



COMMISSIONER  
Adelaide Horn

November 5, 2008

To: Intermediate Care Facilities for Persons with Mental Retardation or a Related Condition (ICFs/MR)

Subject: Provider Letter No. 08-28 – Survey on the Use of Interventions in a Behavioral Emergency

According to the Senate Bill (SB) 325 (79th Legislature, Regular Session, 2005) report, compiled by the Health and Human Services Commission (HHSC), “over the past several years, there has been an increased concern over the use of restraint and seclusion in response to behavioral emergencies in public and private facilities.” The report noted that “reports of serious injury, or death in some cases, have sparked an examination of factors that lead to the use of restraint and seclusion.”

The Texas Legislature passed SB 325 to address the reduction of restraints and seclusion from a cross-agency perspective, becoming the first legislature to address this issue. The legislation enacted requirements for facilities and programs that utilize restraint and seclusion in response to behavior emergencies.

As part of SB 325, HHSC established a workgroup to review and provide recommendations regarding restraint and seclusion practices in policy, training, safety and risk management to govern the management of inappropriate client behavior.

One of the workgroup’s recommendations was for facilities to annually report to HHSC a list of the most common interventions used to prevent or reduce the use of restraint in response to a behavioral emergency. The Department of Aging and Disability Services requests your participation in a survey related to that reporting requirement.

This brief survey requires no identifying information. **Your participation in this survey is voluntary.**

Results will be aggregated by program type and reported to HHSC. The deadline for participation in this survey is **November 12, 2008**. To participate in the survey now please go to [http://www.surveymonkey.com/s.aspx?sm=NJP0wsSn767a\\_2b\\_2f2qSJgIRg\\_3d\\_3d](http://www.surveymonkey.com/s.aspx?sm=NJP0wsSn767a_2b_2f2qSJgIRg_3d_3d).

For the purpose of this survey, terms are defined as follows:

- ***Behavioral emergency:** a situation in which severely aggressive, destructive, violent or self-injurious behavior exhibited by an individual poses a substantial risk of imminent probable death or substantial bodily harm to the individual or others and the behavior has not abated in response to de-escalatory techniques.*
- ***Personal restraint:** the application of a personal hold alone that restricts the free movement of the whole or a portion of an individual’s body.*

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- *Mechanical restraint: The application of a physical or mechanical device, material or equipment attached or adjacent to the individual's body that the individual cannot remove easily that restricts or aids in the restriction of free movement of the whole or a portion of an individual's body.*
- *Emergency psychoactive medication: pharmaceuticals administered (involuntarily) to an individual whose behavior meets the definition of an emergency.*

If you have any questions about the survey, please contact Corliss Powell, Lead Policy Specialist, at [corliss.powell@dads.state.tx.us](mailto:corliss.powell@dads.state.tx.us).

Sincerely,

*[signature on file]*

Veronda L. Durden  
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Regulatory Services

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