

**STATE OF OREGON**  
**Department of Human Resources**

**INVESTIGATION REPORT**

**DATE OF REPORT:** April 29, 2010

**INVESTIGATION TYPE:** Performance / Policy Violations

**FILE NUMBER:**

**AGENCY:** DHS / AMH / OSH

**CASE INVESTIGATOR:** Billy Martin, Cheryl Miller, Kathy Deacon

**Witnesses or Parties Mentioned:**

Henry Laughrey

 Michelle Giblin

**INTRODUCTION:**

The Office of Investigation and Training substantiated the Oregon State Hospital for neglect for failing to provide the patient with adequate care and treatment.

Additionally, the allegation of staff neglecting the care of the patient on the day of his death was determined to be inconclusive.

**BACKGROUND:**

A patient on unit 50F was found to be deceased at approximately 7:30 p.m. Time of death was not determined. Patient was last observed up for breakfast and received a PRN medication at 0800 hrs.

## **SCOPE OF INVESTIGATION:**

Did Henry Laughrey violate policy and procedure as it relates to documenting patient information required by policy, specifically case monitor weekly notes.

## **DETAILS**

### **A. Henry Laughrey Interview:**

Henry Laughrey was interviewed on April 21, 2010 in the MD Conference Room at 4:00pm by Billy Martin – Human Resource Analyst, Cheryl Miller – Sr. Human Resource Manager, and Kathy Deacon Chief Nursing Officer. Brandt Johnson attended the interview as Henry Laughrey’s SEIU representative.

Henry began his employment with the Oregon State Hospital on January 30, 1996. He is currently working a Mental Health Therapist 2 on Ward 50F on swing shift. Laughrey reports to the RN on duty and to Supervising RN, Michelle Giblin. His responsibilities are scheduling duties of the staff to ensure the safety of the ward including patients, staff, and support staff. He does what is needed to ensure the ward runs smoothly performing duties such as getting materials and supplies for staff and completing assignments given him by the RN and Supervising RN.

He has completed training to include the CNA course through the Oregon State Hospital (OSH), New Employee Orientation, Motivational Interviewing, Pro-Act, annual EDD day, CPR/First Aid, and numerous other trainings throughout his career. He received training on the Case Monitor, Role and Responsibility policy when he received the CNA training in March 1996. Since this training he has received policy updates. He understands the role and responsibilities of a Case Monitor.

His case monitor duties include assisting patients assigned to him by monitoring the patients progress with their treatment care plans, assisting with hygiene issues, reporting changes or issues with the patient and how they are doing, writing weekly case monitor notes, and attending IDT meetings. He was typically assigned as case monitor for 4 or 5 patients at a time.

Henry did not complete his weekly case monitor notes as required. He said the patient was quiet and other patients demanded more of his time. Henry met with the patient regularly to discuss the need to take medications and to address hygiene issues. Henry was required to work with other patients, complete RN orders, manage the daily functions of the ward, try to find staff for the next shift, and to be on the floor working with patients and handling problems as they arose. The unit was very busy with high acuity levels and he made the decision to focus on caring of the patients needs and not on writing his weekly case monitor notes.

Henry explained that he made the choice to be on the floor taking care of patients and assisting other staff rather than doing the charting. He made the decision to do what he thought was in the best interest of the patients.

**B. Michelle Giblin Interview:**

Michelle Giblin was interviewed on April 20, 2010 in Human Resources by Billy Martin – Human Resource Analyst, Cheryl Miller – Sr. Human Resource Manager, and Kathy Deacon – Chief Nursing Officer at approximately 11:45am.

Michelle is employed as the Mental Health Supervising Registered Nurse (MHSRN) on Ward 50F since April 2009. Prior to this position, she was a RN on 50F. In her present role, Michelle is responsible for supervising approximately 22 staff on the unit and she periodically will cover as the Supervising RN for Ward 50E. Her duties include overseeing the day to day activities of the ward including staff attendance, policy and procedure enforcement, completing performance appraisals for staff, writing job descriptions, training the ward staff, and attending patient IDT meetings.

Michelle Giblin explained that Henry Laughrey was assigned case monitor responsibilities for the patient. As the Case Monitor, he was required to write weekly progress notes in the patient's progress record and that he was aware of that requirement. In reviewing the patient's progress record, Giblin identified that Henry Laughrey was not meeting the required standard of writing weekly case monitor notes.

## **CONCLUSIONS:**

Henry Laughery has been provided training and is aware of his responsibility in writing case monitor notes. Mr. Laughery indicated during the interview that he met daily with all of his patients though understands that without documentation it is difficult to prove. Mr. Laughrey states that they did not have enough staff on the ward to do all that needed to be done and he made the decision that if something had to be left undone, it would be the documentation. Mr. Laughery acknowledges that he did not talk with his manager or anyone else with authority about not completing his case summary notes. It was his decision. Mr. Laughery violated the Oregon State Hospital Case Monitor, Role and Responsibility Policy by failing to perform all of the duties required of a case monitor in that he did not write weekly case monitor notes.

Exhibit Index

Ex. #	Description of Exhibit
Ex. 1	Oregon State Hospital Nursing Services Department Policy – Case Monitor, Role and Responsibility dated September 4, 2007.
Ex. 2	Patient Progress Record beginning June 1, 2009 through October 17, 2009.
Ex. 3	
Ex. 4	
Ex. 5	
Ex. 6	
Ex. 7	
Ex. 8	
Ex. 9	
Ex. 10	