

# Statement of Deficiency Report

Department of Health  
 P.O. Box 47874, Olympia, WA 98504-7874  
 TEL: 360-236-4732

Cascade Behavioral Hospital  
 12844 Military Road South  
 Tukwila, WA 98168-3045  
 Agency Name and Address

Investigation  
 Tuesday, October 13, 2020  
 Investigation End Date

Inspection Type  
 JAMC03  
 Investigator Number

2020-12951  
 BHA.FS.60874153  
 License Number

Case Number  
 Mental Health  
 BHA/RTF Agency Services Type

Agency Name and Address  
 Christopher West  
 Administrator

Please note that the deficiencies/violations/observations noted in this report are not all-inclusive, but rather were deficiencies/violations/observations that were observed or discovered during the investigation.

Deficiency Number and Rule Reference	Observation Findings	Plan of Correction
WAC 246-341-0420(15) Agency administration – Policies and procedures. Each agency licensed by the department to provide any behavioral health service must develop, implement, and maintain administrative policies and procedures to meet the minimum requirements of this chapter. The policies and procedures must demonstrate the following, as applicable: (15) Reporting of critical incidents. A description of how the agency directs staff to report to the department or BHO, as applicable, within one business day any critical incident that occurs involving an individual, and actions taken as a result of the incident.	Based on interview, and record review, the facility failed to report a critical incident within one business day to the department.  Failure to report a critical incident within one business day to the department may result in patient harm.  Findings included:  1. An interview on 10/08/20 at 1:00 PM with Staff C, Registered Nurse, showed that Patient #1 reported to staff C that she had been sexually assaulted. Staff C reported that Patient #1 stated "I think that every night when I sleep I am raped." Staff C stated that	WAC 246-341-0420(15)  <b>How</b>  Facility policy titled "Sexual Activity Among Patients" was reviewed and revised to include notification of incident to Washington Department of Health within one business day of allegation of sexual assault. The current sentence reads " ... <i>allegations of sexual assault must be immediately reported to the treating physician, risk management, and, if necessary, the policy (i.e., allegation of rape or nonconsensual sex)</i>

and to Washington Department of Health within one business day".

**Who**

Director of Risk

**What**

The revised Sexual Activity Among Patients policy was approved by Ad Hoc Medical Executive Committee. Director of Risk educated all Senior Leadership staff and physicians on the revised policy and expectation.

**When**

Revised policy was approved by Ad Hoc Medical Executive Committee on 11/18/2020. Director of Risk provided training and education to all Senior Leadership staff and physicians on 11/18/2020.

**Evaluation Method**

Director of Risk will audit all allegations of sexual assault for self-report notification to Washington Department of Health within one business day via SAO audit tool. Any deficiencies will be corrected immediately. Audit results will be submitted to monthly Quality Committee, Medical Executive Committee and Quarterly Governing Board.

**Expectation:** 100% compliance

Patient #1 was sent to the ER for a sexual assault exam after Staff C noted bruising on Patient #1's legs and breast.

2. Review of Department of Health (DOH) records showed that there was no report of the alleged sexual assault of Patient #1 to the Department of Health by the facility.

3. Review of an email written by DOH Hospital Investigator #2 showed that Investigator #2 conducted a phone interview with Staff A, interim Director of Risk, on 10/09/20. Staff A stated that the facility did not report the allegation of sexual assault involving Patient #1. Staff A stated that they were not sure it needed to be reported because it was not substantiated.

4. Review of facility policy and procedure, titled "Sexual Activity Among Patients", dated 01/18, showed that "...allegations of sexual assault must be immediately reported to the treating physician, risk management, and, if necessary, the police (i.e., allegation of rape or nonconsensual sex)." This policy and procedure did not address the need to report the allegation of sexual assault to DOH.



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH

December 10, 2020

Cascade Behavioral Hospital  
12844 Military Road South  
Tukwila, WA 98168-3045

Re: Case Number: 2020-12951  
License Number: BHA.FS.60874153  
Acceptable Plan of Correction  
Date(s) of Investigation: 09/18/20 – 10/08/20

Dear Christopher West:

This letter is to inform you that after careful review of the Plan of Correction (POC) you submitted for the investigation recently conducted at your facility, the Department has determined that the POC is acceptable. You stated in your plan that you will implement corrective actions by the specified timeline. By this, the Department is accepting your Plan of Correction as your confirmation of compliance.

Based on the scope and severity of the deficiencies listed in your statement of deficiency report, the Department will not conduct an unannounced follow-up compliance visit to verify that all deficiencies have been corrected.

The Department reserves the right to pursue enforcement action for any repeat and/or uncorrected deficiencies based on applicable statute and rules.

Investigator: JAMC03  
Department of Health  
HSQA/Office of Health Systems Oversight  
PO Box 47874  
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