

## STAFF TRAINING

Staff training program for the Facility will be as follows:

**Pre-Crisis (Person Centered Planning and Positive Behavior Supports)** - All employees will be trained in person centered approaches in working with clients. The focus of this training is getting to know the client, working with the client in building natural and positive supports, observing and learning client likes and dislikes, incorporating this knowledge into building and developing tools with the client which assists them in reaching their desired goals. All staff will receive training in specific person centered planning tools and positive behavior supports tools. The faculty must have knowledge and experience in person centered approaches and Positive Behavior Supports.

In addition, all employees will be trained in the area of Therapeutic Interventions. This training will focus on safety, connecting with the client, understanding of the client, and awareness of client behavior as well as the client environment. The faculty must have knowledge and experience in Therapeutic Interventions.

**Crisis Intervention** - In addition, each staff member will receive Personal Safety Techniques Training. This training will be specific to the concepts of client and staff movement, balance, disengagement (blocks and releases) and physical engagement (escorts and restraint). The faculty must have knowledge and experience in Personal Safety Techniques.

The second training strategy is teaching observance of what is occurring during the use of crisis intervention procedures. Observing and understanding what and how the client reacted to the intervention is critical knowledge for future training and working successfully with the client. In addition, all staff who are trained in personal safety management will be trained to physically monitor a person during the use of restraints to minimize the medical impact of the restraints. Specific training on indications of physical distress, restraint asphyxiation, trauma and other medical impacts will be delivered by an SOS Registered Nurse, Advanced Practice Nurse, Physician, or other qualified medical staff prior to staff being allowed to use physical procedures.

**Post Crisis Evaluation and Assessment** - Training will occur in how the team that is working with the client can evaluate the circumstances that resulted in the use of restraints. Staff will identify contributing and triggering factors, medical issues, relationship issues, etc., and they will be trained to use the findings to modify the treatment/support plan. This training is more than debriefing; in addition to the debriefing, it also includes identifying the factors that contributed to the situation and using that information to modify the individual program plan to be more effective. This knowledge allows the team to build on success and continually improve in assisting the clients in self-managing their own behaviors. The faculty must have knowledge and experience in Post Crisis Evaluation and Assessment.

Measurement of Training - All training will be documented in individual personnel training files. Staff will be required to pass knowledge tests upon completion of training. Knowledge tests might include didactic as well as practical application items. The results of the tests will be in personnel files. Any new staff person who does not pass the test will not be allowed to work with clients until demonstrating competency with the procedures. All current staff will be trained by June 30, 2011 and new staff will be trained as part of new employee orientation. New staff must demonstrate competence in Therapeutic Interventions and Personal Safety Techniques prior to working with clients. New employees who do not demonstrate competence in the procedures will not be certified in their positions. Performance deficiency correction tools will be used to address the issue of existing employees who do not demonstrate competency in the procedures. Data will be available on the percentage and number of staff trained. Staff who successfully pass the competence exam by demonstrating the skills taught in the course will be held accountable for using the skills on the job.

Definition of Terms:

**Therapeutic Interventions** are used every day to prevent escalation of situations and maintain a therapeutic milieu. Maintaining safety in a therapeutic environment is provided when staff is practicing connecting, understanding, awareness of self, awareness of others, awareness of the environment, and safety.

- **Connecting** includes: greeting people, interacting, being interested, asking questions, finding common interests/goals, listening, using humor, building trust and being respectful.
- **Understanding** includes: active listening, empathy, clarifying, being non-judgmental, being genuine, learning how culture or past trauma impacts this moment, finding out what is important to them and their goals.
- **Awareness of self** includes: knowing your hot buttons, moods, attitudes, and biases that impact your work. Knowing personal body language, tone of voice or use of humor and what it looks like to others. Dressing professionally and safely. Knowing personal strengths and limitations.
- **Awareness of others**: The others we need to be aware of include the people being supported at the site, co-workers, family members, other team members like social worker or guardian. Providing a therapeutic environment requires knowing their history, what sets them off, what calms them down, how to communicate successfully, their likes/dislikes and what is currently happening for them (health, social, psychological) in this moment.
- **Awareness of environment** includes: scanning for weapons or other hazards, modifying for effectiveness, knowing effects of noise, lighting, heat/cool, and weather conditions. Knowing what resources are available and what policies/procedures provide guidance. Knowing how to call for help and where the exits are.
- **Safety**: Includes communication to team, vigilance/pay attention, getting assistance, flexible thinking, planning, and documentation. Trust your instincts and tell teammate if they are unsafe. Using safety equipment, locking what needs locking, doing maintenance and being fully trained.

## **Personal Safety Techniques**

**Balance:** Proper balance maximizes safety and control, while minimizing the effort needed. The Basic Stance is a posture of readiness incorporating concepts of balance.

**Movement:** Moving the body while maintaining a balanced posture to allow quick and easy movement in most directions; to be able to move in and out of a potentially dangerous situation, to avoid being struck or grabbed by an aggressive individual.

### **Disengagement:**

- **Blocks** are deflective moves used to redirect the movement of a person aggressively attempting to strike or grab the staff. These techniques provide effective protection for staff in the event of an attempted blow, kick, or aggressive grasp.
- **Releases** are techniques that may be used to affect a release from aggressive grasp. They are used when aggressive acts include contact to pull, control, or injure the employee or other person. Examples include being grabbed at the wrist, hair or torso, being choked or bit.

**Engagement:** Techniques used when all less intrusive means have failed. To physically engage with people for the following purposes:

- Immediately prevent an unsafe situation where the consumer's conduct poses an imminent risk of physical harm to self or others and less restrictive strategies would not achieve safety.
- Restore safety and order to a situation that is out of control and unsafe
- To provide supportive physical assistance when a person is requesting, showing a need for, or, agreeing to without resistance, due to their immediate need for such physical assistance, e.g. helping them off the ground or with ambulating.

**Escorts:** Techniques used to move people when there is an emergency.

**Restraint:** Techniques used to prevent injury by manual or mechanical restraint of the person when all less intrusive interventions will not work.

It is understood and agreed that the purpose, intent and legal effect of the Plaintiffs' release of the State is to extinguish the entire liability of the State to the Plaintiffs, arising out of or connected with their seclusion or restraint at METO. To effectuate this purpose and intent, the Plaintiffs' release of the State is subject to the following:

- A. It is the intention of the parties that the release between the Plaintiffs and the State contained herein shall be construed in accordance with the principles set forth in *Pierringer v. Hoyer*, 21 Wis.2d 182, 124 N.W.2d 106 (1963) and *Frey v. Snelgrove*, 269 N.W.2d 918 (Minn. 1978). The Plaintiffs' receipt of the settlement funds provided for hereunder is not intended as full compensation for the damages claimed by the Plaintiffs relating to the accident. However, by its release of the State, the Plaintiffs agree to settle and satisfy that percentage of its damages arising out of the accident that shall by further trial or other disposition of this action or any other action be determined to be the percentage of causal fault or causal responsibility for the Plaintiffs' damages attributable to the State. It is the intention of the Plaintiffs to extinguish any potential liability on the part of the State for contribution or indemnification that might be claimed by any other party or entity related to the Plaintiffs' claims or the Plaintiffs' damages arising out of the accident.
- B. It is the intention of the State that the Plaintiffs may continue to pursue and prosecute any and all claims that it may have against any person or entity other than the State related to the accident, and that the Plaintiffs may collect all damages for such claims from any other person or entity, except such fraction, portion or percentage of the Plaintiffs' damages that are attributable to the State.
- C. It is understood and agreed that the purpose, intent and legal effect of these provisions regarding a *Pierringer* release is to extinguish the entire liability of the State to the Plaintiffs arising out of or connected with the accident, and to bar forever any recovery by way of contribution or indemnity against the State by any third party. If the Plaintiffs make or continue to make any claim against a third person, which claim is related to or arises out of the accident, then the Plaintiffs shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless the State from any claims for contribution or indemnity for the Plaintiffs' damages by such third party.
- D. It is expressly agreed and understood that these *Pierringer* provisions encompass any and all claims based on the amount of any subsequent judgment determined to be uncollectible in accordance with Minn. Stat. § 604.02, and reallocated.

SETTLEMENT AGREEMENT ATTACHMENT D