



State of South Carolina
Office of The Lieutenant Governor

André Bauer
Lieutenant Governor

Office on Aging
Tony Kester,
Interim Director

September 12, 2008

Mr. Brent Parker, Executive Director
Greenville Country DSN Broad
1700 Ridge Road
Greenville, SC 29606

Ref: SLED Case 08-0536

Dear Mr. Parker:

Pursuant to authority granted by SC Code (Ann. 1992) Section 43-38-10 and (Ann. 1993) Section 43-35-5 et. Seq., this investigator investigated a complaint filed with our office regarding Stephanie Windham, a consumer of Hill Lane CTH II, Greenville, SC 29485. This investigation included an unannounced facility visit on July 15, and July 22, 2008 a review of facility records, staff interviews and observation. The complaint and findings are listed below:

Complaint: Alleged Non-Criminal Psychological Abuse. The complainant stated that she has not been allowed to talk on the telephone with the consumer since May. Each time she calls, the Hill Lane staff will either not answer the phone or if they pick up they will tell her that the consumer does not wish to talk to her.

Finding: On July 15, 2008 this investigator made an unannounced visit to the Hill Lane CTH II and met with Ms. Stephanie Windham. This investigator received a signed consent to investigate and interviewed Ms. Stephanie Windham. During this interview, Ms. Windham stated that she does not wish to talk with her mother because every time her mother, Ms. Brenda Bryant calls, "she upset me". Ms. Windham stated that she has a guardianship court hearing to get a new court appointed guardian. In 1977, a probate court judge issued an order appointing Ms. Brenda Bryant as her guardian and conservator. Ms. Windham stated that she was advised by her Lawyer not to talk with her mother until after the court hearing. Ms. Windham stated that her mother has control of her finances and does not want her to move into an apartment. She stated that she plans to move into an SLP. Ms. Windham stated that she is capable of taking care of herself. She stated that she is being harassed by her mother and every time she talks with her mother, she stated that her mother belittles her, which causes her to be upset and stressed. She stated "I have been losing sleep and my mother triggers my mood disorder and anxiety". She stated that every time her mother calls, staff ask her "do you wish to talk with your mother" and she tells them "no". She has written a request to her Service Coordinator (Melissa Stubblefield) and Residential Supervisor stating "I do not want my mother to call me". Ms. Windham had written a request on April 29, 2008 to her Service Coordinator stating "I want a new guardian and need a Lawyer".

This investigator interviewed Ms. Jennifer Bogart, Living Support Specialist. She stated that every time Ms. Bryant calls staff keep a log with date, times and what is said. She stated that Ms. Windham is always given the opportunity to speak with her mother when she calls.

On July 22, 2008, after receiving additional information of this case and additional reports that the consumer may be suicidal, this investigator made another unannounced visit to Hill Lane CTH II to check on the well-being and mental state of the consumer. It was reported that staff of the Greenville DDSN may be influencing the consumer that it is in her best interest not to talk with her mother and sister. This investigator arrived at the home at approximately 11:00 am and found no one home. After waiting for one hour, this investigator traveled to the Piedmont Skills Day Program in Fountain Inn to locate the consumers after failed attempts to contact her Service Coordinator Mellissa Stubblefield. This investigator was informed by Ms. Jackie Shuler, Director of the Piedmont Skills Day Program that the consumer no longer participates in the day program. This investigator made a second attempt to contact the service coordinator with negative results. At 4:00 pm and after making several attempts to locate the consumers, this investigator arrived at the Greenville County DDSN building and asked to see Ms. Melissa Stubblefield. Ms. Stubblefield was not available and at this time this investigator was given all files pertaining to this case. This investigator was introduced to Ms. Therese A. Horton, Guardian Ad Litem. This investigator asked had she spoke with Ms. Windham today and she stated "no, I have talked with the staff member that she is with". After informing her that I was at the house twice looking for Ms. Windham, she informed me that for her protection, she was not at the house. She gave this investigator the cell phone number for the staff member that Ms. Windham was with and this investigator made arrangements to meet her at the house.

This investigator met with the consumer and she stated that she is frustrated with everything that is going on and had stated "I should just kill myself". However she stated that she was "just talking" and has no intention of hurting herself. Ms. Jennifer Bogart (Direct Support Staff) also stated that the consumer had made statements about hurting herself, however she stated that she is with the consumer all the time and will not let her hurt herself.

In August 1977, a probate court judge issued an order appointing Ms. Brenda Bryant (mother) as Ms. Stephanie Windham guardian and conservator. Ms. Windham was adjudicated incompetent and unable to handle personal and financial affairs. A probate judge also found Ms. Windham "lacked capacity to exercise good judgment with regard to her person, asset and financial affairs". Ms. Bryant reported that staff of the Greenville Department of Disabilities and Special Needs is denying her access to her daughter. This investigator received a copy of the call log from the Hill Lane CTH II. It revealed that Ms. Bryant tried on numerous occasions to call and speak with her daughter and each time, her daughter refused to talk with her. After checking the staff log book, there is an entry stating "if Crystal calls you do not have to ask Stephanie if she wants to speak to "CS", just tell her she does not want to talk to her, this is by Theresa Horton". Crystal is the consumer's sister.

Ms. Windham's Service Note Dated January 11, 2007 states "Stephanie wants to have contact with her sister".

By not allowing Ms. Brenda Bryant to communicate with Ms. Ms. Windham, she was confused on what Ms. Bryant's intentions were, causing her fear and serious emotional distress. Ms. Windham Single Plan states, "Safety Issues: Stephanie can be "easily persuaded or persuade other to do things".

Ms. Stephanie Windham psychological evaluation dated 02/10/95 performed by Linda S. Moore, PhD states "She is not capable of making decisions in her own best interest without support and advice". Ms. Windham's Single Plan states she has regular contact with her mother through phone calls and periodic visits prior to January 2008. It also states that she has contact with her sister as well. Ms. Bryant had been

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Involved in the planning and cares as Mother and Guardian for Ms. Windham prior to January. According to Ms. Windham's Single Plan and Behavior Support Plan, Ms Bryant has shown that she has the best interest of Ms. Windham. Under Residents Rights, section 44-26-10, Rights of Mental Retardation Clients states, "a client may (1) communicate by sealed mail, telephone, or otherwise with persons, including official agencies, inside or outside the institution".

Psychological abuse is substantiated based on a review of Guardianship papers, Behavior Service Plan, Single Plan and consumer and staff interviews. There is a preponderance of evidence to suggest that Ms Bryant should have been given access to her daughter to discuss the wishes to remove her from Guardianship. The preponderance of evidence suggests that the consumer is being encouraged to cut ties with her Guardian.

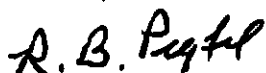
During the investigation of this case other concerns were noted: Self-administration of medication.

Ms. Windham Support Plan dated January 07, 2008 states "she requires assistance in her independent living skills (such as money management, medication administration and translocation). However, Ms. Windham has been allowed to "self-medicate herself. This investigator met with Mr. Brent Parker on July 29, 2008 and he verbally agreed to suspend self-medication until after the legal proceeding. Due to stress, and allegations' that Ms. Windham may be suicidal, this investigator recommends that Ms. Windham be re-evaluated for self-medicating. Ms. Windham Support Plan states "the Residential staff will give her medication as prescribed". This investigator also recommends Residents Rights training for all Hill Lane CTH II staff and that staff abide by the ruling of the court.

On July 15, 2008 this investigator witnessed a statement that Ms. Windham, in this investigator opinion was encouraged by Ms. Jennifer Bogart, Direct Support Staff and Ms. Mellissa Stubblefield to write a statement that stated "I do not wish to talk to my sister until after the court hearing". This investigator was unable to determine if Ms. Windham was encouraged or coerced to write the statement dated April 29, 2008 which stated, "I want a new guardian. I need a Lawyer to help me".

The above mentioned complaint concludes those that were filed on behalf of the resident. Thank you for your assistance during my investigation. If you have any questions, please call me at 803-734-9875.

Sincerely,



Rodney B. Pigford
Ombudsman Investigator

cc: Responsible Party
Sam Davis

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