

July 19, 2013

Division of Quality Improvement

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Alan Mucatel, Executive Director
Leake and Watts Service, Inc.
463 Hawthorne Ave
Yonkers, New York 10705

Dear Mr. Mucatel:

In order to ensure that New York State (NYS) citizens with developmental disabilities receive appropriate services and protections, the Office for People With Developmental Disabilities (OPWDD) has established an internal Early Alert Committee. The committee is made up of OPWDD senior leadership and managers. The purpose of the Early Alert process is to monitor the performance of a provider that has been unable to sustain compliance with applicable laws and regulations and/or has been unable to demonstrate sound governance practices, including management of fiscal resources, so that OPWDD can take appropriate action as necessary.

The purpose of this letter is to notify you that Leake and Watts Service, Inc. is being placed on Early Alert. The placement of Leake and Watts Service, Inc on Early Alert is due to continuing concerns about Protective Oversight provided by the agency as evidenced in the results of the surveys conducted at various locations as detailed below and the continuation of protective oversight concerns:

954 211th Street, Bronx:

- 1) The Division of Quality Improvement (DQI) conducted a survey at 211th Street IRA on April 13, 2012, and found that the facility had not developed or implemented a plan to address one individual's elopement risk behaviors and that staff were not sufficiently trained to provide him with the appropriate and effective supervision to prevent his elopements. A 45-day letter was issued as a result. The facility psychologist developed a behavior management plan (during the survey) that included elopement behaviors as the principle target behavior.
- 2) DQI returned for the 45-day follow up visit on June 22, 2012. During the visit, survey staff noted that, although the facility had implemented a behavior management plan to manage Vincent's elopement behaviors, the facility staff were not effectively trained to implement the plan (one to one coverage was not implemented at all times, as required). The visit resulted in a failed 45-day letter and a second SOD was submitted to the agency.
- 3) DQI returned to the 211th street IRA on May 22, 2013, to follow up and assess the facility's progress with the provision of protective oversight to address the individual's needs. Survey staff determined that, in light of the serious elopement behaviors and injuries sustained when alone in the community (, the behavior management plan was not adequate and well designed to ensure against further elopements. Immediate jeopardy was called and an SOD was issued on site; the survey also resulted in the issuance of the third 45-day letter to the facility.

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4316 Vancortlandt Park East, Bronx:

A visit was conducted at this site on March 29, 2013, stemming from a complaint lodged against the agency by a concerned parent. The visit resulted in the issuance of a 45-day letter due to the lack of appropriate supports and protections (for example, behavior plan, enhanced supervision, etc.) provided to an individual who eloped from the facility and was not found until two weeks later.

634 241st Street, Bronx:

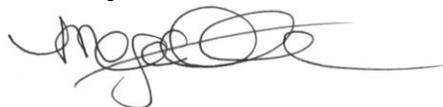
A visit was conducted at this site on May 9, 2013, stemming from a complaint against the agency. The complainant alleged that the facility has not provided an individual, who resides at the facility, with effective staff supervision and protections to prevent elopement from the facility. It was also revealed that the behavior plan implemented did not include preventative measures for staff to employ to prevent the individual leaving the residence in the first place. A formal SOD was issued to the facility.

As you know, Leake and Watts was issued a \$1000.00 fine in August of 2012 for failure to assure that appropriate protective oversight, specifically regarding elopement issues. These ongoing Protective Oversight issues are critical in that negative outcomes were identified for three individuals receiving services at the IRAs.

While Leake and Watts Service, Inc. is on Early Alert, appropriate staff of the Division of Quality Improvement (DQI) will work with you to address these issues so that you may arrive at a solution that will be in the best interests of the individuals you serve and their families. During this time, DQI will determine whether the Agency has the ability to remedy the deficient practices and to sustain compliance. If the agency can demonstrate the ability to sustain compliance, we will remove it from Early Alert and you will be notified accordingly.

While Leake and Watts Service, Inc. is on Early Alert, OPWDD will not consider any requests for expansion of services and may suspend any expansion that is in process. We will be contacting the Agency shortly to come to a mutually agreed upon date where the Division of Quality Improvement, Leake and Watts Service, Inc. representatives, and its Board of Directors can meet in the next few weeks. At that time we will also identify what, if any, additional information we will need from you. If you have any questions, please contact Tom Holland, DQI Regional Director at (212) 229-3350.

Sincerely,



Megan O'Connor-Hebert
Deputy Commissioner
Division of Quality Improvement

cc: Courtney Burke, Commissioner
Kerry Delaney, Executive Deputy Commissioner
Jill Gentile, Regional Associate Deputy Commissioner
Tamika Black, DQI Deputy Director
Thomas Holland, DQI Regional Director
Cheryl A. Mugno, Counsel's Office
Board of Directors