Oregon State Hospital leader resigns; state releases report on patient's death


April 02, 2010, 8:45PM

Oregon Department of Human Services Roy Orr resigned as the superintendent of the Oregon State Hospital.

Oregon State Hospital Superintendent Roy Orr was forced to resign Friday, the same day the state released a critical report examining the death of a hospital patient last fall.

Dr. Bruce Goldberg, director of the Oregon Department of Human Services, acknowledged that there have been changes at the state's mental hospital in the two years since Orr took the job. But Goldberg said it's not enough.

"We need to speed up the pace of change," he said.

Orr was a former chief executive of McKenzie-Willamette Medical Center in Springfield. He took over the top job at the state mental hospital in February 2008, shortly after the U.S. Department of Justice released a damning report on conditions and treatment at the hospital.

View full size Michelle Cole/The Oregonian The body of Moises Perez, 42, was discovered in this bed located just to the left of the door of a room he shared with four other men. The Oregon State Hospital patient had been dead several hours before he was discovered during evening medication checks. His annual salary was $231,984, and his responsibilities included guiding the planning and construction of a new $250 million hospital in Salem and improvements in patient care.

Oregon is on schedule to open the first part of the new hospital late this year and the rest next year. The Legislature has budgeted more than $60 million in the past few years to hire more nurses and doctors.

But a 27-page report from the state Office of Investigations and Training raises questions about the care that Moises Perez and other hospital patients received.

Perez, 42, was found dead in his hospital bed Oct. 17. Various reports and witnesses indicate he lay dead in his room across from the nursing station for several hours before anyone noticed.

Investigators said the evidence was inconclusive about whether Perez was neglected the day of his death. But it did find serious questions about his care.

Diagnosed with chronic paranoid schizophrenia, Perez had been found guilty except for insanity of attempted murder and assault. He'd been institutionalized at the hospital for nearly 15 years.

The report portrays Perez as a stubborn man who was picked on by other patients. He often refused to take medications, was reluctant to bathe and spent most days watching television game shows.
Some of the 39 witnesses interviewed said Perez complained of chest pains and other physical ailments but refused to cooperate with staff or take his medications. Of the 102 times staff tried to take his vital signs, Perez reportedly refused on 62 occasions.

But the report finds his chart contained sketchy details about whether nurses or physicians were made aware that he'd refused medications or other care.

For example, the last progress note in Perez's chart was Aug. 5, 2009. There were no more notes for 73 days -- until the day he was found dead. Hospital policy requires progress notes at least once a week.

The report also notes that such lax record-keeping may not be unusual: "One nurse described hearing staff joking about not having written a progress note in two years and thought this was a problem not unique to their unit."

On the day Perez died, the report indicates he had breakfast. But he did not come out of his room for lunch or dinner. A staff member apparently went in and shook his leg before lunch and dinner but did not check on why Perez didn't move.

The state medical examiner later concluded that Perez had died from coronary artery disease several hours before his body was discovered about 7:30 p.m.

Since his death, the hospital has made it clear that staff must check to make sure patients who are assumed to be sleeping are actually breathing.

To ensure that new and existing policies are followed, Goldberg said the hospital will hire a compliance officer.

Another report, the hospital's own investigation into Perez's death, also points to ongoing staffing problems. The hospital's "Sentinel Event" report, obtained by The Oregonian under the state public records law, notes that the ward where Perez lived had an "appropriate number of staff" on the day he died.

But some were not regularly assigned to the ward and did not know the patients' habits. Others were on mandated overtime to make up for other workers on unpaid furloughs.

Orr could not be reached for comment Friday. He did not receive severance pay.

Richard Harris, head of the state's Addictions and Mental Health Division, said he asked for Orr's resignation Friday morning because "it was time for a change."

"Roy has done a great job putting the building blocks in place," he said. "We just got to a place where the pace of necessary change to make the culture of that hospital patient-oriented just got bogged down."

Deputy Superintendent Nena Strickland will take over as interim superintendent while Oregon officials conduct a national search for Orr's replacement.

Senate President Peter Courtney, D-Salem, who has pushed hard for changes at the state hospital, said he is discouraged by the latest reports.
"We knew the physical building was falling down," he said.

But Courtney said he has since realized that "it's so much worse than we thought."

"I just hope," he said, "I just hope now we truly understand it."

-- Michelle Cole

Comments

(9 total)  RSS

Post a comment

Oldest comments are shown first. Show newest comments first

Posted by CaptainK
April 02, 2010, 4:41PM

good News! There's a postion opening. Here's a job for someone. His severance package is reported to be approximately 5.4 million; but only if he resigns. If he had been fired unemployment would have allotted him $425. a week. Now, think what happens if you quit your job.

Inappropriate comment? Alert us.
Reply to this comment | Post a new comment

Posted by caramaru3
April 02, 2010, 4:44PM

The state investigation found that Moises Perez' "overall care was negligent." They had insufficient evidence to say whether his care was negligible on the day of his death. And this is what we get after a five month investigation? After interviewing 39 witnesses?

This reeks like a CYA report issued to to avoid probable legal action at all costs.

So Roy Orr kissed his $ 231,996 per salary au revoir and then had the good sense to fall on his sword, in this act, in this play, at this time.

Never fear. Our fallen bureaucrat will reemerge in another state or another country where this episode will be spun to gossamer nothingness and where he will soon earn another six-figure salary.

Any doubters out there in cyber land?

The more things change, the more they remain the same.

Inappropriate comment? Alert us.
Reply to this comment | Post a new comment

Posted by eastcomom
April 03, 2010, 7:32AM
In the secret world of mental health treatment where societies most vulnerable are forced to go for treatment the atrocities against these INNOCENT persons continues on. This case is "inconclusive" and yet "troubling"? No kidding.

This "case" was a HUMAN BEING. With rights. A man who was suffering. Vulnerable. Emperiled in that Oregon State provided facility - with no one proactively taking care of him - or humanely treating him.

And all we care about is keeping the new facility on track. Oh yeah - and forcing out this newest Hospital Administrator so we can keep the shell game going- keep those HUMAN BEINGS in a continually openly acknowledged emperiled state.

BY WHAT MEASURE OF SOCIETAL ACCOUNTABILITY SHOULD WE BE WORRYING ABOUT A NEW HOSPITAL IF WE CANNOT HUMANELY TREAT MENTALLY SUFFERING PERSONS IN OUR STATE IN THE CURRENT ONE?

Come on, people. This is basic health care stuff. Not too hard to figure out how to humanely and respectfull treat these vulnerable, hurting persons. What the heck we paid this GUY over $200,000 a year to be as bad as the others, or who knows - worse?

But what did we just mentor to these suffering Oregonians - who matter so little to all of us - as long as they are kept far away from any of us? That another bureaucrat who was overseeing it all - who very really contributed to hurting them all - is shuffled along. And allowed to resign. Without consequence.

And the beat goes on. And very really hurting Oregonians are shim shammed.

And the new hospital: Is there still an unethical museum ON THE GROUNDS OF THE HOSPITAL planned to honor One Flew Over the Cuckoo's Nest? Obscenely so that these hurting Oregon residents are treated in and around this inappropriate museum glorifying a Hollywood Movie - on the publicly provided hospital grounds?

Is that really going to happen - still? Kind of like making sure our death row criminal inmates in Oregon state jails have a museum to Charles Manson - just down the corridor from them - where "interested" citizens" can come and gawk at them there too - all in the interest of providing the people with a museum. Lots of movies about murderers out there to glorify and promote on OUR prison grounds, too, right?

What the heck is going on in this unethical, human rights violating state of ours. After we propose we know "better" by now?

Inappropriate comment? Alert us.

Reply to this comment | Post a new comment

Posted by psycheast
April 03, 2010, 9:36AM

Roy Orr is a good guy, and I think he understood some of what needed to be done, but I also think he underestimated the difficulty of shifting a huge, entrenched, fossilized institution. He ended up being an ineffectual, virtually invisible superintendent, while the hospital continued to be run by administrators who have been there for years causing the mess. The real scandal is that there's been a lot of talk about dysfunctional clinical systems, but no attention to (or even acknowledgement of) the dysfunctional management systems that are the root cause of the mess. OSH's management culture is as rigidly hierarchical as GM's in 1950s. Communication is strictly one-way, and initiative and creative problem solving by clinical staff is actively stifled. They would always prefer to bring in an outside
consultant than allow staff to participate in solving problems. Orr's only shot at really changing things would have been to replace most of the upper-level administrators, but in a state bureaucracy that wasn't possible.

Meanwhile, the new hospital is inadequate before it's finished (not enough beds, no private offices where clinicians can meet with patients, inadequate storage space for equipment). The quiet turf wars between disciplines and departments continue. And it isn't really possible to fix the hospital without fixing the community mental health system, and no one's even trying to do that in a comprehensive way.

Inappropriate comment? Alert us.
Reply to this comment | Post a new comment

Posted by 67falcon
April 03, 2010, 12:41PM

Yeah, and what do we get for this mess....MORE CRIMINALLY INSANE GROUP HOMES IN NEIGHBORHOODS NEXT TO SCHOOLS.
We get patients killing patients .had one this yr.
We get patients walking away from these "unsecured" places..had one this week.
You cannot place a man in a place like these that raped a 3 yr old baby...the stupid PSRB did in Cornelius, Oregon.
You have a recipe for hell in a most sacred place...where children might be.
Before one of you start on me..WHERE DO YOU THINK WE SHOULD PUT THEM? In your backyard thanks..I HAVE 5 OF THEM.
We can't even give the cops notification, let alone a school, so let the state manage it, build cottages on the grounds, if they must be in neighborhoods....TELL PEOPLE..and yes the damn HIPPA laws need to be amended.
So, lets feel for the potential victims of accidents of mismanagement, and not for the guy who lost his job.
Inappropriate comment? Alert us.
Reply to this comment | Post a new comment

Posted by 67falcon
April 03, 2010, 10:57PM

Notice none of the real insiders want to challege what I WROTE.
Its all true....thats why!
Inappropriate comment? Alert us.
Reply to this comment | Post a new comment

Posted by Skippy2You2
April 03, 2010, 12:41PM
The core of this specific situation is not limited to Mr. Perez. There have been many other deaths and negligent acts committed at OSH. The staff have an endemic disregard for caring for the patients, from the Psychiatrists down to the mental health technicians. The only training they pay attention to is "Ignore them . . . our jobs are golden." Granted, the mentally ill and developmentally disabled are not always the most appealing people to work with . . . they curse, spit, hit, bite, sling poo, drool, and many other not so attractive actions . . . but the staff at OSH are PAID to work with them. And, if they say they are underpaid, take a look at some of the overtime checks the mental health techs get . . . one of them I know pays his bills with his OT and banks his salary. And . . . they have jobs unlike many of us out there looking. I have never encountered a more screwed up place than OSH in all my years and I have worked in some pretty crappy places. A couple of years ago they fired a woman for getting a cellphone for a patient and then charged her with felony charges . . . all because she was trying to help the patient and not follow the "company" line. So, she has a criminal record, other people who did the same thing still have their jobs, and the patient is still manipulating staff and administration. This is some seriously f****d up system.

Inappropriate comment? Alert us.
Reply to this comment | Post a new comment

Posted by 67falcon
April 03, 2010, 1:25PM

yes it is...and I HAVE been saying that for yrs....and Peter Courtney knows it.

Inappropriate comment? Alert us.
Reply to this comment | Post a new comment

Posted by TrueLight
April 04, 2010, 7:54AM

One To Think ABOUT>>>>>>> on most Case's at the Oregon State Hospital V V V

Eleventh Amendment to the United States Constitution, is in conflict with Article III section 2 The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States; between a State and Citizens of another State; between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In Bulloch v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted."
"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." Kenner v. C.I.R., 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final.

Only the Truth of the Light

TrueLight