BHDDH), the Department of Human Services (DHS), the RI Department of Education (RIDE) and the Executive Office of Health and Human Services (EOHHS) reached a settlement with the U. S. Department of Justice pertaining to an investigation into Training Thru Placement, Inc. (TTP), a private provider licensed by BHDDH to provide day program services to individuals with intellectual and developmental disabilities (DD). The agreement acknowledges the Department's previous work to help individuals with DD maximize opportunities for employment, and attain independence, inclusion and integration into their communities through the Employment First initiative. Employment First is a concept to facilitate the full inclusion of people with the most significant disabilities in the workplace and community. Under the Employment First approach, community-based, integrated employment is the first option for employment services for youth and adults with significant disabilities.

Today's agreement, signed by the Directors of BHDDH and DHS (on behalf of the Office of Rehabilitative Services), the Secretary of EOHHS and the Commissioner of RIDE, represents the State's commitment to fulfill the intent and spirit of the agreement and work as one team along with the Providence School Department as well as school systems throughout the State. This collaboration will ensure a system where students graduate with the skills and experience necessary to enter into competitive employment and will ensure an adult system that supports the availability of these opportunities.

Rhode Island is part of a national movement toward greater emphasis on community employment that echoes the general shift toward services designed to integrate individuals with DD into their communities with the same opportunities and responsibilities as all citizens. The State is committed to ensuring that, over the next couple of years, individuals with DD will receive employment services in the community. As members of the State's workforce, these individuals will bring greater diversity and value to their communities while gaining economic independence and freedom.

This State policy to promote and require community integration and employment opportunities and services will not only benefit individuals with disabilities in terms of building relationships, friendships, and creating a sense of self-worth, but it will also benefit society by creating a greater understanding of the wide range of capabilities individuals with developmental disabilities have - as co-workers, fellow community members, colleagues and peers.

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Individuals with disabilities have the right to live integrated lives by participating in all aspects of community life including integrated employment opportunities and supports.

Governor Lincoln Chafee issued the following statement in response to actions taken today by the U.S. Department of Justice regarding the violations of the Americans with Disabilities Act by the State of Rhode Island and the City of Providence: "I am encouraged that the State of Rhode Island - through EOHHS, BHDDH, DHS, and RIDE - was able to reach a settlement that allows state agencies to implement remedial actions over the next several years to protect the rights of individuals with disabilities. This agreement allows us to focus our attention on positive steps rather than responding to court action, fines, or penalties. Three of the primary focuses of my administration have been education, infrastructure improvements, and workforce training. Individuals with developmental disabilities deserve to be part of this focus."

"This agreement with the Justice Department acknowledges the previous work that we had begun to transform our system of care through the initiation of 'Employment First' and supports its rapid implementation," says Craig Stenning, Director of BHDDH. "Segregated day activities need to be replaced by fully integrated community activities with a focus on full employment. We have already laid the groundwork for this transformation and this agreement puts the full weight of the Justice Department behind this plan of action. We have already begun to eliminate sheltered workshops in RI including the one at TTP. And, we have initiated a series of trainings to provide job development, job support and job retention for individuals with developmental disabilities. Many of us are proud to be part of this major change – the first one since the closing of our institutions."

Since the fall of 2012, BHDDH has been investigating incidents at TTP, several of which resulted in the Department helping individuals choose new residential and day program services.

The Department's Quality Improvement Unit made written recommendations to TTP on January 10, 2013, putting the agency on notice about the Department's concerns regarding the quality of care and services being provided to participants and requesting corrective action. Due to TTP's demonstrated inability to maintain compliance with the Department's regulations, BHDDH took a licensing action against TTP on February 7, 2013 and issued a Conditional License with stipulations. On Monday, March 11, 2013 BHDDH took the unprecedented action of entering into a contract for Fedcap Rehabilitation Services, Inc. (Fedcap) to assume temporary management of the day-to-day operations of Training Thru Placement, Inc. (TTP) through a contract with BHDDH.

Since assuming the daily management of TTP, Fedcap has focused on establishing client centered programming that will prepare TTP participants to become employed in integrated community-based settings, conducted outreach to the business community and has significantly enhanced the infrastructure to support daily operations. To ensure that TTP clients have the vocational skills required to be able to secure integrated employment opportunities, Fedcap has launched two vocational training programs within TTP: culinary arts and facilities management. Fedcap is actively engaging the business community and establishing partnerships to develop an array of employment opportunities for TTP participants.

BHDDH will continue to provide close monitoring and oversight of the services delivered at TTP while at the same time continuing to affect change throughout the rest of the service delivery system. After issuing the Department's "Employment First" policy, BHDDH also issued a "New Participant" Policy which stipulates that new participants in the adult system, cannot, under any circumstances, be approved for services at a sheltered workshop. This will permanently close off the flow of young adults and other new participants into those programs.

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It is the State's intent that over the next three (3) to five (5) years, providers of services to individuals with developmental disabilities shall no longer operate sheltered workshops and/or segregated day programs. The State is committed to a transformative system of change, not only for TTP, but the whole service delivery system for adults with developmental disabilities transitioning into adulthood and receiving adult services.

About the Rhode Island Department of Behavioral Healthcare, Developmental Disabilities and Hospitals

BHDDH is committed to assuring access to quality services and supports for Rhode Islanders with developmental disabilities, mental health and substance abuse issues and chronic, long-term medical and psychiatric conditions. In addition to planning for the development of new services and prevention activities, the department's mission includes addressing the stigma attached to these disabilities. For more information, visit www.bhddh.ri.gov.

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