

PUBLIC COMMENTS

HB 149

HOUSE COMMITTEE ON HUMAN SERVICES

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Hearing Date: March 16, 2021 8:00 AM

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Theresa Jud

Denton State supported Living Center

Dallas, TX

My daughter resides at DSSLC and receives excellent care. Previously she had been in 3 different community homes in this area and was severely abused at all of them. From one I had to take her to the emergency room. They need more laws and supervision to hold these homes safe for residents

Elizabeth Perry

Self

Seagoville, TX

I agree with this bill.

For services related to my child I have used respite care, tried the foster care, community placement as well as state school placement. Community placement is not as safe for individuals that need extra supervision. Community placement cannot supply the necessary medical needs as well as SSLC.

Dianne Johnson

Self / Retired

BURLESON, TX

I am in favor of HB 149 which would provide more oversight over group homes. The safety and well-being of society's most vulnerable people is of great importance. Group homes have never had the same degree of watchful care that State Supported Living Centers (SSLCs) receive because they are a business and it's all about money.

Martha Monroe

MISD

MCKINNEY, TX

My sister is a resident of a Supported Living Center and as her guardian though I was overall pleased with her care at the center. The outside of the home was not well cared for and it was on a corner by a well traveled street. I was greeted warmly by the individual who was in charge and introduced to the five residents who lived there. They all seemed happy and some were engaged in the activity of taking care of a home...preparing the evening meal. There was one staff member to care for those who lived there. She was trying to get some paperwork completed for her time working and had some other responsibilities that she needed to complete that took her away from caring for those in the home. She said it was hard to get it all done each day. The home needed repairs and the plumbing definitely needed some work as there was the smell of backed-up sewage. My greatest concern at this home was the facility. The backyard was not well kept either and did not appear to be utilized.

I have a friend whose loved one was in group home. He had cerebral palsy and spasticity and had repeated unexplained injuries. Unfortunately the family had no other avenue for his care than a group home. They tried to monitor more closely but he was found unattended in the bathtub full of water. He had slipped below the surface of the water.

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Annette Howell

self/ brother of whom I am guardian

Texarkana, TX

There definitely needs to be more oversight of group homes. I moved my brother, for whom I am his guardian/ legally appointed representative, out of a Daybreak Community due to abuse and neglect. Even when a perpetrator is determined to be at fault, no legal consequences occur. The courts do not care about the mentally disabled population. I feel that my brother's abuser may have thought twice about beating him with an extension cord if he knew he'd go to jail for it! The group homes are poorly staffed both in number of staff & skill/ training of staff. It's not just Daybreak. ResCare. Behaviorist On Call. All of the providers I've ever been involved with have deficiencies and under-staffing.

Carolyn Downing, Mrs.

Self

Austin, TX

Additional regulation and supervision is sorely needed for group homes. My sister is safe at Denton SSLC, but people in group homes are not.

Evelyn Cherry

self and son with profound mental retardation (means functions under 1 year) and medically fragile. other term is so generic as to be meaning less

Garland, TX

It is long overdue for individuals in community to have more protection than they have had in the past. I know other families who have family members in the community and the terrible actions that have happened to them. With no presence from other people from outside the group home there is little oversight on how these individuals are being treated. Many like my son, Sean cannot tell anyone what is being done to him.

I pray these safeguards will be passed for the treatment and safety of these special individuals.

Many Blessings

SABRINA HARRIS, G

DSSLC Mother/ Guardian

Fort Worth, TX

My name is Sabrina Harris . I am the mother and guardian. I have a 33 year daughter with Autism and IDD. Due to the lack of community services not in my county; and I needed help in taking care of my daughter. My experiences with HCS group home have not been very good. My daughter has been left on a main street could have been run over or killed, lack of safety issues and Thank God for a good person pick up my daughter and gave testimony to the complaint I filed. But nothing happen no accountability. My daughter has been left at several mental health hospitals ; the group homes refuse to pick up my daughter. Knowing that I needed help with my daughter; You are force to look for another group home. There were group homes where there was no nurse to be consistent with manage care of my daughter's medications, running out of meds, not making doctor appointments for my daughter. I believe prevention care is the best care. I had to go find doctors and make appointments in order for my daughter to get to her medical appointments. This not acceptable and no accountability .While living in group home; my daughter personnel items were taken such as TV, clothes, jewelry, shoes, towels, drawers, furniture, bedroom furniture was damage by provider moving you child to another group home with out the guardian permission. My daughter is still asking for her personnel items that she witness being put in staff trunks. I cannot replace these items or tell her where the items are. This sad to take advantage of autistic adult living in the group home. As Guardian you have the meeting to see what needs for your

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daughter to be put in place such as behavioral support diet exercise get out in the community, doctor appointments, and you want the best care for you child no matter what. I do support HB149 THANKS

Craig Lindsey

Self

Houston, TX

When I've told the story of my brother to people they don't know how to respond. Born in Houston, Texas, on April 30, 1979, Daryl Vaughn Lindsey was born mentally handicapped and autistic. He could never fully talk, often yelling and making sounds that sounded like words. He also suffered from intermittent explosive disorder. He would have violent, destructive fits of rage. Many things were smashed and destroyed in my family's homes because of my brother: windows, plates, TV sets.

As he got older, he began to run off on his own. When my mother moved to a home with burglar bars on the doors and windows, she thought she had the advantage on her slippery son. But she soon learned how much she underestimated my brother, whose skinny, rubbery frame would find a way to slip through the bars and out into the open air.

In October 2005, my mother died of endometrial cancer. I flew from Raleigh, where I was working for a daily newspaper, to my mother's home in Houston the day before she died. For four months after that, I took care of my brother, trying my best to feed him, medicate him with all the pills my mother left and find a proper facility that could look after him. After weeks of talking to people involved with caring for mentally handicapped children, I was directed to a facility far on the north side of town. They also provided housing, and they drove me to a group home near Houston where Daryl would live after spending the day at the facility. I was a bit apprehensive, but since I had to go back to Raleigh for my job, I took Daryl to the facility.

In 2009, a month before Daryl's 30th birthday, I got a Facebook message from someone informing me that my brother was missing. He apparently slipped out of the group home early one Wednesday morning, passing the people who were supposedly working the night shift there. I was later informed this wasn't the first time he had escaped.

The facility said they did all they could to find him. Since Daryl was of legal age, it wasn't technically responsible for his whereabouts. It conducted an investigation as to what happened, which was documented in a heavily redacted report that was later sent to me.

When I called a lawyer at the time to see if legal action could be taken against the facility, maybe a case for negligence, he said it would be impossible to prove since, with Daryl being gone, there was no physical evidence of harm or negligence. In the summer of 2012, I got a phone call from a forensic scientist. The scientist informed me that a skull had been found near a ditch near Daryl's home. Daryl's dental records and my DNA matched. My brother was officially declared dead.

For 30-or-so years, I had a brother who came into this world with so many things stacked against him. He was unfortunately a burden to many, but this wasn't his fault. It was simply how he was made. And he met an end that neither he nor any person deserved.

Janet Huey

Self

Houston, TX

I am a guardian of a client at Brenham State School and an advocate of a client in a group home run by D and S in Brenham. I have heard NOT ONE WORD from the group home since covid began. I get regular updates from the state school. D and S sends me forms to sign from meetings that I have not attended. I can document this.

Every year I am pressured to move my ward out of the state school and to a group home. As long as I am competent that will not happen.

I would very much like to move my advocate back to the state school.

The care, especially the medical care is excellent.

Instead of closing state schools, they should be expanded, but no one wants to hear that.

I taught at Brenham in 1977, no rookie here to the system.

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Janet Huey

Stephen and Debra Wallace, Mr./Mrs.

Parents and Advocates for Remarkable Texans/Texas Families and Friends for Choice/National Council for Severe Autism/Voice of Reason

Red Rock, TX

Oversight in human services is essential, and unfortunately for many, it is lacking in the group home industry. There is a glaring lack of accountability in these dwellings, and it is affecting the most severely disabled Texans. Many of the souls helplessly relegated to this industry cannot speak for themselves. Many no longer have guardians to shield them, and they are placed in group homes that do not report abuse, neglect, injury, or death. Of the 50 men who were moved from the Austin State Supported Living Center in 2014-2015 to “downsize”, we know at least twenty percent of those souls perished within weeks or months of being moved. They did not receive the ICU level of care that they had received at the center. One gentleman, who had a severe seizure disorder and who had lived in the AuSSLC for fifty years, perished within two weeks after being moved to a group home. He had no guardian to stop the move, as they had passed away recently. Once a beloved member of a family, he became nothing more than a piece of human currency in a game of human trafficking.

In Texas, too many families of the severely disabled are forced by the Local Intellectual and Developmental Disability Authorities (LIDDAs) to run the group home gauntlet, before admissions into an SSLC can even be considered. In other words, a severely disabled person must be placed into a group home and only after failing to thrive three times are they allowed to consider a more appropriate placement. The resulting horror stories range from broken teeth, broken bones, bruises, starvation and even death of those residents placed in group homes. One mother, who suffers from stage four breast cancer was forced to place her child in the Austin State Hospital after her severely autistic child was turned away from placement in the State Supported living center, after suffering severe abuse at group homes. That is not the proper or humane placement for an autistic individual. Another single mother is in her sixties, reports chest pains, has begged for placement of her 300 pound son over the past few years with only the offer of a group home. None are qualified.

The population in the SSLCs is not diminishing naturally, as reported by HHSC, but rather resulting from a decline by design. Families cannot gain entry without a court battle. This runs afoul of state regulations dating back as far as 1965 which stipulate that the LIDDAs must provide Texans with IDD and their families with information and access to the full continuum of care ranging from home bound services all the way to state run Intermediate Care Facilities with twenty four hour programming. But by forcing families to group homes, the industry is fed.

The group home trade benefits from Money Follows the Person funding, yet lacks transparency and proper accountability for individual outcomes. The funds are used to transfer fragile human beings from ICU level facilities to community (outpatient) care w/o equivalency.