



MR-MD-004-001

Practice Manual

(§501)

United States' First Interrogatories (June 2, 1974) from UNITED STATES v. SOLOMON, No. N-74-181 (D. Md.)

Definitions

As used in these interrogatories, the words and phrases indicated shall be construed to have the following import and meaning:

"Rosewood" or "the hospital" means the Rosewood State Hospital;

"Resident" means a resident of the Rosewood State Hospital;

"Identify" or "give the identification of" a document or writing is defined to mean a request for a description of each specific item mentioned in or covered by the interrogatory, whether or not such item is in defendants' possession, custody or control, including a general description of its nature, its date, the present location and custodian of the original (if retained by the defendants) or a copy thereof, the names of the writers and recipients, and the title or subject matter. For any individual named as a writer or a recipient of such an item, the individual's full name and address should be

stated, together with his present or last position or business affiliation. For any firm, agency, official body, or organization named as a writer or a recipient, its full name and address should be stated, together with the name, address and title of the official responsible for preparing or having custody of any such item. In lieu of or in addition to such identification, defendants may submit a copy of the document or writing in question.

"Identify" or "give the identification of" a person is defined to mean a request for a full name, residence address, business address, present business affiliation, and job title and description of job responsibilities of such person, together with a statement as to his or her relationship with the defendants, if any, and if not presently related, a statement as to whether any such relationship ever existed and the inclusive dates thereof.

Where numbers of residents or staff members are requested, unless otherwise indicated, please provide such numbers as of the date of these interrogatories. If such numbers cannot be obtained without undue hardship, state the circumstances constituting such hardship and provide the most recent numbers available, and specify the date to which such numbers refer. For all other information, unless otherwise indicated, provide such information as of the date of these interrogatories.

I. General

1. State the current total number of residents at Rosewood and the average number of residents at Rosewood for each of the preceding 5 calendar years.

2. (a) State the current total number of voluntarily admitted residents at Rosewood, broken down by the provision(s) of State law pursuant to which such residents were committed or admitted.

(b) State the average number of voluntarily admitted residents at Rosewood for each of the preceding 5 calendar years.

3. (a) State the current total of involuntarily admitted residents at Rosewood, broken down by the provision(s) of State law pursuant to which such residents were committed or admitted.

(b) State the average number of involuntarily admitted residents at Rosewood for each of the preceding 5 calendar years.

4. (a) State the number of residents whose parents or other relatives are their legal guardians.

(b) State (i) the number of residents whose legal guardian is Rosewood, the State of Maryland, or other persons or entities, specifying such other persons or entities, and (ii) the name of each such resident in each category.

5. State (a) the number of residents who, by themselves or through their legal guardians, have requested to be released from Rosewood in the past 5 years and the disposition of each such request, and (b) the name of each such resident.

6. (a) State the number of residents who have been released in the past 5 years upon request made by themselves or through their legal guardians and have subsequently been returned to Rosewood; and

(b) Specify (i) whether each such return was on a voluntary or involuntary basis and (ii) the provision of State law pursuant to which the resident was returned to Rosewood.

7. (a) Describe in detail the current procedures which must be followed by a resident who, by himself or through his or her legal guardian, requests release from Rosewood and the procedures followed by the hospital in reviewing such requests.

(b) If the current procedures described in response to Interrogatory No. 7(a), above, are different from the procedures followed in any of the preceding 5 years, describe such differences in detail and explain the reasons therefor.

(c) Identify any written documents, memoranda, notices, manuals, etc., which relate to both present and prior criteria and procedures governing the release of residents from Rosewood as described in response to Interrogatory No. 7(a) and above.

(d) Identify and state the job title, grade, and educational and professional qualifications of all Rosewood personnel involved in applying the criteria and implementing procedures described in response to Interrogatory No. 7(a) through 7(c), above, and identify the Rosewood employee or official who is, or was during the preceding 5 years, ultimately responsible for granting or denying requests for release.

8. (a) Describe in detail the current procedure(s) for informing Rosewood residents of their right to seek release from the hospital and of the procedures they must follow.

(b) Describe in detail the current procedure(s) for informing the parents or legal guardians of Rosewood residents of release procedures.

(c) If the current procedures described in response to Interrogatory No. 8(a) and 8(b), above, are different from the procedures followed in any of the preceding 5 years, describe such differences in detail and explain the reasons therefor.

(d) Identify any written memoranda, documents, notices, manuals or other writings which relate to the information provided in response to Interrogatory No. 8(a) through 8(c), above.

9. Set forth in detail the reasons in each instance for denial of any resident's request for release made in each of the preceding 5 years.

10. (a) Describe the current procedures for periodic review of residents' progress with a view toward determining their suitability for release, and identify and state the job title, grade, and educational and professional qualifications of Rosewood personnel currently involved in such procedures.

(b) If the current procedures described in response to Interrogatory No. 10(a), above, are different from the procedures followed in any of the preceding 5 years, describe such differences in detail and explain the reasons therefor.

(c) Identify any and all memoranda, documents, official correspondence, notices, manuals, or other writings relating to the information described in response to Interrogatory No. 10(a) and 10(b), above.

(d) Identify and give the job title, grade and educational and professional qualifications of the employee or official at Rosewood or elsewhere, who is currently ultimately responsible for determining a resident's suitability for release from further institutional care.

(e) Identify and give the job title, grade, and educational and professional qualifications of the employee or official, at Rosewood or elsewhere, who was ultimately responsible for determining a resident's suitability for release from further institutional care in each of the preceding 5 years.

(f) For any formal reevaluation or release proceedings or hearings conducted in the past year, state the name, age, sex, living unit, and degree of retardation of the resident involved, the procedure which was followed, job title, grade, and educational and professional qualifications of the person making the decision as to reevaluation or release, the decision rendered and the basis therefor, and the current whereabouts of the resident involved.

11. State the name of each residential building at Rosewood and supply the following information for each:

(a) Planned capacity when built;

(b) Year in which building construction was completed;

(c) Any renovation completed or currently in progress subsequent to the completion of original construction;

(d) Any planned renovations, planned additions, or planned demolition of existing facilities, and the current status of such plans;

(e) The resident capacity of the building according to any and all State rating schemes or schedules for the current year and for each of the preceding 5 years.

(f) The number of residents currently housed and the average number of residents housed in each of the preceding 5 years;

(g) Particular or special purpose or function of the building as it was originally designed;

(h) Particular or special purpose or function of the building as it is currently being utilized;

(i) The provisions made for cleaning and maintaining the building, the identity of the person(s) doing the cleaning and maintenance, and the frequency of such cleaning and maintenance work.

12. Describe in detail any and all planned new construction at Rosewood or any new construction currently in progress but not yet completed, and provide the following information where applicable:

(a) The status of such planned new construction or construction in progress;

(b) The planned date of completion;

(c) The special or particular function or purpose of the building when completed;

(d) The number of residents the building is designed to house, if such building is to be utilized as a living unit;

(e) The number of residents that will be housed, if the building is to be utilized as a living unit;

(f) The number of residents that will be served in the building, if the building is to be utilized for a purpose other than as a living unit.

13. (a) For each ward, dormitory or living unit in every residential building, break down the resident population by age (0-5, 6-17, 18-21, 22-55, over 55), sex, race or national origin, degree of retardation (borderline, mild, moderate, severe, profound), and length of stay at Rosewood (0-6 months, 6 months-1 year, 1-5 years, over 5 years). If the total number of residents so listed is less than the total number of all Rosewood residents, indicate the number and location of all residents not included and the reasons for their exclusion.

(b) State separately the number of Rosewood residents in each ward, dormitory or living unit who manifest any of the disabilities and problems described below (do not include any resident in more than one category):

(i) Identified deafness;

(ii) Blindness;

(iii) Non-ambulatory;

(iv) Identified pathologic speech disorders;

(v) Multiple handicaps (i.e., one or more physical handicaps in addition to mental retardation);

(vi) Other physical disabilities not included in categories (i)-(v), above (specify nature of disability).

(c) State separately the number of Rosewood residents in each ward, dormitory or living unit, who manifest any of the disabilities described below:

(i) Grand mal epileptic seizures;

(ii) Petit mal epileptic seizures;

(iii) Other non-epileptic seizures.

(d) State separately the number of Rosewood residents in each ward, dormitory, or living unit who manifest any of the problems described below (do not include any resident in more than one category):

(i) Unable to feed themselves;

(ii) Unable to dress themselves;

(iii) Incontinence;

(iv) Two or more of the problems described in categories (i)-(iii), above;

(v) Other life-skills disabilities not included in categories (i)-(iv), above (specify nature of disability).

(e) State separately the number of Rosewood residents in each ward, dormitory or living unit for whom the following types of medication are prescribed or administered on a regular basis (do not include any resident in more than one category):

(i) Psychotropic medication;

(ii) Non-psychotropic medication utilized as a modality for psychiatric chemotherapy;

(iii) Any medication employed for physical disorders;

(iv) Any medication used to control seizures, epileptic or otherwise;

(v) Any combination of the types of medication described in categories (i)-(v), above;

(vi) Any medication not described in categories (i)-(v), above (specify type of medication).

II. Staffing

14. State the number of persons employed on a full-time basis at Rosewood in each of the following categories:

(a) Psychiatrists:

(i) Board certified;

(ii) Board eligible;

(iii) Medical doctors serving as psychiatrists;

(b) Medical doctors:

(i) Licensed to practice in Maryland;

(ii) Licensed to practice in other states, but not in Maryland;

(iii) Licensed elsewhere (please specify);

(iv) Other (please specify and explain);

(c) Dentists (indicate number licensed and number unlicensed in Maryland);

(d) Dental hygienists;

(e) Psychologists:

(i) Licensed in Maryland;

(ii) Unlicensed in Maryland, but licensed elsewhere (specify);

(iii) Unlicensed;

(iv) Bachelor's degree;

(v) Master's degree;

(vi) Ph.D.;

(f) Speech and hearing therapists:

(i) Licensed;

(ii) Unlicensed;

(iii) Aides;

(g) Physical therapists:

(i) Licensed;

(ii) Unlicensed;

(iii) Aides;

(h) Occupational therapists:

(i) Licensed;

(ii) Unlicensed;

(iii) Aides;

(i) Recreational therapists:

(i) Licensed;

(ii) Unlicensed;

(iii) Aides;

(j) Social workers:

(i) Bachelor's degree;

(ii) Master's degree in social work;

(iii) Other Master's degree;

(iv) Other (specify);

(k) Academic teachers:

(i) Licensed—certified in special education;

(ii) Licensed—not certified in special education;

(iii) Unlicensed;

(iv) Aides;

(l) Vocational teachers:

(i) Licensed—certified in special education;

(ii) Licensed—not certified in special education;

(iii) Unlicensed;

(iv) Aides;

(m) Nurses:

(i) Registered nurses;

(ii) Licensed practical nurses;

(iii) Nursing aides;

(iv) Other (specify);

(n) Nutritionists/dieticians;

- (o) Child care workers (specify number in each pay grade level);
- (p) Ward attendants (specify number in each pay grade level);
- (q) Other direct care personnel (specify number, job description, and pay grade level).

15. Break down the number of staff in categories 14(a), 14(e), 14(f), 14(j), 14(k), 14(l), 14(o), 14(p), and 14(q), above, by sex and by race or national origin.

16. (a) State the number of part-time staff in categories 14(a) through 14(q), above.

(b) State separately the number of full-time staff members in categories 14(a), 14(b), and 14(m), above, who perform administrative or management functions for part or all of their working hours, and the approximate percentage of working hours spent in the performance of such functions.

17. Describe each formal or informal orientation or in-service training program which exists for each staff category listed in Interrogatory No. 14, above, including, but not limited to, the following information:

- (a) The date such program was instituted;
- (b) The number of current Rosewood employees who have completed the program;
- (c) The number of Rosewood employees currently enrolled in the program;
- (d) The total number of hours spent by participants in the program, or if a continuous program, the number of hours spent per week;
- (e) The name, job title, grade, and educational and professional qualifications of the persons responsible for conducting the program; and
- (f) The name, job title, grade, and educational and professional qualifications of the persons responsible for evaluating the program.

18. For each category of employee described in Interrogatory No. 14(m) and 14(o) through 14(q), above, provide the following information:

- (a) For each ward, dormitory or living unit, the number who are assigned to be on duty for each shift throughout each 24-hour period from Monday through Friday;
- (b) For each ward, dormitory or living unit, the number who are assigned to be on duty for each shift throughout each 24-hour period on Saturday, Sunday and legal holidays;
- (c) The hours of each shift;
- (d) For each ward, dormitory or living unit, the number who actually reported for work on January 1, 1974; January 18, 1974; February 1, 1974; February 3, 1974; March 2, 1974; March 20, 1974; April 1, 1974; May 1, 1974; May 27, 1974; June 1, 1974; and June 12, 1974, or the nearest days to such dates for which such information is available (specify dates and explain why the requested information is unavailable).

19. State the number of positions authorized for the current fiscal year (1973-1974) and the number authorized or requested for the next fiscal year (1974-1975) in each of the categories described in Interrogatory No. 14, above.

III. Assignment and Evaluation

20. (a)(i) State the number of residents of Rosewood for whom the hospital has developed a written individualized plan for education and training; and

(ii) Attach a representative copy of such a plan (identifying information may be deleted).

(b) State the number of such plans which include each of the following elements (plans may be included in more than one category):

- (i) A statement of the specific medical and psychological problems and needs of the resident;
- (ii) A description of the short-term, intermediate, and long-range education and habilitation training goals for the resident, with a projected time table for their attainment;

(iii) A statement of the rationale or justification for the plan;

(iv) A specification of staff responsibility and a description of proposed staff involvement with the resident in order to attain the education and training goals of the plan;

(v) A statement of the least restrictive setting necessary to achieve the habilitation goals of the resident;

(vi) A plan for post-institutionalization education and training;

(vii) All of the above elements.

21. If any individualized treatment plans have been formulated which contain none of the elements listed in Interrogatory No. 20(b)(i) through 20(b)(vi), above, (i) describe in detail the contents of any such treatment plans and (ii) attach a representative copy of such a plan (identifying information may be deleted).

22. State how many of the plans identified in response to Interrogatory No. 20 and 21, above, are currently being implemented.

23. Identify any and all memoranda, documents, manuals, or other writing describing any individualized treatment plans which are currently in effect at Rosewood or which are planned to be implemented at Rosewood in the future.

24. Identify and state the race or national origin, job title, grade, and educational and professional qualifications of all personnel who prepare the treatment plans described in response to Interrogatory No. 20 and 21, above.

25. (a) State how much time is permitted to elapse after a resident's entry into Rosewood before an individualized treatment plan, if any, is formulated for that resident.

(b) State (i) whether any policy, written or not, requires that an individualized treatment plan be formulated within a specified period of time after a resident's admission to Rosewood, and (ii) if so, the percentage of incoming residents for whom such plans are formulated within such period of time; (iii) identify any written policies in this regard.

26. Describe in detail the procedures used in formulation, implementation and periodic review of the plans described in response to Interrogatories No. 20 and No. 21, above.

27. Identify the custodian(s) and state the location of the plans described in response to Interrogatories No. 20 and 21, above.

28. (a) Identify and describe any policy, whether written or not, for comprehensive medical and psychological diagnosis and evaluation of a resident upon his or her admission to Rosewood.

(b) State the number of current residents of Rosewood who have undergone such comprehensive diagnosis and evaluation.

(c) Identify and state the race or national origin, job title, grade, and professional and educational qualifications of any personnel performing such comprehensive diagnosis and evaluation.

29. (a) Explain how the information obtained through the comprehensive diagnosis and evaluation, if any, described in response to Interrogatory No. 28, above, is utilized in assigning residents to particular programs for education, training or therapy, and

(b) Describe the procedure(s), if any, for periodically reviewing such information and the assignments made on the basis thereof.

30. State the name, series and publisher of any and all psychological tests administered to residents of Rosewood and further indicate the following:

(a) Which of such tests are utilized (i) for initial evaluation upon admission and entry, (ii) for periodic review of residents, or (iii) for both purposes;

(b) Any other purposes for which such tests are utilized;

(c) Whether any such tests are administered in languages other than English;

(d) Whether any such tests are specifically designed to be free of cultural bias, or have been specifically designed to be free of cultural bias, or have been specifically modified to be free of such bias (describe any such modifications).

31. Identify and state the race or national origin, job title, grade, and professional and educational qualifications of personnel who administer and/or evaluate the results of each test described in response to Interrogatory No. 30, above.

IV. Treatment

32. List and describe every program of academic, vocational, or occupational training or education currently in operation at or offered to residents of Rosewood (do not include programs exclusively involved with speech therapy, hearing therapy, physical therapy, recreation or physical education). For each such program, state the following information:

- (a) The date the program was instituted;
- (b) The educational objective(s) of the program;
- (c) The number of months per year the program is in operation;
- (d) The number of days per week the program is in operation;
- (e) The number of hours per day the program is in operation;
- (f) The length of time of each individual class or session;
- (g) The number of classes or sessions conducted each day;
- (h) The number of residents in each class or session;
- (i) The number of residents participating in each program broken down by age, race or national origin, sex, living unit, and degree of retardation;
- (j) The number of classes or sessions per week attended by residents enrolled in the program;
- (k) Methods of evaluation, including tests used to determine which residents will participate in the program, and the criteria employed in such determination;
- (l) The type and quantity of equipment and special material used in the program;
- (m) The number and location of the classrooms or other rooms and facilities in which the program is conducted;
- (n) The identity and race or national origin, job title, grade, and professional and educational qualifications of the staff (i) responsible for and (ii) involved in each such program;
- (o) Whether any program activity is coeducational, and, if so, a description of the coeducational aspects of the program;
- (p) The procedures used to evaluate the effectiveness of each such program, and the identity and job title, grade, and professional and educational qualifications of the personnel involved with the evaluation of each program; and
- (q) Whether there is a waiting list for each program, and, if so, the number of names on the waiting list and the date each such name was initially placed on the waiting list.

33. (a) List and describe every program currently in operation at or offered to residents of Rosewood which utilizes techniques of behavior modification, and (b) specifically describe the behavior modification techniques involved. (c) For each such program, state the information requested in Interrogatory No. 32(a) through 32(q), above.

34. List and describe every program of clinical psychology currently in operation at or offered to residents of Rosewood. With reference to each such program, provide the information requested Interrogatory No. 32(a) through 32(q), above.

35. (a) For each program of social work currently in operation at Rosewood or offered to residents there or elsewhere, describe in detail the nature and extent of Rosewood's involvement with the social work needs of a resident from the date of original contact with him or her through the time all involvement ceases. (b) In addition, provide the information

where applicable, requested by Interrogatory No. 32(a) through 32(q), above.

36. (a) State separately the number of residents who, upon admission into Rosewood, were examined and/or tested by each of the following types of personnel:

- (i) Licensed speech and/or hearing therapists;
- (ii) Unlicensed speech and/or hearing therapists;
- (iii) Speech and/or hearing aides; and
- (iv) Any other personnel familiar with speech and/or hearing therapy needs (specify).

(b) State separately the number of residents who have been examined by the types of personnel listed above at any time during their stay at Rosewood.

37. State the number of residents with identified speech and/or hearing impediments.

38. Describe in detail any formal speech and/or hearing therapy program(s) currently in operation at or offered to residents of Rosewood, and for each such program provide the information requested in Interrogatory No. 32(a) through 32(q), above.

39. (a) State separately the number of current residents who, upon admission to Rosewood, were examined and/or tested by each of the following types of personnel:

- (i) Licensed physical therapists;
- (ii) Unlicensed physical therapists;
- (iii) Physical therapy aides; and
- (iv) Any other personnel familiar with physical therapy needs (specify).

(b) State separately the number of residents who have been examined by the types of personnel listed above at any time during their stay at Rosewood.

40. State the number of residents with identified physical disabilities which require physical therapy.

41. Describe in detail any formal physical therapy programs currently in operation or offered to residents of Rosewood. With reference to each such program, provide the information requested in 32(a) through 32(q), above.

42. Describe in detail any formal occupational therapy program currently in operation at or offered to residents of Rosewood (and not described in response to Interrogatory No. 32, above). With reference to each such program, provide the information requested in Interrogatory No. 32(a) through 32(q), above.

V. Recreation and Physical Education

43. (a) Describe in detail any and all scheduled recreational and physical education programs currently in operation at or offered to residents of Rosewood. With reference to each such program, provide the information requested in Interrogatory No. 32(a) through 32(q), above. (b) In addition, indicate whether each scheduled recreational and physical education program takes place indoors, outdoors, or both.

44. (a) List separately each ward, dormitory or other living unit at Rosewood which houses residents who are permitted to:

- (i) Go outdoors in unenclosed areas without restriction and without supervision;
- (ii) Go outdoors in enclosed areas without supervision;
- (iii) Go outdoors in unenclosed areas with supervision;
- (iv) Go outdoors in enclosed areas with supervision.

(b) List each ward, dormitory or other living area which houses residents who are not permitted to go outdoors.

45. State separately for each ward, dormitory or other living area in each cottage or facility listed in response to Interrogatory No. 43, the number of days per week and the number of hours per day that residents listed in response to Interrogatory No. 43(a) (i) through 43(a) (iv), above are permitted to spend outdoors.

45.A (a) List every ward, dormitory or other living unit at Rosewood which houses residents who are allowed to participate in coeducational activities, and (b) for each such ward, dormitory, or living units, state the number of days per week and the number of hours per day that such residents spend in such coeducational activities.

VI. Nutritional and Personal Needs

46. (a) Describe in detail any and all special equipment either currently in use or available for use for residents who are unable to feed themselves without assistance.

(b) State the number of residents who are unable to feed themselves and for whom such equipment is not available, and why such equipment is not available.

(c) (i) Describe in detail any and all other provisions, plans, or methods not included in response to Interrogatory No. 46(a) and (b), above, including self-feeding programs, for the feeding of residents who are unable to feed themselves without assistance and (ii) indicate the number of residents affected by such provisions, plans or methods.

47. (a) Describe in detail any and all special equipment or facilities either currently in use or available for use for non-ambulatory residents.

(b) State the number of residents who are non-ambulatory and for whom special equipment or facilities are not available, and the reasons why such equipment is not available.

(c) (i) Describe in detail any and all provisions, plans, policies or methods for the care and habilitation of Rosewood residents who are non-ambulatory, and (ii) identify any and all written policies, procedures, guidelines and regulations concerned with such care and habilitation.

48. (a) Describe in detail all formal personal hygiene and toilet training programs or modalities in operation or offered to residents of Rosewood.

(b) Describe in detail any informal personal hygiene and toilet training programs or modalities in operation at or offered to residents of Rosewood.

(c) State separately the number of residents involved in the formal and informal programs or modalities described in response to Interrogatory No. 48(a) and 48(b), above.

[VII.] Medical Care

49. State the following information with respect to medical and dental examinations of Rosewood residents[:]

(a) Whether each resident receives a medical and dental examination upon his or her admission to Rosewood;

(b) The scope, extent, and comprehensiveness of the medical and dental examination, if any, given to residents upon their admission;

(c) The identity and the race or national origin, job title, grade, and professional and educational qualifications of the personnel who perform the medical and dental examinations of residents upon their admission;

(d) The amount of time that is permitted to elapse after a resident's admission to Rosewood before the resident is given a medical and dental examination;

(e) Whether residents are given medical and dental examinations at periodic intervals after admission;

(f) The scope, extent, and comprehensiveness of periodic medical and dental examinations, if any, performed at Rosewood upon residents after admission;

(g) The identity and race or national origin, job title, grade, and professional and educational qualifications of personnel who perform periodic medical and dental examinations of residents after admission;

(h) The intervals between periodic medical and dental examinations performed upon residents after admission.

50. Identify any and all written policies, procedures, guidelines and regulations concerned with initial and periodic medical and dental examinations of Rosewood residents.

51. (a) State separately (i) the number of Rosewood residents currently residing at Rosewood who received medical and dental examinations upon admission and (ii) the number of residents, whether currently residing at Rosewood or not, who have received such examinations upon admission within the preceding 12 months.

(b) State separately the number of Rosewood residents, whether currently residing at Rosewood or not, who received periodic medical and dental examinations as described in response to Interrogatory No. 49(e) through 49(h), above, within the preceding 24 months.

52. Describe in detail any and all medical and dental services available to residents of Rosewood, including, but not limited to, the following:

(a) Statement of the designed bed capacity of any medical hospital or infirmary facility at Rosewood when originally constructed;

(b) A statement of the bed capacity of any medical hospital or infirmary facility at Rosewood as rated by any State or local body or organization;

(c) A statement of the current number of beds and residents in each medical hospital or infirmary facility at Rosewood;

(d) A statement as to whether each medical hospital or infirmary facility at Rosewood is accredited by any national, state, or local accreditation body or organization and the name of the accrediting organization or body;

(e) A statement of the provisions, if any, for rendering emergency medical care to residents at Rosewood, including the hours per day such provisions are in effect and the number and type(s) of medical personnel on duty during those hours and available for immediate medical care, assistance, or treatment;

(f) A statement and description of any contracts, agreements, or other cooperative arrangements with medical hospitals in the community for the provision of emergency and non-emergency medical care and treatment to Rosewood residents.

53. Identify all consulting medical specialists under contract to, retained by, employed by, or otherwise serving the resident population of Rosewood, and state the number of hours per week each such specialist is available to provide medical services to residents.

54. (a) State (i) the total number of residents and (ii) the name of all residents who died within the preceding 24 months, and (b) for each such death, state the cause thereof.

[VIII.] Seclusion

55. State with particularity (a) the location of each and every room or other facility currently employed for the seclusion of Rosewood residents from the general living unit population, and (b) the location of each and every room or other facility at Rosewood employed for such purpose during the past 5 years.

56. State the number of resident(s) who have been placed in any of the seclusion rooms or facilities described in response to Interrogatory No. 55, above, within the preceding 24 months.

57. Identify any written records made within the preceding 24 months which are concerned with the placement of residents in any of the rooms or facilities described in response to Interrogatory No. 55, above.

58. Describe in detail Rosewood's policies and procedures governing seclusion of residents from the general living unit population, including, but not limited to, the following:

(a) Durational limits upon such seclusion;

(b) Furnishing, lighting, and toilet facilities available in seclusion areas;

(c) The type of clothing allowed or provided to residents in seclusion;

- (d) Provisions for periodic checking of residents' condition and for visits by staff while residents are in seclusion;
- (e) The job title and grade of staff members authorized to place a resident or have a resident placed, in seclusion;
- (f) The permissible reasons for placing a resident in seclusion;
- (g) The procedures which must be followed in placing a resident in seclusion, including the job title and grade of all staff personnel involved;
- (h) The job title and grade of staff members authorized to discharge a resident from seclusion;
- (i) The procedure for discharging a resident from seclusion, including the job title and grade of all staff personnel involved;
- (j) A statement as to whether and what physical or mechanical restraints are ever used in conjunction with seclusion.

59. (a) If any of the practices or procedures described in response to Interrogatory No. 58, above, is different from the policy or procedure in effect at any time during the past 5 years, describe the difference and explain the reason therefor.

(b) Identify any and all documents and writing relating to the policies and procedures described in response to interrogatory No. 58, above.

[IX.] Resident Labor

60. (a) State (i) the number and (ii) the names of all residents currently at Rosewood who are now performing or who have performed at any time within the past 3 years, any jobs or tasks not related to personal hygiene and personal housekeeping, without compensation therefore.

(b) For each resident identified in response to Interrogatory No. 60(a), above, state the nature of the job or task performed by the resident, the period during which it is or was performed, the number of hours per day and days per week spent by the resident on the job or task, and the intended therapeutic benefits if any, to the resident.

61. (a) State (i) the number and (ii) the names of all residents currently at Rosewood who are being paid to perform jobs or tasks not related to personal hygiene or personal housekeeping.

(b) For each resident identified in response to Interrogatory No. 60(a), above, state the nature of the job or task performed, the period during which it has been performed, the number of hours per day and days per week spent by the resident on the job or task, the hourly wage paid to the resident, and the intended therapeutic benefits, if any, to the resident.

62. Identify any written memoranda, documents, letters, policy statements, or other writings made within the preceding 3 years which are concerned with the use of Rosewood residents to perform jobs or tasks, with or without pay, which are not related to personal hygiene and personal housekeeping.

63. (a) Describe in detail the location and nature of the program(s) and the type of work done in each of the following:

- (i) Sheltered work shop(s);
- (ii) Any program in which residents perform work for private industries in nonsheltered situations;
- (iii) Vocational rehabilitation workshops;
- (iv) Any program in which residents perform work for State agencies or organizations in non-sheltered situations.

(b) (i) State separately the number of residents participating in each of the programs described in response to Interrogatory No. 63(a), above, and (ii) state the hourly wage paid to residents in each such program.

(c) Identify any written memoranda, policy statements, letters, current contracts, or other writings made or in effect within the past 3 years which pertain to the programs described in response to Interrogatory No. 63 (a), above.

[X.] Injuries to Residents

64. (a) (i) State the number of incidents in the past year in which a resident of Rosewood sustained any injury at the hands of any employee of Rosewood, and (ii) in each instance, describe in detail the nature of the injury sustained, the circumstances surrounding the incident, and the action that was ultimately taken in regard to the employee and in regard to the resident injured.

(b) Identify any written memoranda, letters, reports, investigations, or other writings which are concerned with the incidents described in response to Interrogatory No. 64(a), above.

65. (a) (i) State the number of incidents in the past year in which a resident at Rosewood sustained any injury at the hands of any other resident, and (ii) in each instance, describe in detail the nature of the injury sustained, the circumstances surrounding the incident, and the action that was ultimately taken in regard to the injured resident and in regard to the resident inflicting the injury.

(b) Identify any written memoranda, letters, reports, investigations, or other writings, which are concerned with the incidents described in response to Interrogatory No. 65(a), above.

66. (a) (i) State the number of incidents in the past year in which any Rosewood resident sustained a self-inflicted or accidental injury which required medical care other than routine first aid (e.g., band-aid, ointment, etc.) and (ii) in each instance, describe in detail the circumstances surrounding the incident and the extent of the injury.

(b) Identify any written memoranda, letters, reports, investigations or other writings, which are concerned with the incidents described in response to Interrogatory No. 66(a), above.

[XI.] Transfer and Release

67. (a) State separately, by institution, (i) the number of Rosewood residents who have been transferred to any other state-operated institution since January 1, 1973, and (ii) the number of Rosewood residents who are specifically scheduled to be transferred to any other state-operated institutions by December 31, 1974.

(b) Describe the procedure which must be followed in transferring residents from Rosewood to other state-operated institutions.

(c) Describe the provisions made and facilities available at each transferee institution for continuing and maintaining the programs and services provided to residents transferred from Rosewood.

(d) Identify written memoranda, letters, policy statements, or other writings which are concerned with the transfers referred to in Interrogatory No. 67(a), above.

68. (a) State separately (i) the number of Rosewood residents who have been released from Rosewood since January 1, 1973 and (ii) the number of Rosewood residents who are specifically scheduled for release from Rosewood by December 31, 1974.

(b) State separately how many of the residents identified in response to Interrogatory No. 68(a)(i) and No. 68(a)(ii), above, have been released or are scheduled for release to (i) private hospitals or institutions; (ii) nursing homes; (iii) halfway houses, hostels, or group homes; (iv) their own homes; (v) the community at large; or (vi) other situations (specify).

(c) Describe the provisions made and facilities provided to meet the habilitation and other needs of residents after their release to each of the situations described in Interrogatory No. 68(b)(i) through 68(b)(vi), above.

[XII.] Miscellaneous

69. State the date, granting agency, grant number, amount, program or statutory authority, and purpose of (i) all [State]

federal grants, contracts, [or] other assistance received by Rosewood since fiscal year 1970, and (ii) all such grants, contract, or other assistance for which applications are now pending.

70. Describe in detail any policies and procedures pursuant to which residents of Rosewood, their legal guardians, or any other person or entity pays for the care and treatment provided to such residents, including, but not limited to the following:

- (a) Whether any involuntarily committed residents are required to pay for care and treatment;
- (b) Whether voluntary committed residents are required to pay for care and treatment;
- (c) The basis for determining what charges will be made against the account of a resident;
- (d) (i) Whether any residents' Social Security or veterans benefits are applied to the cost of their care and treatment, and (ii) if so, the number of residents so charged;
- (e) The number of residents who have had a representative payee appointed for purposes of receiving their Social Security benefits;
- (f) A detailed description of the manner in which representative payees for Social Security payments are appointed;
- (g) (i) The identity of the representative payees who have been appointed for purposes of receiving residents' Social Security benefits, and (ii) the number of residents each such payee represents.

71. Identify any documents or writings which relate to the matters covered by Interrogatory No. 70, above.

72. (a) Identify any and all reports, investigations or studies compiled or conducted by any public agency, body, or com-

mission since 1960 which deals with any aspect of the operation and administration of Rosewood, including, but not limited to, sanitation reports, condemnation notices, grand jury reports, fire or insurance inspections, and federal reviews or compliance reports.

(b) Identify any and all reports, investigations, or studies compiled or conducted by any private or professional organization or association since 1960 which deals with any aspect of the operation or administration of Rosewood, including, but not limited to, accreditation surveys.

(c) Identify any and all reports, investigations or studies compiled or conducted by any individual(s) since 1960 which deal with any aspect of the operation or administration of Rosewood, and identify such individuals.

73. (a) Describe in detail (including names and job titles) the organizational structure, chains of command and allocation of responsibility for all programs and aspects of the Rosewood operation. (An organizational chart showing vertical and lateral organization may be attached in lieu of a narrative response.)

(b) Identify and give the sex, race or national origin, job title, grade and professional and educational qualifications of all heads of programs; departments and divisions; all persons reporting directly to the superintendent; and the superintendent and any assistants.

74. (a) Describe in detail all types of records maintained by Rosewood with regard to individual residents, and (b) indicate whether each type of record is maintained for every resident or for a particular group or type of resident (specify group or type).



INDEXES FOR THIS ISSUE

The following tables include all cases, statutes, and regulations (decided, enacted, or proposed) which are reported in this issue of the *Mental Disability Law Reporter*. They do not include earlier materials cited in the text of reported decisions, or elsewhere in the editorial content of the *Reporter*. The section numbers next to each item relate to the subject matter index which appears

in Section I and according to which most sections of the *Reporter* are organized; where more than one index number is applicable, the number under which the item actually appears is italicized. Thus, for example, the case of *Beauchamp v. Jones* can be found under § 905(a) in Section II, Case Law Developments, at p. 35.