

***Cassie Cordell Trueblood, et al., v. Washington State Department  
of Social and Health Services, et al.***  
***Case No. C14-1178 MJP***  
**DRAFT Monthly Report to the Court Appointed Monitor**

**January 31, 2018**

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## BACKGROUND

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On April 2, 2015, the Court ordered the Department of Social and Health Services (DSHS) to file monthly reports with the *Trueblood* Court Monitor on efforts to comply with Court orders to provide timely competency evaluation and restoration services to Class Members. This monthly report is submitted January 12, 2018 and covers the events of December, 2017. This report also provides status updates on additional court order requirements.

On April 2, 2015, the Court ordered:

*“Defendants shall file a report with the Monitor on the fifth day of every month, which shall include:*

- (1) the number of days between when a court ordered provision of competency services and when provision was completed, for each person ordered to receive competency services during the previous month;*
- (2) data regarding the number of evaluators, bed capacity, physicians, and other resources needed to provide timely competency services;*
- (3) the steps taken in the previous months to implement this order;*
- (4) when and what results are intended to be realized by each of these steps;*
- (5) the results realized in the previous month;*
- (6) the steps planned to be taken in the following month;*
- (7) certification by Defendants that they are fully compliant with all deadlines that became due in the previous month;*
- (8) Defendants’ estimate for when the wait times will reach seven days or less, and all data relied on in making that estimate; and*
- (9) any other information the Monitor informs Defendants is necessary for the Monitor to fully review Defendants’ actions and advise the Court.”*

The April, 2015 order was modified on February 8, 2016. Additional orders were issued on July 7, 2016, August 15, 2016, and April 26, 2017. Status updates on these orders requiring narrative in this report begin on page 38.

This report provides the Class Member data for competency services displayed in two periods; November 1, 2017 – November 30, 2017 and December 1, 2017 – December 31, 2017. The November data are considered “mature” and the December data are a “first look” data set. April, 2015 is the baseline month for data analysis.

Specific Class Member evaluation and restoration information is included in the appendices to this report.

## CLASS MEMBER STATUS SUMMARY INFORMATION

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### **Analysis of Mature Data: April 1, 2015 through November 30, 2017 (see appendix A-G)**

**Note:** These data are based on number of days from signature and not the new timeframes as described in the April 26, 2017 Court Order.

The average monthly referrals for each type of service are as follows:

- Average monthly jail-based evaluation orders signed for April 2015-November 2017
  - WSH: 216.0
  - ESH: 49.8
  - Both hospitals: 265.8
- Average monthly inpatient evaluation orders signed for April 2015-November 2017
  - WSH: 18.2
  - ESH: 7.0
  - Both hospitals: 25.2
- Average monthly restoration orders signed for April 2015-November 2017
  - WSH: 81.6
  - ESH: 14.1
  - Both hospitals: 95.7

### **Summary Points Related to Orders and Timeliness Based on Mature November Data (A-G appendix)**

#### **Orders**

- The number of jail-based evaluation orders at WSH rose to 262 in November from 256 the previous month, which still remains above the 216.0 average. ESH also saw an increase to 63 orders from 61 the previous month, which is also above the 49.8 average. Combined, the hospitals received 323 orders in November, which is well above the 265.8 average.
- WSH received 14 in-patient evaluation orders which is below the 18.2 average. ESH had 5 inpatient evaluation orders, which is below the 7.0 average. Orders at both sites totaled 19 which is also below the 25.2 average.
- WSH received 91 restoration orders which remains significantly higher than the 81.6 average. ESH had 13 orders which is slightly below the 14.1 average. There were 104 restoration orders across both hospitals which is higher than the 95.7 average.

#### **Wait Times**

- Regarding jail-based 14 day evaluation completion times, WSH is at 10.6 days on average from order to completion and ESH is averaging 11.8 days. The combined average is 10.9 days.
- The average inpatient evaluation admission wait times at WSH is 50.5 days. ESH average is at 11.7 days. The combined average is 45.2 days.
- Restoration admission wait times at WSH is 38.8 days on average. The ESH average is 5.9 days. The combined average is 35.1 days.

**Timeliness**

- At both hospitals combined, overall timeliness for jail-based evaluation completion is at a 67% completion rate within 14 days from receipt of order.
- At both hospitals combined, overall timeliness for inpatient evaluation admissions is at a 2% completion rate within 7 days from receipt of order.
- At both hospitals combined, overall timeliness for inpatient restoration admissions is at a 15% completion rate within 7 days.

**Outlier Cases (Mature)**

The monthly outlier population cases have been defined by the court monitor as:  
 \* Population from the mature data month.  
 \* Evaluations: incomplete status and waiting more than 20 days for an evaluation (In-Jail or Inpatient), by the end of the reporting period.  
 \* Restorations: incomplete status and waiting more than 40 days for restoration services (Inpatient), by the end of the reporting period.

Type	Number of referrals:	Minimum Number of days between order signed and end of reporting period	Maximum Number of days between order signed and end of reporting period
In-Jail Evaluations:	0	n/a	n/a
Inpatient Evaluations:	16	22	69
Restorations:	54	41	100

REASONS FOR DELAY IN DATABASE	OUTLIER CASES
Attorney scheduling conflict	0
Change in status from PR to JH or JH to PR	0
Client released from custody & can't be located	0
Defendant would not cooperate or would not participate without attorney	0
Good Cause Extension Needed	0
Interpreter scheduling conflicts	0
Late receipt of order or discovery availability delay	0
Medical Record/Collateral Information	0
NO DELAY RECORDED/No Reason Listed (cell was left blank)	70
Other	0
<b>TOTAL:</b>	<b>70</b>

DSHS continues to work toward changing data collection policy and procedure related to “no reason for delay” so that any reason for delay is illuminated.

DSHS finalized changes made to the outpatient evaluation delay list which is used to track delays in completing an evaluation. Changes have also been made to the process that will be used to collect these data. The “no delay recorded” response is being reviewed with evaluator supervisors to help understand why 70 cases were entered as such under the new system which was implemented on November, 27, 2017.

**CLASS MEMBER STATUS DATA TABLES (See APPENDICES H-L “First Look” December)**

**TABLE 1a. Class Member Status Western State Hospital – Jail-based Competency Evaluations**

WESTERN STATE HOSPITAL		Court Orders Signed	Days from order signature to <sup>1</sup> :								Percent complete within 7 days from order signature date <sup>1</sup>	Percent completed within 14 days from receipt of order <sup>1,2</sup>	Percent completed within 14 days from receipt of order or within 21 days from order signature date <sup>1,2</sup>		
			hospital receipt of order		hospital receipt of discovery		end of reporting month for incomplete referrals		completion						
			Average	Median	Average	Median	Average	Median	Average	Median					
Jail-based Evaluation - 7 day compliance	Apr-15	177	1.3	0.0	1.9	1.0	9.5	6.0	14.6	14.0	14%	Not Applicable	Not Applicable		
	May-15	182	1.3	0.0	1.6	0.0	11.4	9.0	13.0	11.0	16%				
	Jun-15	210	1.7	0.0	2.1	1.0	10.9	8.0	17.8	15.0	10%				
	Jul-15	228	1.4	0.0	1.8	0.0	12.3	9.0	18.4	17.0	6%				
	Aug-15	170	1.9	0.0	2.2	0.0	13.4	11.0	20.7	20.0	7%				
	Sep-15	199	1.6	0.0	1.7	0.0	11.7	8.0	17.6	16.0	10%				
	Oct-15	189	1.9	0.0	2.0	0.0	16.7	15.0	16.4	15.0	19%				
	Nov-15	160	1.8	0.0	1.9	0.0	18.0	13.0	16.0	14.0	28%				
	Dec-15	194	1.6	0.0	1.7	0.0	13.7	8.5	15.5	14.0	14%				
	Jan-16	179	1.3	0.0	1.2	0.0	15.6	9.0	13.3	12.0	28%				
	Feb-16	205	0.6	0.0	0.6	0.0	6.6	5.0	10.0	8.0	45%				
	Mar-16	222	0.7	0.0	0.8	0.0	6.1	3.0	8.9	7.9	59%				
	Apr-16	201	0.8	0.0	0.8	0.0	6.1	5.0	9.0	7.0	57%				
	May-16	212	0.7	0.0	0.8	0.0	6.4	5.0	9.6	7.5	50%				
Jun-16	219	0.9	0.0	0.9	0.0	7.5	6.5	10.8	8.0	31%					
Jail-based Evaluation - 14 day compliance			Average	Median	Average	Median	Average	Median	Average	Median	within 14 days from order signature date <sup>1</sup>	within 14 days from receipt of order <sup>1,2</sup>	within 14 days from receipt of order or 21 days from order signature date <sup>1,2</sup>		
	Jul-16	227	0.7	0.0	0.8	0.0	9.4	6.0	12.2	9.0	47%	Not Applicable	Not Applicable		
	Aug-16	231	0.8	0.0	0.9	0.0	7.6	6.0	13.1	11.0	51%				
	Sep-16	256	0.6	0.0	0.8	0.0	6.7	7.0	12.5	11.0	45%				
	Oct-16	236	0.5	0.0	0.9	0.0	8.1	6.0	13.0	12.0	50%				
	Nov-16	207	1.3	0.0	1.9	0.0	10.1	8.5	13.3	13.0	47%				
	Dec-16	190	1.2	0.0	1.7	0.0	8.8	9.0	13.3	13.0	56%				
	Jan-17	199	0.8	0.0	1.1	0.0	8.4	7.0	13.0	12.0	47%				
	Feb-17	181	1.2	0.0	1.6	0.0	7.4	5.0	12.1	12.0	56%				
	Mar-17	253	1.1	0.0	1.4	0.0	5.7	3.0	10.7	9.0	62%				
	Apr-17	213	0.6	0.0	0.8	0.0	8.2	5.0	10.8	9.5	63%				
	May-17	259	0.3	0.0	0.5	0.0	8.5	8.0	11.3	10.0	57%			58%	58%
	Jun-17	274	0.2	0.0	0.6	0.0	6.3	4.0	13.7	13.0	40%			40%	40%
	Jul-17	220	0.3	0.0	0.5	0.0	8.9	7.0	13.8	14.0	48%			49%	49%
	Aug-17	272	0.6	0.0	0.9	0.0	5.6	3.0	12.6	11.0	54%			55%	56%
	Sep-17	236	0.4	0.0	0.8	0.0	7.2	5.0	11.9	11.0	54%			54%	55%
	Oct-17	256	0.5	0.0	0.9	0.0	7.9	6.0	12.6	11.0	52%			53%	53%
Nov-17	262	0.6	0.0	0.9	0.0	5.3	3.0	10.6	10.0	69%	69%			70%	
Dec-17	170	0.5	0.0	0.7	0.0	6.5	5.0	9.7	9.0	71%	72%	73%			

**Data Notes:**

<sup>1</sup>Number of court orders signed is based on the number of orders signed in the specified month. These data are updated from the previous monthly report reflecting updates in the dynamic data system. Averages, medians, and "percent completed" are based on the orders completed and/or not completed in the specified month regardless of when the court orders were signed (i.e., orders could be signed in a previous month) and are snapshots of the final look data for that month (with the exception of December 2017 which is "first look" data).

<sup>2</sup>As of May 2017, DSHS compliance data are calculated and summarized in this table based on the modified deadline for in-jail competency evaluations outlined in the order DSHS received on 4/26/2017 adopting the Mediated Settlement Agreement, Dkt. # 389, stating: "DSHS shall complete in-jail competency evaluations within the shorter of either a) 14 days from receipt of order or b) 21 days from signature of order". To comply with the new requirements, this report captures two additional sets of compliance information beginning in May, 2017. The first is percentage of orders completed within 14 days from receipt of order as long as this is the shorter of the two compliance deadlines, or the order was received within 0 and 7 days from order signature date. The second is percentage of all orders completed within either of the two compliance deadlines: 14 days from receipt of order (if the order was received within 0 and 7 days from order signature date) or 21 days from order signature date (if the order was received after 7 days from order signature date).

**TABLE 1b. Class Member Status Western State Hospital – Inpatient Competency Services**

WESTERN STATE HOSPITAL	Court Orders Signed	Days from order signature to <sup>1</sup> :								Percent complete within 7 days from order signature date <sup>1</sup>	Percent completed within 7 days from receipt of order <sup>1,2</sup>	Percent completed within 7 days from receipt of order or within 14 days from order signature date <sup>1,2</sup>	
		hospital receipt of order		hospital receipt of discovery		end of reporting month for incomplete referrals		completion					
		Average	Median	Average	Median	Average	Median	Average	Median				
Inpatient Evaluation	Apr-15	10	5.8	1.0	5.8	1.0	10.7	7.0	22.2	18.0	22%		
	May-15	9	2.9	2.0	2.9	2.0	11.4	13.0	18.9	20.0	8%		
	Jun-15	9	3.0	1.0	3.0	1.0	14.0	12.0	12.3	15.0	25%		
	Jul-15	14	3.5	1.0	3.5	1.0	16.6	9.0	14.8	15.0	20%		
	Aug-15	14	4.5	1.0	4.5	1.0	10.0	11.0	25.5	17.0	7%		
	Sep-15	14	2.6	1.0	2.6	1.0	15.1	16.0	19.7	20.0	11%		
	Oct-15	15	1.5	1.0	1.5	1.0	19.0	19.0	23.6	22.0	0%		
	Nov-15	15	1.7	1.0	1.7	1.0	14.1	12.0	23.9	22.0	6%		
	Dec-15	11	4.1	1.0	4.1	1.0	13.1	12.0	22.2	27.0	10%		
	Jan-16	13	4.0	1.0	3.8	1.0	12.2	11.0	24.7	23.0	0%		
	Feb-16	16	4.4	1.0	4.4	1.0	10.7	8.5	17.1	15.5	8%		
	Mar-16	22	3.1	1.0	3.1	1.0	6.8	7.0	15.5	14.0	10%		
	Apr-16	20	1.1	0.0	1.1	0.0	8.6	8.5	18.6	17.5	6%	Not Applicable	Not Applicable
	May-16	18	1.7	1.0	1.7	1.0	9.5	6.0	18.9	21.0	16%		
	Jun-16	16	3.4	1.0	3.4	1.0	11.8	7.5	25.0	26.0	0%		
	Jul-16	19	4.7	2.0	4.7	2.0	7.5	4.0	17.3	14.5	6%		
	Aug-16	32	2.8	1.0	2.8	1.0	13.1	13.0	14.1	13.5	13%		
	Sep-16	23	2.5	1.0	2.5	1.0	14.0	14.0	15.2	14.0	11%		
	Oct-16	22	1.4	0.0	1.4	0.0	18.0	18.0	23.4	22.0	5%		
	Nov-16	21	1.2	0.0	1.2	0.0	22.0	22.5	29.9	32.0	5%		
	Dec-16	20	2.9	0.0	2.8	0.0	16.9	19.5	26.5	30.0	14%		
	Jan-17	15	2.5	0.0	2.5	0.0	17.3	20.0	22.2	14.0	22%		
	Feb-17	20	2.4	0.0	2.4	0.0	16.3	13.0	15.0	11.5	13%		
	Mar-17	23	1.6	0.0	2.0	0.0	11.5	15.0	23.6	27.0	6%		
	Apr-17	28	0.7	0.0	1.0	0.0	13.2	11.0	26.1	27.5	0%		
	May-17	28	2.1	0.0	2.1	0.0	22.6	20.0	27.6	34.0	7%	7%	7%
	Jun-17	20	2.1	0.0	2.1	0.0	30.1	31.0	36.6	42.0	6%	6%	6%
	Jul-17	16	0.9	0.0	0.9	0.0	32.9	30.0	42.4	48.0	10%	10%	10%
Aug-17	28	0.7	0.0	0.7	0.0	16.5	11.5	40.6	51.0	9%	9%	9%	
Sep-17	22	0.3	0.0	0.3	0.0	27.8	31.0	32.3	36.0	7%	7%	7%	
Oct-17	16	2.3	0.0	2.5	0.0	33.0	34.0	38.4	49.0	10%	10%	10%	
Nov-17	14	1.4	0.0	1.6	0.0	31.8	27.0	50.5	48.0	0%	0%	0%	
Dec-17	14	1.9	0.0	1.9	0.0	32.1	33.0	43.5	50.0	9%	9%	9%	
Inpatient Restoration <sup>3</sup>	Apr-15	60	1.8	1.0	1.8	1.0	37.2	16.0	38.6	44.0	24%		
	May-15	59	1.8	1.0	2.1	1.0	35.9	19.0	26.2	15.0	25%		
	Jun-15	62	1.7	1.0	2.1	1.0	16.8	8.0	34.2	25.0	7%		
	Jul-15	77	1.7	1.0	2.1	1.0	16.1	10.0	20.8	15.0	25%		
	Aug-15	61	2.1	1.0	2.1	1.0	22.5	19.0	23.6	33.0	24%		
	Sep-15	95	1.7	1.0	2.0	1.0	24.3	15.0	23.0	14.0	26%		
	Oct-15	73	1.8	1.0	2.1	1.0	21.2	23.0	32.1	45.0	20%		
	Nov-15	55	1.2	1.0	1.4	1.0	31.9	28.0	33.5	47.0	24%		
	Dec-15	65	1.5	1.0	2.0	1.0	27.3	22.0	39.0	48.0	19%		
	Jan-16	61	2.7	0.0	2.9	0.0	29.2	18.5	33.6	44.0	23%		
	Feb-16	66	2.7	1.0	3.3	1.0	24.2	21.0	33.1	41.0	14%		
	Mar-16	81	2.0	0.0	2.5	0.0	25.9	27.0	28.3	21.0	30%		
	Apr-16	68	1.9	0.0	2.2	0.0	23.5	20.5	37.4	46.0	13%		
	May-16	68	1.7	0.0	2.0	0.0	23.1	21.5	29.0	24.5	25%		
	Jun-16	71	1.4	0.0	1.5	0.0	22.1	17.0	26.6	22.0	11%		
	Jul-16	67	1.7	0.0	1.7	0.0	11.8	6.0	21.8	18.0	14%		
	Aug-16	95	1.5	0.0	1.7	0.0	12.3	13.0	13.1	10.0	24%		
	Sep-16	104	1.6	0.0	1.7	0.0	14.4	11.0	16.8	14.0	13%		
	Oct-16	76	1.3	0.0	1.3	0.0	25.2	25.0	21.5	17.5	10%		
	Nov-16	81	1.5	0.0	1.5	0.0	24.3	20.5	28.1	16.5	13%		
	Dec-16	98	1.5	0.0	1.6	0.0	26.8	23.0	24.3	15.0	11%		
	Jan-17	87	1.9	0.0	1.9	0.0	25.5	21.0	28.8	19.0	16%		
	Feb-17	95	1.7	1.0	1.7	1.0	21.8	19.0	28.5	17.0	16%		
	Mar-17	109	1.5	0.0	1.5	0.0	23.9	21.0	33.2	20.0	13%		
	Apr-17	80	1.1	0.0	1.1	0.0	26.7	23.0	34.2	27.0	5%		
	May-17	103	1.4	0.0	1.4	0.0	27.0	22.0	31.8	26.0	11%	11%	11%
	Jun-17	98	1.9	0.0	1.9	0.0	27.9	22.0	27.8	21.0	11%	12%	12%
	Jul-17	102	1.5	0.0	1.5	0.0	24.2	18.0	35.3	19.0	9%	9%	10%
Aug-17	108	0.8	0.0	0.8	0.0	28.4	27.0	26.1	15.0	13%	14%	14%	
Sep-17	100	0.8	0.0	0.8	0.0	29.1	23.0	35.3	25.0	10%	10%	10%	
Oct-17	108	0.8	0.0	0.8	0.0	34.3	28.5	32.2	24.0	13%	13%	13%	
Nov-17	91	1.6	0.0	1.6	0.0	38.1	34.5	38.8	39.0	13%	13%	13%	
Dec-17	92	1.5	0.0	1.4	0.0	44.7	39.0	38.2	35.0	11%	11%	11%	

**Data Notes:**

<sup>1</sup>Number of court orders signed is based on the number of orders signed in the specified month. These data are updated from the previous monthly report reflecting updates in the dynamic data system. Averages, medians, and "percent completed" are based on the orders completed and/or not completed in the specified month regardless of when the court orders were signed (i.e., orders could be signed in a previous month) and are snapshots of the final look data for that month (with the exception of December 2017 which is "first look" data).

<sup>2</sup>As of May 2017, DSHS compliance data are calculated and summarized in this table based on the modified deadline for inpatient evaluation and restoration services outlined in the order DSHS received on 4/26/2017 adopting the Mediated Settlement Agreement, Dkt. # 389, stating: "DSHS shall admit class members for either inpatient competency evaluation or restoration within the shorter of either a) 7 days from receipt of order or b) 14 days from signature of order". To comply with the new requirements, this report captures two additional sets of compliance information beginning in May, 2017. The first is percentage of orders completed within 7 days from receipt of order as long as this is the shorter of the two compliance deadlines, or the order was received within 0 and 7 days from signature of order. The second is percentage of all orders completed within either of the two compliance deadlines: 7 days from receipt of order (if the order was received within 0 and 7 days from order signature date) or 14 days from order signature date (if the order was received after 7 days from order signature date).

<sup>3</sup>The inpatient restoration data for WSH includes those referrals that are admitted to Maple Lane and Yakima.

**TABLE 2a. Class Member Status Eastern State Hospital – Jail-based Competency Evaluations**

EASTERN STATE HOSPITAL		Court Orders Signed	Days from order signature to <sup>1</sup> :								Percent complete within 7 days from order signature date <sup>1</sup>	Percent completed within 14 days from receipt of order <sup>1,2</sup>	Percent completed within 14 days from receipt of order or within 21 days from order signature date <sup>1,2</sup>
			hospital receipt of order		hospital receipt of discovery		end of reporting month for incomplete referrals		completion				
			Average	Median	Average	Median	Average	Median	Average	Median			
Jail-based Evaluation - 7 day compliance	Apr-15	32	4.6	1.0	8.6	5.0	28.1	28.0	61.3	57.0	0%	Not Applicable	Not Applicable
	May-15	27	4.3	1.0	8.8	6.0	37.0	33.0	56.9	57.0	0%		
	Jun-15	30	4.1	1.0	8.3	6.0	38.0	39.0	65.6	64.0	0%		
	Jul-15	31	4.2	1.0	8.9	6.0	32.6	30.0	66.5	64.0	0%		
	Aug-15	22	2.4	1.0	6.4	5.0	33.4	32.0	57.7	56.0	3%		
	Sep-15	48	2.3	1.0	4.9	4.0	29.1	14.0	53.5	55.0	3%		
	Oct-15	30	1.9	0.0	4.9	4.0	16.4	10.0	39.5	40.0	3%		
	Nov-15	36	1.8	0.0	5.9	5.0	28.3	26.0	47.4	49.0	0%		
	Dec-15	42	1.7	0.0	3.2	1.0	21.7	18.0	38.7	35.0	3%		
	Jan-16	42	4.7	0.0	7.4	1.0	13.4	9.0	36.6	27.5	10%		
	Feb-16	39	1.4	0.0	2.0	1.0	10.4	6.0	15.5	12.0	25%		
	Mar-16	67	1.4	0.0	1.3	1.0	11.8	8.0	12.6	10.0	16%		
	Apr-16	39	1.4	0.0	1.7	0.0	11.0	6.5	14.5	12.0	11%		
	May-16	51	2.0	0.0	2.3	0.0	13.7	8.0	15.0	11.5	16%		
Jun-16	63	1.4	0.0	1.6	0.0	8.2	7.0	14.1	13.0	7%			
Jail-based Evaluation - 14 day compliance			Average	Median	Average	Median	Average	Median	Average	Median	within 14 days from order signature date <sup>1</sup>	within 14 days from receipt of order <sup>1,2</sup>	within 14 days from receipt of order or 21 days from order signature date <sup>1,2</sup>
	Jul-16	54	2.0	0.5	2.2	1.0	11.3	9.0	16.0	14.0	32%	Not Applicable	Not Applicable
	Aug-16	73	0.9	0.0	1.1	0.0	6.3	6.0	14.4	14.0	38%		
	Sep-16	56	0.9	0.0	0.9	0.0	9.6	7.5	14.2	14.0	58%		
	Oct-16	59	1.0	0.0	1.3	0.0	9.1	10.0	14.9	14.0	42%		
	Nov-16	33	1.3	0.0	1.5	0.0	11.0	9.0	12.6	12.0	58%		
	Dec-16	62	0.6	0.0	0.9	0.0	7.3	9.0	10.2	10.0	64%		
	Jan-17	58	1.0	0.0	1.0	0.0	6.6	5.5	11.5	10.5	41%		
	Feb-17	52	1.1	0.0	1.7	1.0	9.3	6.0	14.0	14.0	32%		
	Mar-17	60	0.6	0.0	0.9	0.0	6.0	4.0	11.4	10.0	67%		
	Apr-17	48	0.4	0.0	0.6	0.0	7.6	5.5	10.7	9.0	61%		
	May-17	68	0.7	0.0	1.1	0.0	11.0	7.0	11.5	11.0	60%		
	Jun-17	70	1.6	0.0	1.6	0.0	7.6	4.0	12.7	10.0	49%		
	Jul-17	53	2.0	0.0	2.3	0.0	11.8	6.0	13.1	12.0	56%		
	Aug-17	73	0.7	0.0	0.9	0.0	4.6	2.0	12.2	9.0	56%		
	Sep-17	50	1.4	0.0	1.9	1.0	9.9	8.5	12.3	10.0	53%		
	Oct-17	61	1.4	0.0	2.0	1.0	7.4	5.0	11.1	10.0	60%		
Nov-17	63	1.3	0.0	2.0	1.0	6.9	8.0	11.8	11.0	58%			
Dec-17	49	1.0	0.0	2.0	1.0	16.9	11.5	11.1	10.0	63%			

**Data Notes:**

<sup>1</sup>Number of court orders signed is based on the number of orders signed in the specified month. These data are updated from the previous monthly report reflecting updates in the dynamic data system. Averages, medians, and "percent completed" are based on the orders completed and/or not completed in the specified month regardless of when the court orders were signed (i.e., orders could be signed in a previous month) and are snapshots of the final look data for that month (with the exception of December 2017 which is "first look" data).

<sup>2</sup>As of May 2017, DSHS compliance data are calculated and summarized in this table based on the modified deadline for in-jail competency evaluations outlined in the order DSHS received on 4/26/2017 adopting the Mediated Settlement Agreement, Dkt. # 389, stating: "DSHS shall complete in-jail competency evaluations within the shorter of either a) 14 days from receipt of order or b) 21 days from signature of order". To comply with the new requirements, this report captures two additional sets of compliance information beginning in May, 2017. The first is percentage of orders completed within 14 days from receipt of order as long as this is the shorter of the two compliance deadlines, or the order was received within 0 and 7 days from order signature date. The second is percentage of all orders completed within either of the two compliance deadlines: 14 days from receipt of order (if the order was received within 0 and 7 days from order signature date) or 21 days from order signature date (if the order was received after 7 days from order signature date).



TABLE 2b. Class Member Status Eastern State Hospital – Inpatient Competency Services

EASTERN STATE HOSPITAL	Court Orders Signed	Days from order signature to <sup>1</sup> :								Percent complete within 7 days from order signature date <sup>1</sup>	Percent completed within 7 days from receipt of order <sup>1,2</sup>	Percent completed within 7 days from receipt of order or within 14 days from order signature date <sup>1,2</sup>	
		hospital receipt of order		hospital receipt of discovery		end of reporting month for incomplete referrals		completion					
		Average	Median	Average	Median	Average	Median	Average	Median				
Inpatient Evaluation	Apr-15	5	8.9	1.0	13.9	5.0	47.9	43.0	56.3	59.0	0%	Not Applicable	Not Applicable
	May-15	4	10.1	1.0	14.2	5.0	65.8	61.0	69.5	69.5	0%		
	Jun-15	3	7.7	1.0	11.1	5.0	75.2	68.0	89.9	102.0	0%		
	Jul-15	5	7.5	1.0	11.4	5.0	50.9	14.0	91.8	81.0	0%		
	Aug-15	3	10.2	1.0	19.6	5.0	44.5	31.0	78.2	80.0	0%		
	Sep-15	8	6.7	1.0	10.2	4.0	42.6	47.0	32.0	32.0	0%		
	Oct-15	7	2.0	1.0	7.9	6.0	28.9	16.0	61.1	70.0	0%		
	Nov-15	6	2.8	0.0	9.6	7.0	44.2	46.0	49.0	49.0	0%		
	Dec-15	11	2.4	1.0	4.2	2.0	21.1	20.5	83.6	84.0	0%		
	Jan-16	4	5.4	1.0	8.9	2.0	30.9	31.0	52.9	51.0	0%		
	Feb-16	3	12.9	1.0	16.3	2.0	47.5	31.0	50.9	56.0	0%		
	Mar-16	5	15.5	1.0	16.3	1.0	19.2	15.5	69.2	45.0	0%		
	Apr-16	2	4.9	0.5	5.6	1.0	7.5	7.5	44.0	39.0	0%		
	May-16	4	0.3	0.0	0.3	0.0	0.0	0.0	12.5	11.5	50%		
	Jun-16	9	2.5	0.0	2.5	0.0	10.0	9.0	11.4	11.0	13%		
	Jul-16	3	3.1	1.0	3.5	1.0	4.0	4.0	20.2	20.5	14%		
	Aug-16	12	1.2	0.0	1.3	0.0	1.3	1.0	4.9	6.0	100%		
	Sep-16	10	1.6	0.5	1.6	1.0	3.0	3.0	6.5	6.0	73%		
	Oct-16	12	0.7	0.0	0.8	0.0	4.3	4.0	5.6	6.0	69%		
	Nov-16	7	2.0	0.0	1.0	0.0	4.5	4.5	8.1	6.5	60%		
	Dec-16	9	1.7	2.0	1.3	1.0	0.0	0.0	6.6	6.0	64%		
	Jan-17	10	0.4	0.0	0.2	0.0	0.5	0.5	6.9	5.5	50%		
	Feb-17	11	1.3	0.0	1.9	1.0	0.0	0.0	5.8	7.0	42%		
	Mar-17	6	2.0	1.0	2.4	1.0	0.0	0.0	4.8	5.0	83%		
	Apr-17	10	1.1	0.0	1.5	1.0	0.0	0.0	5.2	6.0	82%		
	May-17	6	0.2	0.0	3.0	1.0	0.0	0.0	9.2	9.0	17%		
	Jun-17	10	0.3	0.0	2.3	1.0	7.3	7.5	6.5	6.5	40%		
	Jul-17	7	3.3	0.0	4.6	2.5	5.0	5.0	11.2	10.0	27%		
	Aug-17	9	0.8	0.0	0.9	0.0	9.3	7.0	7.2	7.5	30%		
	Sep-17	8	1.3	1.0	3.3	1.0	6.0	3.0	11.8	13.5	25%		
Oct-17	9	0.6	0.0	0.8	1.0	12.0	12.0	13.8	13.0	0%			
Nov-17	5	2.8	0.0	3.8	0.5	1.5	1.5	11.7	8.0	20%			
Dec-17	9	0.2	0.0	1.1	1.0	9.0	9.0	6.8	8.0	45%			
Inpatient Restoration	Apr-15	7	6.8	1.0	8.1	1.0	25.3	22.0	0.0	0.0	100%	Not Applicable	Not Applicable
	May-15	1	6.3	1.0	7.9	2.0	35.0	41.0	54.7	62.0	0%		
	Jun-15	4	0.6	1.0	1.8	1.0	45.3	39.0	46.0	56.0	20%		
	Jul-15	11	1.3	0.0	4.5	2.0	16.2	11.0	45.3	56.0	33%		
	Aug-15	11	1.6	0.0	5.7	3.0	26.4	27.0	35.5	35.5	50%		
	Sep-15	17	1.5	0.0	4.6	1.0	37.2	35.0	20.4	1.0	57%		
	Oct-15	5	3.2	0.0	6.4	4.0	45.6	37.0	87.4	93.0	0%		
	Nov-15	10	2.4	0.0	4.1	2.0	51.7	48.0	90.8	92.0	0%		
	Dec-15	6	3.8	0.0	4.2	0.5	26.3	20.0	84.7	86.5	0%		
	Jan-16	15	2.3	0.0	2.7	0.0	31.1	19.0	53.8	58.0	25%		
	Feb-16	14	2.0	0.0	2.3	0.0	24.2	24.0	55.8	43.5	0%		
	Mar-16	18	1.1	0.0	1.1	0.0	27.7	23.0	45.2	46.5	0%		
	Apr-16	11	1.5	0.0	1.7	1.0	16.3	11.5	30.4	31.0	0%		
	May-16	19	1.5	0.0	1.6	0.0	10.2	13.0	9.9	7.0	53%		
	Jun-16	19	0.4	0.0	0.4	0.0	7.8	10.0	9.5	9.5	22%		
	Jul-16	11	0.7	0.0	0.7	0.0	2.0	2.0	7.2	5.0	60%		
	Aug-16	7	0.4	0.0	0.4	0.0	0.0	0.0	4.6	5.5	100%		
	Sep-16	21	0.2	0.0	0.2	0.0	1.5	1.5	4.1	5.0	86%		
	Oct-16	19	0.9	0.0	0.9	0.0	4.4	5.0	5.5	5.5	48%		
	Nov-16	18	0.7	0.0	0.7	0.0	13.5	13.5	6.3	7.0	48%		
	Dec-16	12	0.3	0.0	0.3	0.0	15.0	15.0	2.7	2.0	92%		
	Jan-17	19	1.3	0.0	1.3	0.0	1.0	1.0	7.5	7.0	65%		
	Feb-17	23	0.7	0.0	0.5	0.0	4.3	6.0	5.4	5.0	48%		
	Mar-17	18	1.3	0.0	1.4	0.0	5.2	3.0	5.3	7.0	58%		
	Apr-17	18	2.1	0.0	2.1	0.0	8.6	6.0	6.9	6.5	48%		
	May-17	20	1.4	0.0	1.8	0.0	5.9	5.5	8.1	7.0	35%		
	Jun-17	14	2.0	0.0	2.4	0.0	7.5	2.5	8.6	8.0	33%		
	Jul-17	13	2.2	1.0	2.2	1.0	15.8	10.0	10.3	8.5	28%		
	Aug-17	23	0.6	0.0	1.7	0.0	6.4	4.0	11.6	9.0	29%		
	Sep-17	18	1.5	0.0	1.9	1.0	12.8	11.0	15.2	15.0	4%		
Oct-17	11	0.8	0.0	1.2	1.0	5.0	6.0	15.9	15.5	13%			
Nov-17	13	1.1	0.0	2.4	1.0	5.8	5.5	5.9	6.5	44%			
Dec-17	19	1.4	0.0	1.5	0.0	10.7	10.0	9.2	9.0	27%			

Data Notes:

<sup>1</sup>Number of court orders signed is based on the number of orders signed in the specified month. These data are updated from the previous monthly report reflecting updates in the dynamic data system. Averages, medians, and "percent completed" are based on the orders completed and/or not completed in the specified month regardless of when the court orders were signed (i.e., orders could be signed in a previous month) and are snapshots of the final look data for that month (with the exception of December 2017 which is "first look" data).

<sup>2</sup>As of May 2017, DSHS compliance data are calculated and summarized in this table based on the modified deadline for inpatient evaluation and restoration services outlined in the order DSHS received on 4/26/2017 adopting the Mediated Settlement Agreement, Dkt. # 389, stating: "DSHS shall admit class members for either inpatient competency evaluation or restoration within the shorter of either a) 7 days from receipt of order or b) 14 days from signature of order". To comply with the new requirements, this report captures two additional sets of compliance information beginning in May, 2017. The first is percentage of orders completed within 7 days from receipt of order as long as this is the shorter of the two compliance deadlines, or the order was received within 0 and 7 days from signature of order. The second is percentage of all orders completed within either of the two compliance deadlines: 7 days from receipt of order (if the order was received within 0 and 7 days from order signature date) or 14 days from order signature date (if the order was received after 7 days from order signature date).

**TABLE 3a. Class Member Status at WSH and ESH (Totals) – Jail-based Competency Evaluations**

TOTALS BOTH HOSPITALS		Court Orders Signed	Days from order signature to <sup>1</sup> :								Percent complete within 7 days from order signature date <sup>1</sup>	Percent completed within 14 days from receipt of order <sup>1,2</sup>	Percent completed within 14 days from receipt of order or within 21 days from order signature date <sup>1,2</sup>
			hospital receipt of order		hospital receipt of discovery		end of reporting month for incomplete referrals		completion				
			Average	Median	Average	Median	Average	Median	Average	Median			
Jail-based Evaluation	Apr-15	209	2.1	0.0	3.5	1.0	17.8	10.0	20.3	14.0	12%	Not Applicable	Not Applicable
	May-15	209	2.1	0.0	3.2	1.0	22.1	13.0	18.2	12.0	14%		
	Jun-15	240	2.3	1.0	3.6	1.0	20.8	13.0	24.1	17.0	9%		
	Jul-15	259	2.0	0.0	3.3	1.0	17.9	11.0	26.5	19.0	5%		
	Aug-15	192	2.0	0.0	3.0	1.0	19.7	13.0	25.4	21.0	6%		
	Sep-15	241	1.8	0.0	2.5	1.0	16.0	9.0	22.9	18.0	9%		
	Oct-15	219	1.9	0.0	2.5	1.0	16.6	11.0	19.2	16.0	17%		
	Nov-15	196	1.8	0.0	2.8	1.0	21.6	17.0	20.5	16.0	23%		
	Dec-15	236	1.6	0.0	2.1	0.0	16.2	10.0	20.4	15.0	11%		
	Jan-16	221	1.8	0.0	2.5	0.0	12.2	6.0	19.0	13.0	23%		
	Feb-16	244	0.7	0.0	0.8	0.0	7.4	5.0	11.0	8.0	42%		
	Mar-16	289	0.9	0.0	0.9	0.0	8.2	6.0	9.7	7.0	51%		
	Apr-16	240	0.9	0.0	1.0	0.0	7.7	5.0	10.0	8.0	48%		
	May-16	263	1.0	0.0	1.1	0.0	8.3	6.0	10.6	9.0	44%		
Jun-16	282	1.1	0.0	1.2	0.0	9.5	7.0	11.4	9.0	26%			
Jail-based Evaluation - 14 day compliance			Average	Median	Average	Median	Average	Median	Average	Median	within 14 days from order signature date <sup>1</sup>	within 14 days from receipt of order <sup>1,2</sup>	within 14 days from receipt of order or 21 days from order signature date <sup>1,2</sup>
	Jul-16	281	0.9	0.0	1.0	0.0	9.2	6.0	12.9	10.0	44%	Not Applicable	Not Applicable
	Aug-16	304	0.8	0.0	0.9	0.0	7.2	6.0	13.4	12.0	49%		
	Sep-16	312	0.7	0.0	1.0	0.0	7.3	7.0	12.9	12.0	47%		
	Oct-16	295	0.6	0.0	1.0	0.0	8.3	6.0	13.4	13.0	48%		
	Nov-16	240	1.3	0.0	1.8	0.0	10.2	9.0	13.2	13.0	49%		
	Dec-16	252	1.0	0.0	1.5	0.0	8.5	9.0	12.7	12.0	57%		
	Jan-17	257	0.9	0.0	1.1	0.0	7.9	6.0	12.7	12.0	46%		
	Feb-17	233	1.1	0.0	1.6	0.0	7.8	6.0	12.5	12.0	52%		
	Mar-17	313	1.0	0.0	1.3	0.0	5.7	3.0	10.9	9.0	66%		
	Apr-17	261	0.5	0.0	0.7	0.0	8.1	5.0	10.8	9.0	63%		
	May-17	327	0.4	0.0	0.7	0.0	9.0	7.0	11.3	10.0	58%		
	Jun-17	344	0.5	0.0	0.8	0.0	6.5	4.0	13.5	13.0	41%		
	Jul-17	274	0.7	0.0	0.9	0.0	9.7	7.0	13.2	13.0	49%		
	Aug-17	345	0.6	0.0	0.7	0.0	5.9	3.0	12.5	11.0	54%		
	Sep-17	286	0.6	0.0	1.0	0.0	7.7	5.0	12.0	11.0	54%		
	Oct-17	317	0.7	0.0	1.1	0.0	7.9	6.0	12.3	11.0	54%		
Nov-17	325	0.7	0.0	1.1	0.0	5.7	3.0	10.9	10.0	67%			
Dec-17	219	0.6	0.0	1.1	0.0	9.4	9.0	10.0	9.0	69%			

**Data Notes:**

<sup>1</sup>Number of court orders signed is based on the number of orders signed in the specified month. These data are updated from the previous monthly report reflecting updates in the dynamic data system. Averages, medians, and "percent completed" are based on the orders completed and/or not completed in the specified month regardless of when the court orders were signed (i.e., orders could be signed in a previous month) and are snapshots of the final look data for that month (with the exception of December 2017 which is "first look" data).

<sup>2</sup>As of May 2017, DSHS compliance data are calculated and summarized in this table based on the modified deadline for in-jail competency evaluations outlined in the order DSHS received on 4/26/2017 adopting the Mediated Settlement Agreement, Dkt. # 389, stating: "DSHS shall complete in-jail competency evaluations within the shorter of either a) 14 days from receipt of order or b) 21 days from signature of order". To comply with the new requirements, this report captures two additional sets of compliance information beginning in May, 2017. The first is percentage of orders completed within 14 days from receipt of order as long as this is the shorter of the two compliance deadlines, or the order was received within 0 and 7 days from order signature date. The second is percentage of all orders completed within either of the two compliance deadlines: 14 days from receipt of order (if the order was received within 0 and 7 days from order signature date) or 21 days from order signature date (if the order was received after 7 days from order signature date).

**TABLE 3b. Class Member Status at WSH and ESH State Hospital (Totals) – Inpatient Services**

TOTALS BOTH HOSPITALS	Court Orders Signed	Days from order signature to <sup>1</sup> :								Percent complete within 7 days from order signature date <sup>1</sup>	Percent completed within 7 days from receipt of order <sup>1,2</sup>	Percent completed within 7 days from receipt of order or within 14 days from order signature date <sup>1,2</sup>	
		hospital receipt of order		hospital receipt of discovery		end of reporting month for incomplete referrals		completion					
		Average	Median	Average	Median	Average	Median	Average	Median				
Inpatient Evaluation	Apr-15	15	7.8	1.0	11.0	3.0	39.9	33.0	45.1	48.5	9%	Not Applicable	Not Applicable
	May-15	13	7.3	1.0	9.7	3.0	55.3	47.0	50.9	25.0	5%		
	Jun-15	12	5.9	1.0	8.0	3.0	65.0	54.0	44.4	18.0	15%		
	Jul-15	19	5.7	1.0	7.8	3.0	49.9	15.0	14.8	15.0	20%		
	Aug-15	17	6.9	1.0	8.4	2.0	33.0	17.0	53.9	29.0	5%		
	Sep-15	22	4.3	1.0	5.7	1.0	39.4	22.0	20.4	20.0	10%		
	Oct-15	22	2.4	1.0	4.3	1.0	27.6	19.0	30.8	24.0	0%		
	Nov-15	21	2.0	1.0	3.9	1.0	30.8	18.0	26.4	22.0	5%		
	Dec-15	22	3.3	1.0	4.1	1.0	17.8	14.0	47.5	29.0	6%		
	Jan-16	17	4.8	1.0	6.6	1.0	27.0	23.0	33.7	29.0	0%		
	Feb-16	19	7.7	1.0	9.0	1.0	24.5	12.0	30.6	22.0	5%		
	Mar-16	27	6.7	1.0	6.9	1.0	12.6	9.0	26.6	16.0	8%		
	Apr-16	22	1.7	0.0	1.8	0.0	11.2	9.0	24.2	21.0	4%		
	May-16	22	1.5	0.0	1.5	0.0	9.5	6.0	17.8	20.0	22%		
	Jun-16	25	3.2	1.0	3.2	1.0	11.4	8.0	21.9	23.0	3%		
	Jul-16	22	4.3	1.0	4.3	1.0	7.2	4.0	16.6	14.0	8%		
	Aug-16	44	2.5	0.5	2.5	0.5	10.6	9.0	11.8	11.5	29%		
	Sep-16	33	2.1	1.0	2.2	1.0	12.8	14.0	11.7	8.0	29%		
	Oct-16	34	1.2	0.0	1.2	0.0	16.0	18.0	17.3	21.0	22%		
	Nov-16	28	1.4	0.0	1.2	0.0	20.5	21.5	23.2	29.5	16%		
	Dec-16	29	2.6	0.0	2.6	0.0	16.9	19.5	21.1	21.0	22%		
	Jan-17	25	1.9	0.0	2.0	0.0	10.6	12.0	18.0	14.0	29%		
	Feb-17	31	2.0	0.0	2.3	0.0	14.0	12.0	10.8	7.5	31%		
	Mar-17	29	1.6	0.0	2.0	0.0	10.8	11.0	19.9	25.0	21%		
	Apr-17	38	0.7	0.0	1.1	0.0	13.6	11.0	17.6	21.0	17%		
	May-17	34	1.9	0.0	2.2	0.0	22.6	20.0	24.3	28.0	8%		
	Jun-17	30	1.9	0.0	2.2	0.0	27.6	28.5	29.4	39.0	11%		
	Jul-17	23	1.3	0.0	1.5	0.0	31.7	28.0	33.7	45.0	14%		
Aug-17	37	0.7	0.0	0.8	0.0	15.6	9.0	31.9	43.0	12%			
Sep-17	30	0.5	0.0	0.8	0.0	25.6	23.5	26.0	28.0	11%			
Oct-17	25	2.0	0.0	2.1	0.0	32.3	34.0	30.5	23.0	8%			
Nov-17	19	1.6	0.0	1.8	0.0	29.1	27.0	45.2	44.5	2%			
Dec-17	23	1.5	0.0	1.7	1.0	31.0	32.0	28.8	11.0	17%			
Inpatient Restoration <sup>3</sup>	Apr-15	67	1.5	0.0	2.2	1.0	35.3	16.0	37.6	43.0	26%	Not Applicable	Not Applicable
	May-15	60	1.5	0.0	1.9	0.0	35.8	20.0	27.8	18.0	24%		
	Jun-15	66	1.6	0.0	2.0	1.0	20.6	13.0	34.9	25.0	20%		
	Jul-15	88	1.4	0.0	1.9	0.0	16.1	10.0	24.5	20.0	26%		
	Aug-15	72	1.9	0.0	2.4	0.0	23.5	20.0	24.0	33.0	25%		
	Sep-15	112	1.6	0.0	2.1	0.0	27.6	21.0	22.7	13.0	29%		
	Oct-15	79	2.1	1.0	2.9	1.0	26.9	25.0	32.1	45.0	20%		
	Nov-15	65	1.5	1.0	2.0	1.0	37.2	34.0	42.1	49.0	21%		
	Dec-15	71	1.8	1.0	2.3	1.0	27.5	23.0	47.4	52.0	15%		
	Jan-16	76	2.6	0.0	2.8	0.0	29.6	19.0	37.5	46.0	23%		
	Feb-16	80	3.3	0.0	3.8	1.0	24.2	21.0	37.1	41.0	12%		
	Mar-16	99	1.3	0.0	2.2	0.0	26.5	24.0	31.8	39	24%		
	Apr-16	79	1.7	0.0	2	0.0	22.9	22.0	35.5	41	10%		
	May-16	87	1.7	0.0	1.9	0.0	22.1	20.0	25.2	19	31%		
	Jun-16	90	1.2	0.0	1.3	0.0	21	15.0	23	14.5	13%		
	Jul-16	78	1.6	0.0	1.8	0.0	11.4	6.0	20.4	13.0	19%		
	Aug-16	102	1.4	0.0	1.6	0.0	12.6	13.0	11.8	11.5	28%		
	Sep-16	125	1.4	0.0	1.5	0.0	14.0	10.0	14.3	12.0	22%		
	Oct-16	95	1.2	0.0	1.3	0.0	23.9	25.0	18.6	14.0	14%		
	Nov-16	99	1.4	0.0	1.4	0.0	24.0	20.5	23.6	13.0	18%		
	Dec-16	110	1.5	0.0	1.5	0.0	26.6	23.0	21.4	13.0	17%		
	Jan-17	106	1.8	0.0	1.8	0.0	25.1	20.5	25.4	15.5	21%		
	Feb-17	118	1.5	1.0	1.5	1.0	20.7	18.0	24.4	10.5	20%		
	Mar-17	127	1.4	0.0	1.4	0.0	23.0	19.5	22.6	12.0	18%		
	Apr-17	98	1.2	0.0	1.2	0.0	25.5	20.0	29.4	21.0	10%		
	May-17	123	1.5	0.0	1.5	0.0	27.4	22.0	28.7	20.0	13%		
	Jun-17	112	1.9	0.0	1.9	0.0	27.1	21.5	24.7	15.0	13%		
	Jul-17	115	1.5	0.0	1.5	0.0	24.2	18.0	32.5	18.0	11%		
Aug-17	131	0.7	0.0	0.9	0.0	26.6	22.0	23.9	14.0	15%			
Sep-17	118	0.9	0.0	0.9	0.0	27.6	19.0	32.7	19.0	9%			
Oct-17	119	0.8	0.0	0.8	0.0	33.5	27.5	29.4	18.0	13%			
Nov-17	104	1.5	0.0	1.6	0.0	37.2	31.0	35.1	30.5	15%			
Dec-17	111	1.4	0.0	1.4	0.0	44.0	34.0	31.8	13.5	13%			

Data Notes:

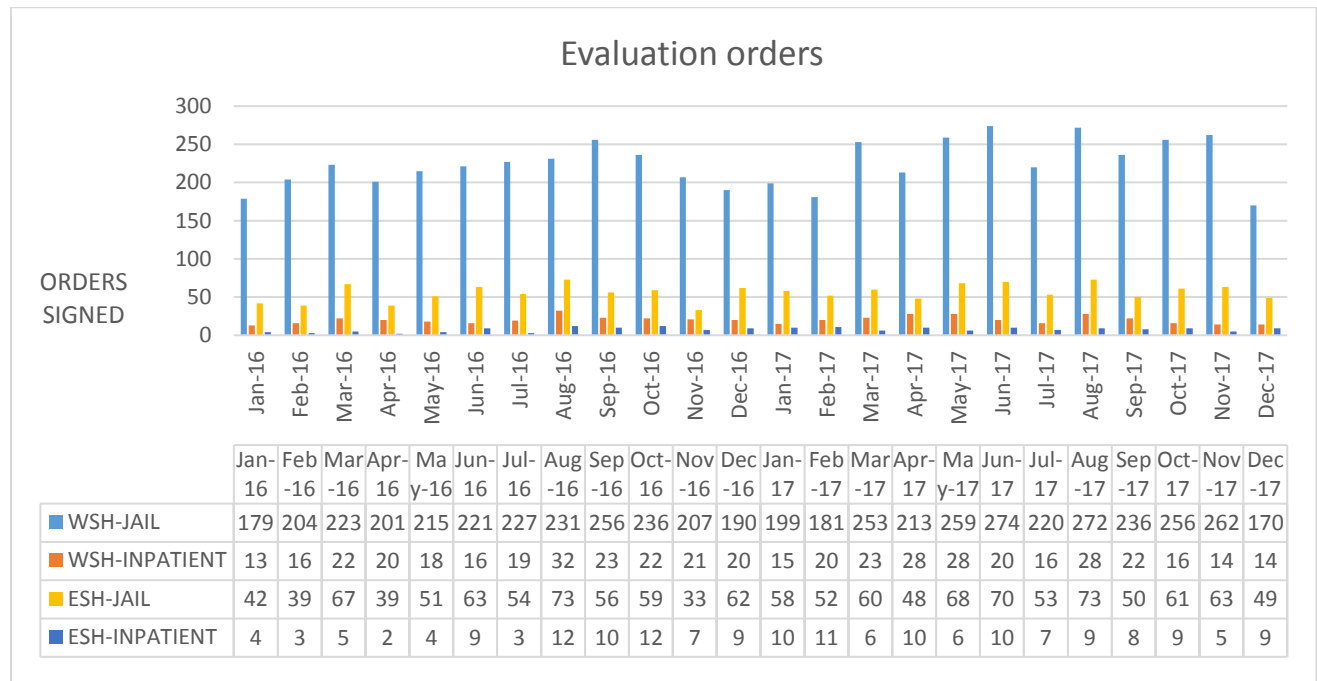
<sup>1</sup>Number of court orders signed is based on the number of orders signed in the specified month. These data are updated from the previous monthly report reflecting updates in the dynamic data system. Averages, medians, and "percent completed" are based on the orders completed and/or not completed in the specified month regardless of when the court orders were signed (i.e., orders could be signed in a previous month) and are snapshots of the final look data for that month (with the exception of December 2017 which is "first look" data).

<sup>2</sup>As of May 2017, DSHS compliance data are calculated and summarized in this table based on the modified deadline for inpatient evaluation and restoration services outlined in the order DSHS received on 4/26/2017 adopting the Mediated Settlement Agreement, Dkt. # 389, stating: "DSHS shall admit class members for either inpatient competency evaluation or restoration within the shorter of either a) 7 days from receipt of order or b) 14 days from signature of order". To comply with the new requirements, this report captures two additional sets of compliance information beginning in May, 2017. The first is percentage of orders completed within 7 days from receipt of order as long as this is the shorter of the two compliance deadlines, or the order was received within 0 and 7 days from signature of order. The second is percentage of all orders completed within either of the two compliance deadlines: 7 days from receipt of order (if the order was received within 0 and 7 days from order signature date) or 14 days from order signature date (if the order was received after 7 days from order signature date).

**CLASS MEMBER STATUS DATA GRAPHS**

**NOTE:** December data are “first look” and are subject to change.

**FIGURE 1. Evaluation Orders**



**FIGURE 2. Restoration Orders**

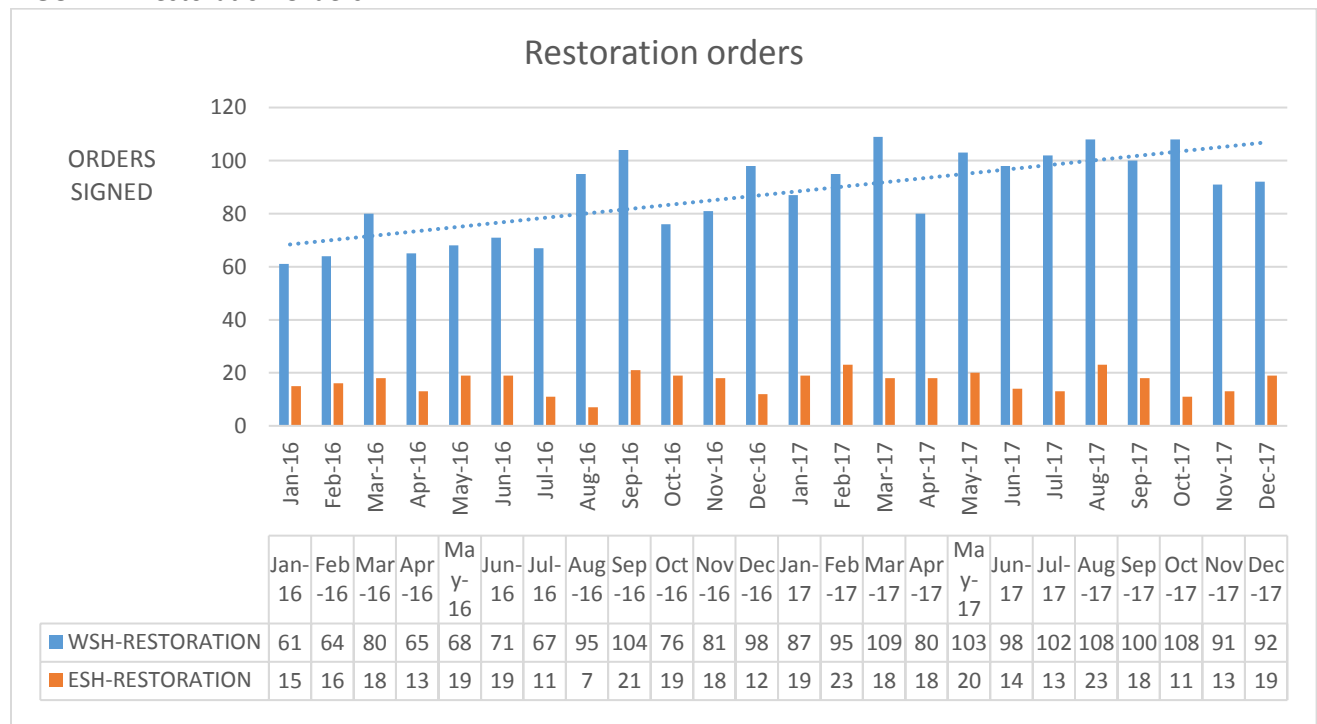


FIGURE 3. Evaluations – Median

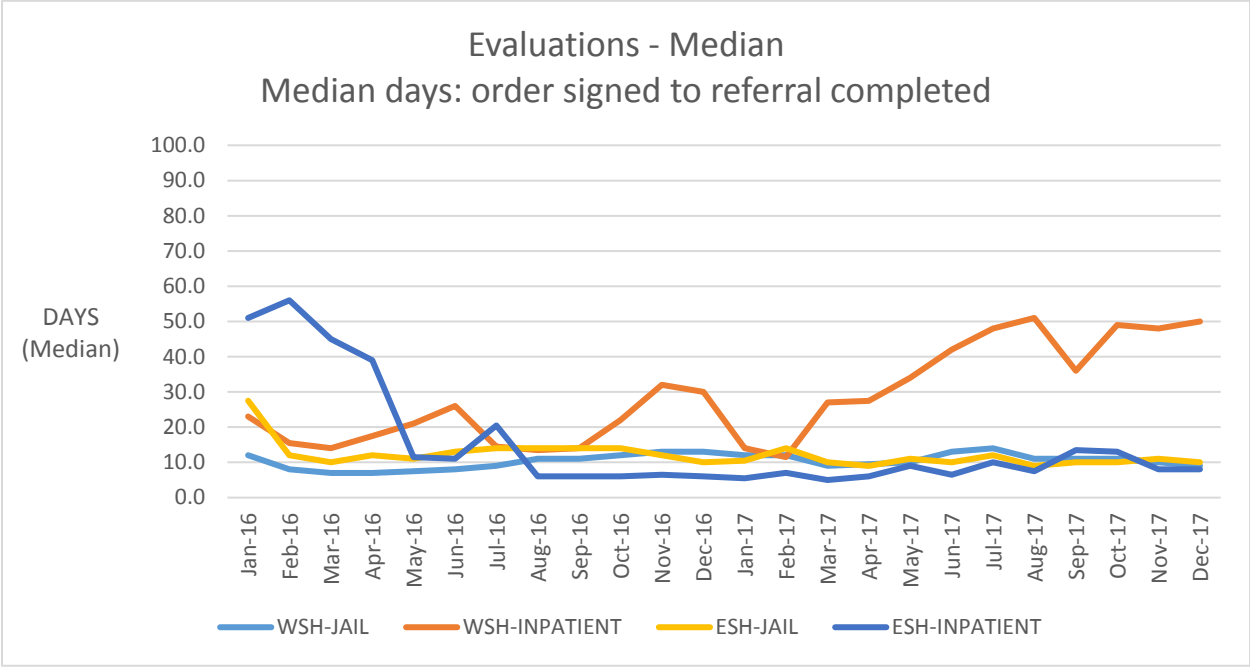


FIGURE 4. Evaluations – Average

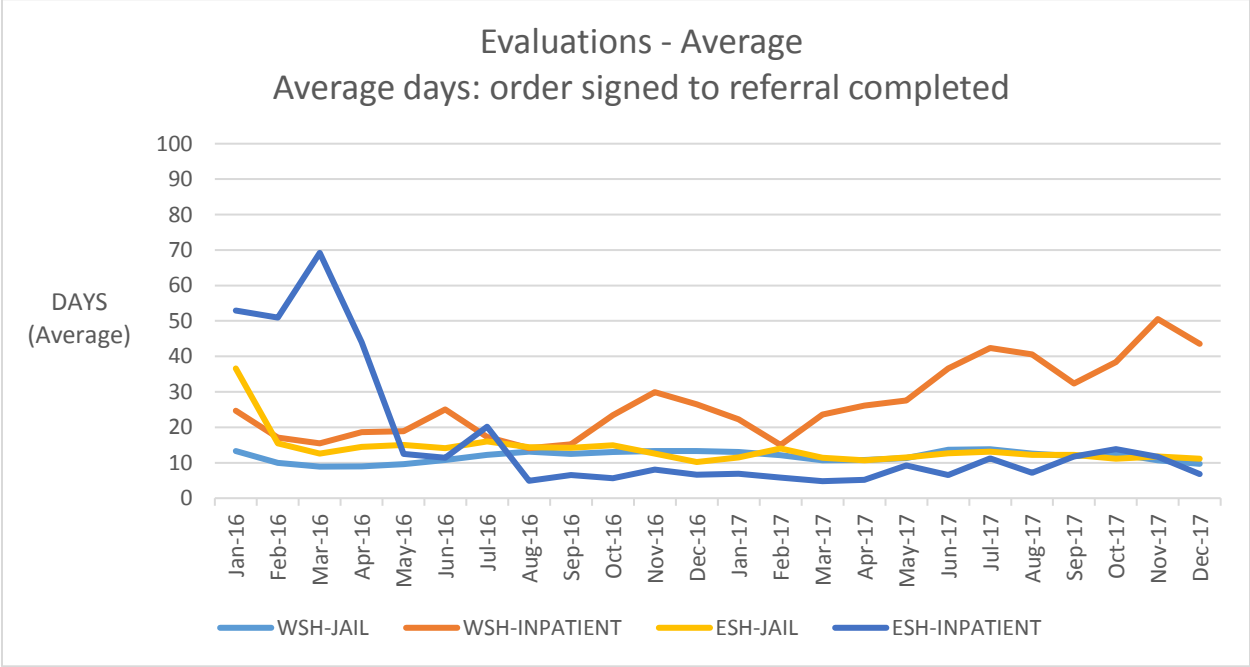


FIGURE 5. Restorations - Median

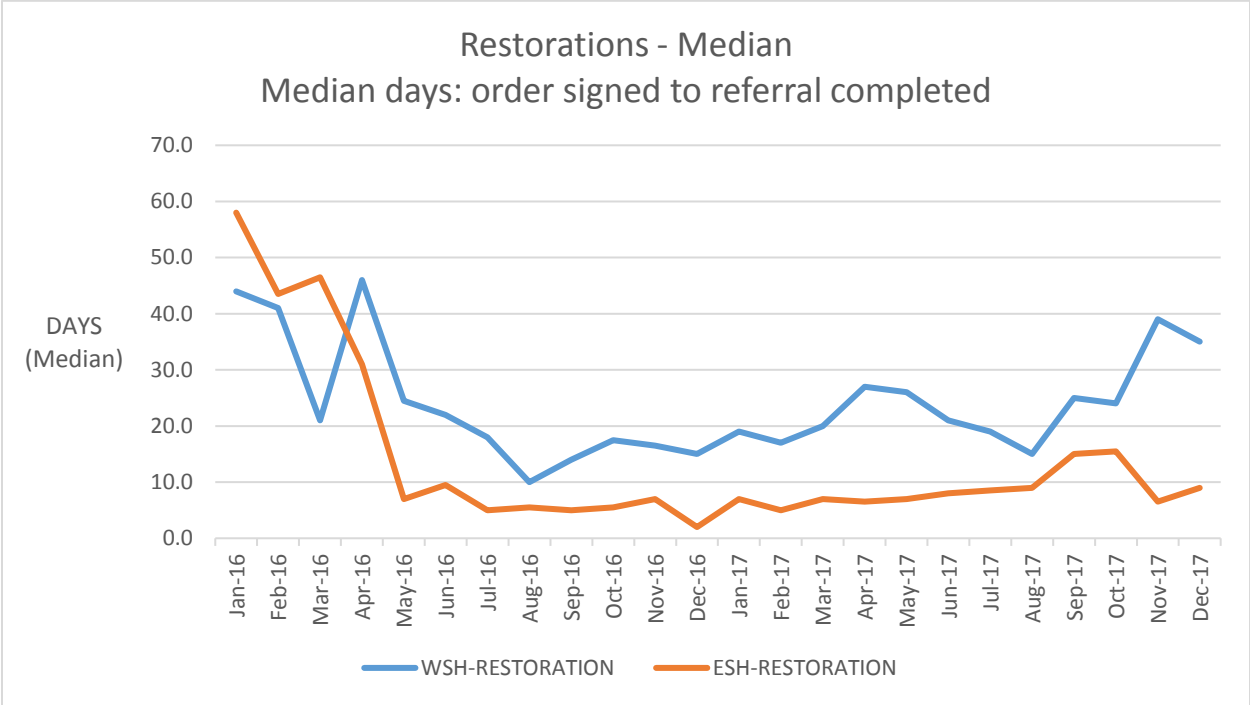
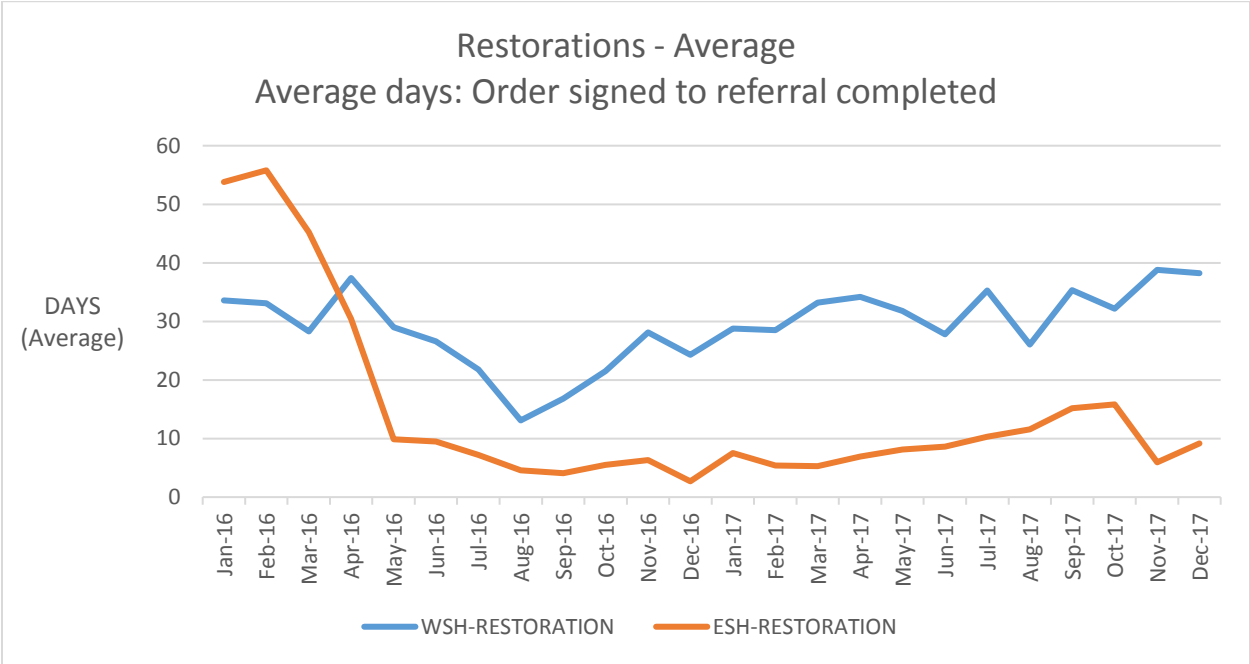


FIGURE 6. Restorations – Average



**TABLE 4.** Summary of jail evaluations, in-patient evaluations, and restorations by month since February, 2016. **NOTE: These data (percent days or less) are based on the month that the court order was signed and will therefore be different from the data shown in Tables 1-3, which is based on the month the order packet was completed.** December numbers are first look, and percentages may change as many cases (those with orders at the end of the month) will close within the seven or fourteen day window.

TOTAL COMPLETED JAIL EVALUATIONS BY MONTH COURT ORDER SIGNED			
MONTH	14 DAYS OR LESS FROM ORDER SIGNATURE DATE	TOTAL ORDERS SIGNED	PERCENT 14 DAYS OR LESS FROM ORDER SIGNATURE DATE
Feb-16	196	244	80.3%
Mar-16	244	289	84.4%
Apr-16	203	240	84.6%
May-16	213	263	81.0%
Jun-16	189	282	67.0%
Jul-16	201	281	71.5%
Aug-16	211	304	69.4%
Sep-16	209	312	67.0%
Oct-16	237	295	80.3%
Nov-16	161	240	67.1%
Dec-16	186	252	73.8%
Jan-17	194	257	75.5%
Feb-17	180	233	77.3%
Mar-17	264	313	84.3%
Apr-17	220	261	84.3%
May-17	226	327	69.1%
Jun-17	222	344	64.5%
Jul-17	196	274	71.5%
Aug-17	262	345	75.9%
Sep-17	207	286	72.4%
Oct-17	258	317	81.4%
Nov-17	283	325	87.1%
<b>Dec-17</b>	<b>157</b>	<b>219</b>	<b>71.7%</b>

**TABLE 4 CONTD.**

TOTAL ADMITTED INPATIENT EVALUATIONS BY MONTH COURT ORDER SIGNED			
MONTH	7 DAYS OR LESS FROM ORDER SIGNATURE DATE	TOTAL ORDERS SIGNED	PERCENT 7 DAYS OR LESS FROM ORDER SIGNATURE DATE
Feb-16	1	19	5.3%
Mar-16	2	27	7.4%
Apr-16	3	22	13.6%
May-16	4	22	18.2%
Jun-16	0	25	0.0%
Jul-16	5	22	22.7%
Aug-16	17	44	38.6%
Sep-16	12	33	36.4%
Oct-16	14	34	41.2%
Nov-16	6	28	21.4%
Dec-16	11	29	37.9%
Jan-17	12	25	48.0%
Feb-17	12	31	38.7%
Mar-17	8	29	27.6%
Apr-17	8	38	21.1%
May-17	5	34	14.7%
Jun-17	7	30	23.3%
Jul-17	8	23	34.8%
Aug-17	7	37	18.9%
Sep-17	7	30	23.3%
Oct-17	5	25	20.0%
Nov-17	1	19	5.3%
<b>Dec-17</b>	<b>8</b>	<b>23</b>	<b>34.8%</b>



**TABLE 4 CONTD.**

TOTAL ADMITTED RESTORATIONS BY MONTH COURT ORDER SIGNED			
MONTH	7 DAYS OR LESS FROM ORDER SIGNATURE DATE	TOTAL ORDERS SIGNED	PERCENT 7 DAYS OR LESS FROM ORDER SIGNATURE DATE
Feb-16	7	80	8.8%
Mar-16	20	99	20.2%
Apr-16	12	79	15.2%
May-16	26	87	29.9%
Jun-16	22	90	24.4%
Jul-16	28	78	35.9%
Aug-16	34	102	33.3%
Sep-16	40	125	32.0%
Oct-16	24	95	25.3%
Nov-16	32	99	32.3%
Dec-16	27	110	24.5%
Jan-17	43	106	40.6%
Feb-17	39	118	33.1%
Mar-17	40	127	31.5%
Apr-17	21	98	21.4%
May-17	26	123	21.1%
Jun-17	27	112	24.1%
Jul-17	30	115	26.1%
Aug-17	36	131	27.5%
Sep-17	22	118	18.6%
Oct-17	36	119	30.3%
Nov-17	36	104	34.6%
<b>Dec-17</b>	<b>29</b>	<b>111</b>	<b>26.1%</b>

**TABLE 5a-5c: Number and Percentage of Orders**

DSHS compliance data are calculated and summarized in Table 5 based on the modified timeframes for jail evaluations, inpatient evaluations, and restoration services outlined in the order DSHS received on 4/26/2017 adopting the Mediated Settlement Agreement, Dkt. # 389, stating: “DSHS shall admit class members for either inpatient competency evaluation or restoration within the shorter of either a) 7 days from receipt of order or b) 14 days from signature of order.”

5a. TOTAL COMPLETED JAIL EVALUATIONS BY MONTH COURT ORDER SIGNED					
MONTH	TOTAL ORDERS SIGNED	ORDERS COMPLETED WITHIN 14 DAYS FROM RECEIPT OF ORDER <sup>1</sup>	PERCENT COMPLETED WITHIN 14 DAYS FROM RECEIPT OF ORDER <sup>1</sup>	ORDERS COMPLETED WITHIN 14 DAYS FROM RECEIPT OF ORDER OR WITHIN 21 DAYS FROM ORDER SIGNATURE DATE <sup>1</sup>	PERCENT COMPLETED WITHIN 14 DAYS FROM RECEIPT OF ORDER OR WITHIN 21 DAYS FROM ORDER SIGNATURE DATE <sup>1</sup>
Feb-16	244	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Mar-16	289				
Apr-16	240				
May-16	263				
Jun-16	282				
Jul-16	281				
Aug-16	304				
Sep-16	312				
Oct-16	295				
Nov-16	240				
Dec-16	252				
Jan-17	257				
Feb-17	233				
Mar-17	313				
Apr-17	261				
May-17	327	234	71.6%	234	71.6%
Jun-17	344	229	66.6%	230	66.9%
Jul-17	274	203	74.1%	205	74.8%
Aug-17	345	262	75.9%	264	76.5%
Sep-17	286	211	73.8%	213	74.5%
Oct-17	317	261	82.3%	264	83.3%
Nov-17	325	285	87.7%	291	89.5%
<b>Dec-17</b>	<b>219</b>	<b>157</b>	<b>71.7%</b>	<b>158</b>	<b>72.1%</b>

TABLE 5 CONTD.

5b. TOTAL ADMITTED INPATIENT EVALUATIONS BY MONTH COURT ORDER SIGNED					
MONTH	TOTAL ORDERS SIGNED	ORDERS COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER <sup>1</sup>	PERCENT COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER <sup>1</sup>	ORDERS COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER OR WITHIN 14 DAYS FROM ORDER SIGNATURE DATE <sup>1</sup>	PERCENT COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER OR WITHIN 14 DAYS FROM ORDER SIGNATURE DATE <sup>1</sup>
Feb-16	19	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Mar-16	27				
Apr-16	22				
May-16	22				
Jun-16	25				
Jul-16	22				
Aug-16	44				
Sep-16	33				
Oct-16	34				
Nov-16	28				
Dec-16	29				
Jan-17	25				
Feb-17	31				
Mar-17	29				
Apr-17	38				
May-17	34	5	14.7%	5	14.7%
Jun-17	30	7	23.3%	7	23.3%
Jul-17	23	8	34.8%	8	34.8%
Aug-17	37	7	18.9%	7	18.9%
Sep-17	30	7	23.3%	7	23.3%
Oct-17	25	5	20.0%	5	20.0%
Nov-17	19	1	5.3%	1	5.3%
<b>Dec-17</b>	<b>23</b>	<b>8</b>	<b>34.8%</b>	<b>8</b>	<b>34.8%</b>

TABLE 5 CONTD.

5c. TOTAL ADMITTED RESTORATIONS BY MONTH COURT ORDER SIGNED					
MONTH	TOTAL ORDERS SIGNED	ORDERS COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER <sup>1</sup>	PERCENT COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER <sup>1</sup>	ORDERS COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER OR WITHIN 14 DAYS FROM ORDER SIGNATURE DATE <sup>1</sup>	PERCENT COMPLETED WITHIN 7 DAYS FROM RECEIPT OF ORDER OR WITHIN 14 DAYS FROM ORDER SIGNATURE DATE <sup>1</sup>
Feb-16	80	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Mar-16	99				
Apr-16	79				
May-16	87				
Jun-16	90				
Jul-16	78				
Aug-16	102				
Sep-16	125				
Oct-16	95				
Nov-16	99				
Dec-16	110				
Jan-17	106				
Feb-17	118				
Mar-17	127				
Apr-17	98				
May-17	123	29	23.6%	29	23.6%
Jun-17	112	29	25.9%	29	25.9%
Jul-17	115	31	27.0%	32	27.8%
Aug-17	131	37	28.2%	37	28.2%
Sep-17	118	23	19.5%	23	19.5%
Oct-17	119	37	31.1%	38	31.9%
Nov-17	104	36	34.6%	36	34.6%
<b>Dec-17</b>	<b>111</b>	<b>31</b>	<b>27.9%</b>	<b>31</b>	<b>27.9%</b>

## RESOURCES REQUIRED TO PROVIDE TIMELY COMPETENCY SERVICES

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### Funding and Resources

The Washington State Legislature convened one regular and three consecutive special sessions between January 9, 2017 and July 20, 2017. The Legislature passed a 2017-19 operating budget in Substitute Senate Bill 5883 (SSB 5883) on June 30, 2017. Section 204 (2)(e) of the bill references \$25,053,000 in Fiscal Year 2018 (July 1, 2017 to June 30, 2018) and \$25,847,000 in Fiscal Year 2019 (July 1, 2018 to June 30, 2019) for implementation of efforts to improve the timeliness of competency restoration services pursuant to Chapter 5, Laws of 2015 (SSB 5889). The budget provides funding to operate an additional thirty bed forensic ward in Fiscal Year 2019 (July 1, 2018 to June 30, 2019), assuming the closure of one thirty bed civil ward and subsequent conversion to a forensic unit. The Aging and Long Term Services Administration, the Developmental Disabilities Administration, and Western State Hospital are already collaborating on targeted efforts to successfully discharge patients into the community to reduce the population of one civil ward by thirty patients, as contemplated by the Legislature. The Legislature also funded a twenty-four bed expansion at Yakima Residential Treatment Facility. The Legislature funded a 24 bed expansion at Yakima Residential Treatment Facility. The Department intended to move forward with this expansion to provide relief to class members. On November 1, 2017, Plaintiffs and the Department submitted a proposal to the court that may transition the operations planned for Yakima expansion to Building 27 at WSH. On November 21, 2017, at a status hearing in the Federal District Court, the Department with the Governor's office reiterated the plan to shift the expansion money from Yakima to Building 27 at WSH for operations if the court would release fine money to pay for the capital improvements. This proposed plan is still pending.

The Legislature adjourned sine die on July 20, 2017, without passing a 2017-19 capital budget. A letter from Governor Inslee to the Legislature dated July 18, 2017, notes that, "[w]ithout a capital budget, we will seriously compromise the state's ability to meet the federal court's expectations in the *Trueblood* case (related to reducing wait times for evaluation and treatment of individuals being held in jail)," referring to construction projects to add 115 forensic beds at the state hospitals and design work for an additional 90-120 beds at WSH. The Governor further states that without a capital budget, "[w]e would have no new funding for behavioral health community capacity, including the expansion of local facilities and more competitive grants for new mental health beds in the community....[that would provide] local placement options outside of the state-run psychiatric hospitals." Due to the lack of a capital budget, the Department has not been allocated the necessary funding to complete facilities renovations and construction or to operate expanded bed capacity during this biennium as previously discussed at the June 5, 2017 status hearing. Elements of the Department's proposed plan that were not funded include: renovation of Western State Hospital Building 27 to provide thirty beds to serve class members; renovation of Eastern State Hospital 1N3 to provide twenty-five beds to serve class members; and construction of two new forensic wards at Western State Hospital's Center for Forensic Services to provide sixty beds to serve class members.

The enacted budget does not fund the operation of an additional forty-five beds at WSH in the S3 and F4 wards. The Department is committed to pursuing a supplemental budget request for the funds necessary to operate these wards. This request can be found here:

<https://www.dshs.wa.gov/data/budget/2018/030-PL-CV-Forensic-Ward-Staffing.pdf>

Once the Legislature provides funding to operate S3 and F4, expansion at WSH will move forward once the Department is able to do so without jeopardizing WSH's status with CMS (the Department entered into a second Systems Improvement Agreement, with a current end date of July 2, 2018). In the meantime, the

Department will take necessary steps to recruit staff to operate these wards to ensure that if such funding is made available, the beds can be filled without a delay.

The Developmental Disabilities Administration received funding for 53 new placements. The focus will be to first place developmentally disabled civil patients from WSH to vacate the Habilitative Mental Health (HMH) ward. Once accomplished, the remaining placements would be filled by ESH patients who reside on ESH's MHM ward. Once the ESH MHM ward is vacated, the space will be remodeled to provide additional forensic capacity.

### **Need Projections and Bed Capacity**

During the June, 2017 *Trueblood* Status Hearing, Judge Pechman directed Dr. Danna Mauch to hire a contractor to conduct a Competency Services Bed Need Study to illustrate patient demand and bed need, and ultimately to determine the feasibility of and timeframe for compliance with Court orders. The impact of community based competency evaluation on the demand for inpatient CE/CR beds will also be measured. The TriWest Group was selected as the contractor to complete this work within a 60- 90 day timeframe. DSHS met with TriWest to discuss their model and the data needed. DSHS then provided TriWest with a list of data elements that would be provided to them to ensure TriWest and DSHS are using the same terminology and data sets. TriWest then sent DSHS their Institutional Review Board (IRB) proposal and data elements for review and edits, and DSHS responded with edits. On October 13, TriWest requested and received aggregate level referral data from DSHS. TriWest also reported that the IRB proposal was reviewed by the WSIRB Board on October 19, 2017. TriWest sought status updates from the WSIRB Board, but is still waiting for a reply. Once this reply is received, DSHS will proceed with the data collection necessary to assist TriWest's work on this project. Since the November report, DSHS met with TriWest (over the phone) to clarify some questions about the data request. DSHS state hospitals extracted the data based on the meeting. DSHS provided TriWest the daily aggregate data on November 28, 2017 and sought status update regarding the IRB application as client-level data cannot be provided without the IRB approval. TriWest informed DSHS that they received word of conditional approval by the IRB on November 30, 2017. TriWest is working on a formal response.

## **TRUEBLOOD KEY ACCOMPLISHMENTS – DECEMBER 2017**

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### **RECRUITMENT**

- Talent Acquisition staff at DSHS HQ continue to recruit for all positions at Western State Hospital including those for SIA projects. Final numbers of staff and data associated with placement is controlled by HR operations staff at WSH.
- Talent Acquisition staff at DSHS HQ continue to recruit for positions at Western State Hospital in support of both the SIA project.
- Recruitment for additional forensic evaluator positions has not yet begun. Talent Acquisition Team does not have paperwork necessary to begin recruitment efforts.

### **RESIDENTIAL TREATMENT FACILITIES**

- As of December 31, 2017, the census at the Yakima Competency Restoration Program was 23. A total of 195 patients have been admitted since the program opened. Out of this total, 116 completed the program and were determined competent, 27 were determined not likely restorable, 40 were recommended for an additional period of restoration and received an order for an additional 90 days of restoration services which were provided at the Yakima program, 5 were discharged to WSH for continued care on their restoration periods. A total of 21 patients have been transferred to the state

hospital. Fifty-eight (58) patients have been recommended for early evaluation.

- As of December 31, 2017, the census at Maple Lane Competency Restoration Program is 27. A total of 341 patients have been admitted since the program opened. Of these, 313 patients have been discharged. A total of 176 completed the program and were opined competent. A total of 37 were determined not likely restorable. There were 44 misdemeanor patients who were not restored and by law could not be offered an additional period of restoration services. There were 22 patients transferred to the state hospital. Of these 22, 16 were transferred due to physical aggression, 1 for sexually inappropriate behavior, 4 for medical reasons, and 1 due to a court order stipulating that the patient be treated only at Western State Hospital. Of patients returned to jail: 1 for severe aggression, 2 to await a Sell Hearing, 2 at the request of defense counsel to attend competency update hearings, and 1 at the request of defense counsel to be present for a Sell Hearing. There was 1 patient who eloped from the facility. There were 2 patients who were not evaluated at the facility, and returned to jail on the last day of their restoration order. There was 1 patient who was Not Competent but restorable who left for a Sell Hearing at the end of the restoration period and returned to the facility. There were 9 patients found Not Competent but restorable for whom a second 90-day or third 180-day order was not issued prior to the end of the first or second restoration period (6 left for jail and later returned, 3 were diverted to Western State Hospital.) Referrals for early evaluation were made for 59 patients. There have been 43 patients who were recommended for, and received, second 90-day orders. There have been 3 patients who were recommended for, and received, a third 180-day order; 2 were recommended for a third 180-day order but had their charges dismissed instead.

#### **REQUESTS FOR INFORMATION (RFI) RELEASES**

- Two Request for Information releases were completed during the months of February and August, 2017. Additionally, the plaintiffs provided a list of prospective interested individuals to conduct Competency to Stand Trial evaluations as possible contractors in the November 21, 2017 status hearing. The Department is reaching out to the names provided by the plaintiffs in gathering information about logistical and financial needs to complete such evaluations. Contact was started in November and was completed in December 2017. A total of thirty-one potential contractors were contacted with 17 agreeing to speak with the Director of OFMHS. Once all data is gathered, information will be shared with the Assistant Secretary for discussion of next steps and the impacts of contracting (funding needs, labor requirements) in a meeting scheduled for January 4, 2018. All information gathered during this process will be included in future monthly reports.

**TRUEBLOOD IMPLEMENTATION STEPS TAKEN AND PLANNED—DECEMBER 2017**

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
<b>Court Appointed Monitor Coordination</b>				
Monthly Reports	Release December report	Complete	<ul style="list-style-type: none"> <li>• Maintain compliance with the Court.</li> <li>• Use data to review and improve the provision of forensic services.</li> </ul>	Released December report to Stakeholders.
<b>Legislative Coordination</b>				
Implement Engrossed Substitute Senate Bill (ESSB) 6656: Funding applications	Apply for funding from the Office of Financial Management (OFM) from the Governor's Behavioral Health Innovation Fund relating to the state hospitals' forensic systems.	<p>Passed legislature. Expires on July 1, 2019 per Section 14.</p> <p>Complete.</p>	<ul style="list-style-type: none"> <li>• Section 5(2) requires OFM to contract with an external consultant to examine the current configuration and financing of the state hospital system and make recommendations on a number of different areas, including identification of the potential costs, benefits, and impacts associated with dividing one or both of the state hospitals into discrete hospitals to serve civil and forensic patients in separate facilities. The consultants' report is due to the Governor and Legislature by Oct. 1, 2016.</li> <li>• Section 5(3) requires DSHS to contract for the services of an academic or independent state hospital psychiatric clinical care model consultant to examine the clinical role of staffing at the state hospitals. The consultants'</li> </ul>	<p>The Select Committee for Quality Improvement in State Hospitals met on October 30, 2017 and on December 15, 2017.</p> <p>During the December 15, 2017 meeting, the Department presented material on the three prosecutorial diversion programs currently being funded. Additionally, the Court Monitor provided an overview and update on the eight programs that received <i>Trueblood</i> Fine money for diversion services.</p> <p>Complete meeting materials are available at: <a href="http://www.governor.wa.gov/issues/issues/health-care-human-services/select-committee-quality-improvement-instate-hospitals">http://www.governor.wa.gov/issues/issues/health-care-human-services/select-committee-quality-improvement-instate-hospitals</a></p>



Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
			<p>report is due to the Governor and Legislature by Oct. 1, 2016.</p> <ul style="list-style-type: none"> <li>Section 6 creates the Governor's Behavioral Health Innovation Fund in the state treasury. Only the director of financial management or designee may authorize expenditures from that Fund, which are provided solely to improve quality of care, patient outcomes, patient and staff safety, and the efficiency of operations at the state hospitals.</li> </ul>	
<p>Consult with DOH about draft legislation requiring DOH certification of forensic evaluators to determine the need for a sunrise review</p>	<p>Consult DOH</p>	<p>Ongoing</p>	<ul style="list-style-type: none"> <li>Expanded pool of forensic evaluators would help improve timeliness. Licensure would provide quality assurance and create professional standards for forensic evaluators.</li> <li>Develop long-term certification of forensic evaluators, consistent with the <i>Trueblood</i> Court Monitor's recommendations on mid- and long-term performance to implement a forensic certification program to sustain performance.</li> </ul>	<p>In December 2017, the Governor's budget was released, and a position that will work on both diversion initiatives and the work of implementing the certification program (labor relations, initial and ongoing training, liaison with DOH, certification, etc.) was included in that budget. The Department will await final decisions by the legislature on the budget before moving forward with filling this position.</p>

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
<b>Labor Coordination</b>				
Engage Labor Leaders and Members	Conduct ongoing bi-monthly meetings with Labor leaders	Ongoing	<ul style="list-style-type: none"> <li>Discuss policy, budget and operational changes likely required to comply with the <i>Trueblood</i> requirements.</li> <li>Obtain staff necessary to safely support operation of additional forensic and civil beds at the state hospitals.</li> <li>Obtain necessary psychiatrists and physicians to supplement services proved by employees at Western State Hospital to safely support the operation of additional forensic and civil beds.</li> </ul>	OFMHS held a UMCC meeting on December 8, 2017. In 2018, a UMCC meeting is scheduled for February.
<b>Data Collection and Fiscal Modeling</b>				
Monthly report data collection	Identify and obtain needed data	Ongoing	Obtain data for monthly reports and develop standardized reports to inform policy development and implementation.	Data collection is ongoing.
Institute data audit process	Review data and files of cases with anomalies and identify trends	Ongoing	Ensure completeness and accuracy of wait list data.	Data validation process is ongoing.
Forensic Data System Design/ Development	Build data models- Entity Relationship Diagram (ERD)	Complete	<ul style="list-style-type: none"> <li>Integrated Forensic System with consistent data entry and tracking of all class members from creation of court order for mental competency evaluation through completion of evaluation and/or restoration (whichever is later).</li> <li>Provide capability for access by evaluators to discovery documents and</li> </ul>	The Forensic project has a detailed project plan that includes 15 distinct modules. End user facing modules will include User Acceptance Testing (UAT) allowing for both early feedback across the development spectrum, as well as providing support for the project's Organizational Change Management (OCM) plan. Modular development progresses towards May 2018 Integration Testing
	Finalized Gaps analysis	Complete		
	Finalized task list and timeline	Complete		

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
	Establish Project Governance	Complete	any status changes, regardless of location, to reduce delays. Provide platform for quality reporting from single system, eliminating the variability currently inherent in leveraging legacy applications not meant for this purpose.	events and culminates with a July 2018 go-live. The progress this month is as follows: <ul style="list-style-type: none"> <li>• Project Team is building the Reporting Module.</li> <li>• Project Governance has approved the data migration plan, and the Project Team is documenting a data extraction process of data in existing systems.</li> </ul>
	Analyze Legacy Applications Data Quality for potential data migration	In progress		
	Complete Technical Design for all Modules	May 2018		
	Complete training	June 2018		
	Implement new system	July 2018		
<b>Human Resources</b>				
Hire Office of Forensic Services HQ positions	Hire and Onboard	Complete	Provide infrastructure for forensic services system and improve effective and timely provision of competency services.	OFMHS transferred a supervisor from the Seattle office to the Outstation supervisor position in December. One applicant was interviewed in December 2017 for the Seattle supervisor position, but that applicant withdrew from the process after the interview was completed.
Hire additional hospital ward staff	Conduct targeted hiring events	In progress	Obtain required staff of all classes to safely and appropriately operate additional civil and forensic beds and to meet data collection, analysis and reporting needs.	<ul style="list-style-type: none"> <li>• Recruitment efforts continue on the third System Improvement Agreement (SIA) at Western State Hospital. Final numbers of staff and data associated with placement is controlled by HR operations staff at WSH.</li> <li>• The Talent Acquisition staff at DSHS HQ continue to recruit for positions at WSH in support of the SIA project.</li> <li>• Recruitment for positions vacated by natural attrition at Maple Lane continues. Talent</li> </ul>
	Pursue contracting			

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
				Acquisition are in charge of Residential Rehabilitation Counselor and Security Guard positions. Job announcements have been updated to reflect extension of the program into 2018 which should increase applicant interest.
<b>Competency Evaluation</b>				
Build capacity for out-station sites	Site agreements	N/A	Increased capacity at out-station sites will reduce wait time for evaluation.	<ul style="list-style-type: none"> <li>• The Seattle supervisor was transferred to the Outstation supervisor position in December, 2017.</li> <li>• The new outstation supervisor will be working with counties and OFMHS staff in looking at additional outstation sites based on referral numbers, including an outstation in Mason County.</li> </ul>
	Out-station sites operational	Completed		
Coordinate with forensic mental health system partners	Regular meetings with County Stakeholders	Ongoing	Stakeholder meetings will focus on topics where collaborative work is required to meet the requirements of the <i>Trueblood</i> Decision.	<p>The new Community Liaison and Diversion Specialist started November 1, 2017 and has been involved in the following activities:</p> <ul style="list-style-type: none"> <li>• In December 2017 meetings were held with Pierce, King, Spokane, and Clark counties to discuss the use of outpatient competency restoration in those cases where intensive inpatient treatment is not indicated by the severity of the charges and/or the level of impairment of the individual. Participants included judges, elected officials, law enforcement, corrections, attorneys (prosecution and defense), and behavioral health providers and administrators.</li> <li>• In January 2018 a committee made up of OFMHS staff, the AG's office, the court monitor, and</li> </ul>

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
				<p>plaintiff's attorneys will meet with bidders from Pierce, King, Clark, Yakima, and Benton-Franklin counties for the <i>Trueblood</i> Phase III grant. Each county has proposed plans for Intercept 1 and 5 diversion programs.</p> <p>In the coming months the OFMHS Liaison/Diversion Specialist plans to meet with courts, defense attorneys, law enforcement, behavioral health providers, and other stakeholders to discuss gaps in services which may contribute to increased criminal justice involvement, and strategies for more effective collaboration.</p>
Continue current county-conducted evaluation system until 2018	Establish quality criteria for evaluation reports	Ongoing	Obtain data needed from counties in order to meet court ordered reporting requirements.	The Quality Assurance program for competency reports began November 1, 2017.
Explore and pursue triage system possibilities	Roll out Phase II	In progress	Establish an efficient evaluation to identify individuals who: need inpatient services due to serious mental health condition; clearly do not require inpatient evaluation services; or are clearly competent due to changes in their condition since the issuance of an order for evaluation (such as no longer drug affected).	<ul style="list-style-type: none"> <li>As of December 31, 2017, DSHS has received 163 triage referrals from jail staff/defense. Of those referrals, 110 were approved. 34 of the referrals were denied, and 19 of these referrals were withdrawn before placement could be made.</li> <li>On November 2, 2016 OFMHS began calling jails holding in-custody defendants waiting 14 days for a competency evaluation to notify jail staff of the Triage Consultation and Expedited Admissions (TCEA) process. In December, 2017 a total of 54 calls were made, and 6 resulted in referral requests.</li> </ul>

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
				<ul style="list-style-type: none"> <li>• Since tracking began, 1,575 calls have been made.</li> </ul>
<b>Competency Restoration</b>				
WSH – opening 30 forensic beds once 30 civil patients transition to community	Bed Occupancy with forensic patients	7/1/2018	Serves overall plan to add beds and expand State Hospital bed capacity to meet Court ordered requirements.	The 2017-2019 budget provides funding to operate an additional thirty bed forensic ward in Fiscal Year (July 1, 2018 to June 30, 2019) 2019, assuming the closure of one thirty bed civil ward and subsequent conversion to a forensic unit. The Aging and Long Term Service Administration, the Developmental Disabilities Administration, and Western State Hospital are already collaborating on targeted efforts to successfully discharge patients into the community to reduce the population of one civil ward by thirty patients, as contemplated by the Legislature.
WSH addition 45 beds	Bed Occupancy with forensic patients	On hold		The Legislature did not fund this request to operate 45 additional beds in S3 and F4 wards. The Department is committed to pursuing a supplemental budget request for the funds necessary to operate these wards. This request can be found here: <a href="https://www.dshs.wa.gov/data/budget/2018/030-PL-CV-Forensic-Ward-Staffing.pdf">https://www.dshs.wa.gov/data/budget/2018/030-PL-CV-Forensic-Ward-Staffing.pdf</a>
Provide Restoration Treatment at the Maple Lane Competency	Open Maple Lane facility	Complete	<ul style="list-style-type: none"> <li>• Identify alternate facility capacity to meet <i>Trueblood</i> compliance.</li> </ul>	As of December 31, 2017, the census at Maple Lane Competency Restoration Program is 27. A total of 341 patients have been admitted since the program opened. Of these, 313 patients have been discharged. A total of 176 completed the program

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
Restoration Program (MLCRP)	Restore patients to competency	Ongoing	<ul style="list-style-type: none"> <li>Any competency restoration treatment program at Maple Lane is anticipated to transfer to operation at a State Hospital before DOC would be housing inmates on that campus.</li> </ul>	<p>and were opined competent. A total of 37 were determined not likely restorable. There were 44 misdemeanor patients who were not restored and by law could not be offered an additional period of restoration services. There were 22 patients transferred to the state hospital. Of these 22, 16 were transferred due to physical aggression, 1 for sexually inappropriate behavior, 4 for medical reasons, and 1 due to a court order stipulating that the patient be treated only at Western State Hospital. Of patients returned to jail: 1 for severe aggression, 2 to await a Sell Hearing, 2 at the request of defense counsel to attend competency update hearings, and 1 at the request of defense counsel to be present for a Sell Hearing. There was 1 patient who eloped from the facility. There were 2 patients who were not evaluated at the facility, and returned to jail on the last day of their restoration order. There was 1 patient who was Not Competent but restorable who left for a Sell Hearing at the end of the restoration period and returned to the facility. There were 9 patients found Not Competent but restorable for whom a second 90-day or third 180-day order was not issued prior to the end of the first or second restoration period (6 left for jail and later returned, 3 were diverted to Western State Hospital.) Referrals for early evaluation were made for 59 patients. There have been 43 patients who were recommended for, and received, second 90-day orders. There have been 3 patients who were recommended for, and received, a third 180-day</p>

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
				order; 2 were recommended for a third 180-day order but had their charges dismissed instead.
Provide Restoration Treatment at the Yakima Competency Restoration Program (YCRP)	Open Yakima facility	Complete	Anticipated duration of one year and possible one year extension.	As of December 31, 2017, the census at the Yakima Competency Restoration Program was 23. A total of 195 patients have been admitted since the program opened. Out of this total, 116 completed the program and were determined competent, 27 were determined not likely restorable, 40 were recommended for an additional period of restoration and received an order for an additional 90 days of restoration services which were provided at the Yakima program, 5 were discharged to WSH for continued care on their restoration periods. A total of 21 patients have been transferred to the state hospital. Fifty-eight (58) patients have been recommended for early evaluation.
	Restore patients to competency	Ongoing		
Open a second pod at YCRP	Open Second Pod	March 2018		In December, 2017, the Department worked with Plaintiffs in preparing a motion to the court in which the expansion money from Yakima would be used for operational costs for Building 27 at WSH (if the court releases fine money to pay for capital improvements to the building). The proposed plan will be submitted in January, 2018.



Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
Outpatient Competency Restoration Programs	Diversion Programs are Operational	Ongoing	Development and implementation of outpatient competency restoration programs in King, Pierce, and Spokane Counties.	Three stakeholder meetings in Pierce, Spokane and King counties were held December 13-15, 2017 to further identify local infrastructures to implement OCRP's. Groundswell Services, our contractors, facilitated each meeting. Consultant recommendations will be formally submitted via report, along with service and funding recommendations by March, 2018. Concurrently, the Governor has added 3.5 million dollars in his budget to support implementation of OCRP pilot projects. OFMHS is outlining a plan to determine how these funds will be spent over the next two years in the event that the budget is approved.
County transport of patients	Coordinate with counties to develop transport protocols	Ongoing	Ensure timely transport of patients to support delivery of competency services as directed in court order.	DSHS continues to assist jails as needed to transport defendants in a timely manner.
<b>Diversion Alternatives</b>				
Implement 2E2SSB 5177 (2015) provisions for dismissal of charges & referral to treatment	Diversion Programs are Operational	Ongoing	Prosecutor can dismiss criminal charges without prejudice & refer to community-based mental health services.	Diversion contracts for the 2018 fiscal year were sent to King, Spokane and Greater Columbia programs for review and signature. A standard data reporting template was sent to programs to upload FY18 program data monthly (rather than quarterly) via a Secure File Transfer Protocol site. King signed the contract in October and all three sites have fully implemented their diversion programs and are providing the required data and narrative deliverables based on contract requirements. The

Task	Key Milestones	Status / End Dates	Anticipated Outcome & Assumptions	Results Achieved & Barriers to Completion
				next quarterly update call is scheduled for January 11, 2018.
Increase diversion opportunities	Governor’s Office to contract with diversion consultant	In Process	Hire a consultant to identify how best to divert persons with mental illness from the criminal justice system and identify appropriate funding mechanisms with appropriate stakeholders.	DSHS is participating in an HCA/DOC/DSHS Re- entry Workgroup to discuss reinstatement of Medicaid benefits for individuals transitioning from jail/prison to the community. The primary DSHS contact is the Offender Re-Entry Community Safety (ORCS) program administrator, and OFMHS will participate as appropriate.

## FEBRUARY 8, 2016 COURT ORDER STATUS REPORT/UPDATES

The status updates to the February 8, 2016 Court Order are shown below.

<b>1. Implement a triage system to sort class members waiting for in-jail evaluations by the acuity of their mental illnesses and their current manifestations, by the seriousness of their crimes, and by the amount of resources their cases require, by:</b>			
Requirements	Date	Status	Progress Notes
A. Producing a triage plan for review and comment	March 1, 2016	Complete	Complete
B. Putting the triage plan into effect, after accounting for the comments received	March 15, 2016	Complete	Complete
C. Reporting on the implementation and effectiveness of the triage plan in Defendants' monthly reports to the Court Monitor	Beginning April 15, 2016, ongoing	Ongoing	See 3c below and review task progress in "explore and pursue triage system possibilities."
<b>2. Eliminate the backlog of class members currently waiting for in-jail evaluations by:</b>			
A. Formally notifying DSHS's forensic evaluators and Pierce County's panel evaluators of plan to eliminate the backlog of people waiting for in-jail evaluations and requesting their help in doing so, and providing plans to get evaluations done through the use of extra duty pay and other methods available	February 15, 2016	Complete	Complete
B. Preparing a list of all backlog cases, organized by jail and by county	March 1, 2016	Complete	Complete
C. Finalizing recruitment of evaluators to aid in the backlog elimination effort and setting a schedule for the evaluation of each backlog case	March 1, 2016	Complete	Complete
D. Initiating the backlog elimination effort	March 7, 2016	Complete	Complete

<p>E. Completing evaluations for all backlog cases (any patient waiting more than 14 days at the end of the month)</p>	<p>April 15, 2016, Ongoing</p>	<p>Ongoing</p>	<p>Of the 294 jail evaluation orders signed in November, 209 were completed within 14 days, which is 71.1%. This number is expected to rise once the data are mature.</p>
<p><b>3. Implement a triage system to sort class members waiting for in-hospital evaluations by the acuity of their mental illnesses and their current manifestations, by the seriousness of their crimes, and by the amount of resources their cases require, by:</b></p>			
<p>C. Reporting on the implementation and effectiveness of the triage plan in Defendants’ monthly reports to the Court Monitor</p>	<p>Beginning April 15, 2016, ongoing</p>	<p>Ongoing</p>	<p>As of December 31, 2017, DSHS has received 163 triage referrals from jail staff/defense. Of those referrals, 110 were approved. 34 of the referrals were denied, and 19 of these referrals were withdrawn before placement could be made.</p> <p>On average, it takes 7 days for an individual to be expedited through the triage system (from receipt of all required information to admission to a bed). The turnaround time for material review from both the triage consultant and the Chief Medical Officer continues to occur – usually within 1 day and no more than 2 days following the initial referral. Additional information and updates on the triage system may be found in the “explore and pursue triage system possibilities” task in the <i>Trueblood</i> Implementation Steps matrix above.</p>
<p><b>4. Implement a triage system to sort class members waiting for restoration services by the acuity of their mental illnesses and their current manifestations, by the seriousness of their crimes, and by the amount of resources their cases require, by:</b></p>			
<p>C. Reporting on the implementation and effectiveness of the triage plan in Defendants’ monthly reports to the Court Monitor</p>	<p>Beginning April 15, 2016</p>	<p>Complete</p>	<p>As of December 31, 2017, DSHS has received 163 triage referrals from jail staff/defense. Of those referrals, 110 were approved. 34 of the referrals were denied, and 19 of these referrals were withdrawn before placement could be made.</p>

<b>5. Report on the implementation status of the CMS Plan of Correction by:</b>			
B. Reporting on the implementation status in Defendants' monthly reports to the Court Monitor	Beginning March 15, 2016, ongoing	Ongoing	DSHS entered into a second System Improvement Agreement with the Centers for Medicare and Medicaid Services. This agreement will run from November 2, 2017 to July 2, 2018. A copy of the agreement was shared with Dr. Mauch by Defense Counsel on November 3, 2017. As a result of a court order in April, the Department worked with Plaintiff's and the court monitor in developing a bed capacity/expansion plan.
<b>6. Plan for recruiting and staffing 30 beds at WSH after compliance with CMS's terms of participation is achieved in March by:</b>			
C. Reporting on the implementation status of the plan and timeframe in Defendants' monthly reports to the Court Monitor	Beginning April 15, 2016, ongoing	Ongoing	DSHS entered into a second System Improvement Agreement with the Centers for Medicare and Medicaid Services. This agreement will run from November 2, 2017 to July 2, 2018. A copy of the agreement was shared with Dr. Mauch by Defense Counsel on November 3, 2017.
<b>8. Remove barriers to the expenditure of the \$4.8 million in currently allocated diversion funds by:</b>			
D. Executing contracts for implementation by the selected providers	April 15, 2016	Complete	Prosecutorial diversion was funded for fiscal year 2018.
<b>10. Develop a reliable and valid client-level data system to support better management and accountability of the forensic services system by:</b>			
E. Implementing revisions to the existing system or initiating development of a new forensic data and management information system	To initiate new system development efforts- May 27, 2016	Ongoing development and project underway.	<ul style="list-style-type: none"> <li>• Project Team is building the Reporting Module.</li> <li>• Project Governance has approved the data migration plan, and the Project Team is documenting a data extraction process of data in existing systems.</li> </ul>

## **JULY 7, 2016 CONTEMPT ORDER STATUS UPDATES**

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The three status updates required in the July 7, 2016 Court Order are below.

1. Monetary sanctions – fines are imposed on a per class member, per day basis. On the 15<sup>th</sup> of every month, DSHS is required to submit contempt fines data to the court. These data will be submitted to the court on August 15, 2016 and will be included in this report when finalized as Appendix M.
2. Diversion plans – DSHS is ordered to develop, in consultation with the Court Monitor, plans for the expenditure of the contempt fines.
3. Wait time data – DSHS shall submit to the Court wait time data in a manner identical to the data submitted on June 17, 2016 in the declaration of Bryan Zolnikov. These data are included in this report in Table 4.

## **AUGUST 15, 2016 ORDER MODIFYING PERMANENT INJECTION AS TO IN JAIL COMPETENCY EVALUATIONS**

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Pursuant to the August 15, 2016 court order, DSHS must provide in-jail competency evaluations within 14 days of a signed court order. When an in-jail evaluation cannot be completed within 14 days and good cause applies (i.e., delay due to clinical reasons, attorney, interpreter, or defense expert), an extension from the ordering court must be secured or DSHS must immediately admit the individual to a state hospital to finish conducting the evaluation. In order to comply with the reporting requirements of the Court's order, DSHS identified a need to revise both the current process used for seeking extensions from the criminal court, as well as the data collected during that process. Since the August 15<sup>th</sup> court order, DSHS identified a series of necessary changes that will enable DSHS to comply with the order, to include the following:

1. Develop a list of data elements needed to comply with the court order to include additional delay data;
2. Develop a data dictionary to define the data elements needed;
3. Develop a process of reporting the information to the courts for the exception requests;
4. Identify the cutoff date for seeking an exception;
5. Develop a standardized form that can be used for seeking good cause exceptions;
6. Develop an operating procedure to guide evaluators through the new good cause process;
7. Coordinate with the Attorney General's Office to ensure adequate representation;
8. Develop a process for collecting the data to report to the courts for the exceptions and to maintain for monthly reporting;
9. Develop a model for the delays and the data pertaining to the delays;
10. Modify the current IT systems or develop a new database in which to maintain the information once all above steps are completed.

To date, DSHS has completed identification of the data elements, developed a process for the evaluators to collect the data that will be entered and reported to the courts, and developed the data dictionary. The process of reporting the information to the courts and identifying a cutoff date for seeking an extension, and the standardized forms, operating procedure, and coordination for Assistant Attorney General (AAG) representation have been completed. Interim steps for maintaining the data for monthly reporting were identified and implemented while the current IT system is modified.

Through use of the interim solution, DSHS is collecting data on use of the good cause exception. The data required to be reported can be found in Appendix N in the final report. The IT system has been modified to include fields for data on the use of the good cause data exception and is currently going through testing. The Forensic Advisory Committee (FAC) is a regularly scheduled (twice a month) committee that provides business process clarification / recommendations to the technical team as the system is being built. FAC is a recurring meeting that is meeting with regularity.

## APPENDICES

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### **Appendices A – G:**

This file is submitted with the draft report and includes mature data tables for November, 2017, outliers and order received data.

### **Appendices H – L:**

This file is submitted with the draft report and includes first look data tables for December, 2017.

### **Appendix M: Calculation of Contempt Fines**

This file is submitted with the final report.

### **Appendix N: Good Cause Exceptions**

This file is submitted with the final report.