

# Vermont Protection & Advocacy, Inc.

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Vermont Protection and Advocacy, Inc. herein includes the brief response from the Brattleboro Retreat to the report. The report was based in large part on records received from the Retreat in response to VP&A's request for records. Any incorrect or incomplete information that the Retreat asserts formed the basis of this report is a reflection of the Retreat's record keeping and not an indication that VP&A ignored or overlooked relevant information. The Retreat's response does not identify any of the information in the report that is incomplete nor does the Retreat identify any specific conclusions that they consider incorrect. VP&A is gratified that the Retreat has reviewed the report and we are hopeful the information it contains will lead to improved treatment of patients at the Retreat. VP&A also hopes that the report will be reviewed and used to improve services and oversight that you provide to facilities treating patients with disabilities.

Below you can view the Brattleboro Retreat's response to VP&A's Report on the October 10, 2003 Taser Incident on the Tyler 3 Unit:



March 11, 2005

Ed Paquin  
Executive Director  
Vermont Protection & Advocacy, Inc.  
141 Main Street, Suite 7  
Montpelier, VT 05602

Re: Response to Redacted Report of the Tyler 3 Incident on October 10, 2003

Dear Mr. Paquin:

Retreat Healthcare appreciates Vermont Protection and Advocacy's diligent commitment to both provide constructive feedback in our efforts to continually improve the quality of care we provide to the patients we serve, and to execute it's responsibility for advocacy for mental health services consumers.

We acknowledge this report in that spirit. The Retreat's leadership and clinical staff are committed to always seeking ways to provide the best care possible to patients. Retreat Healthcare's actions are always governed, first and foremost, by concern for the safety of our patients and staff. Our concern for patient and staff safety drove the actions taken in the situation analyzed in this report.

In our ongoing efforts to minimize the potential for harm to patients and staff, annual education is provided to employees in techniques shown to decrease aggressive behaviors and manage them safely when they occur. Because we are committed to finding ways to minimize and eliminate the likelihood of aggressive behaviors, a formal review of actions leading up to and resulting from dangerous behaviors is performed in each case where this occurs. This involves face to face discussions with those involved, as well as in depth review of treatment plans and patient care records. It also includes the convening of a peer review committee with participation by clinical experts not involved in the care of the patient. All of these actions were taken in the case described in this report. Vermont Licensing and Protection may also complete another level of external review.

We have carefully reviewed the report. As acknowledged by VP & A, their conclusions were based on "incomplete information". Their conclusions reject the findings of the state agency with legal responsibility for oversight of patient care, which did not cite any deficiencies in the care the patient received. For these reasons we believe that the conclusions reached by VP&A are in large measure incorrect.

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Ed Paquin  
Executive Director  
Vermont Protection & Advocacy, Inc  
March 9, 2005  
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The partnership we have developed with VP&A over the last year based on the common desire for the best possible treatment of patients in a safe and dignified manner is a positive outcome of this difficult process.

Retreat Healthcare is pleased to continue to lead in the national effort underway to reduce and hopefully eliminate the use of restraint and seclusion in the provision of care to psychiatric patients. We appreciate VP&A's recognition of our efforts, and remain committed to working collaboratively with VP & A to achieve this common goal.

Sincerely,

A handwritten signature in cursive script that reads "Frederick W. Engstrom". The signature is written in black ink and is positioned above the printed name.

Frederick W. Engstrom, M.D.  
Senior Vice President Medical Affairs