

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TERRI LEE HALDERMAN, et al. , : CIVIL ACTION  
Plaintiffs :  
PENNSYLVANIA ASSOCIATION FOR :  
RETARDED CITIZENS, et al. , :  
Plaintiff-Intervenors :  
UNITED STATES OF AMERICA, :  
Plaintiff-Intervenor :  
v. :  
PENNHURST STATE SCHOOL :  
AND HOSPITAL, et al. , :  
Defendants : NO. 74-1345

O R D E R

AND NOW, this 17th day of March, 1978, pursuant to findings of fact and conclusions of law made by the Court in an Opinion filed December 23, 1977, it is hereby ORDERED that judgement is entered in favor of the plaintiffs and against the defendants, and injunctive relief is ORDERED as follows:

1. Commonwealth and county defendants, their successors, and their officers, agents, servants, employees, attorneys and all persons in active concert or participation with them are permanently enjoined to provide suitable community living arrangements for the retarded residents of Pennhurst, and those retarded persons on its waiting list, together with such community services as are necessary to provide them with minimally adequate habilitation until such time as the retarded individual is no longer in need of such living arrangement and/or community service.

2. Commonwealth and county defendants, as aforesaid, are permanently enjoined to develop and to provide a written individualized program plan, formulated in accordance with professional standards (Opinion, page 25; Roos N.T. 1-115, 1-116, Hare N.T. 8-168) to each member of plaintiff class, to provide to each an individualized habilitation program, to provide annual periodic review thereof and the opportunity to each member of plaintiff class and to his or her next friend to be heard thereon.

3. Commonwealth and county defendants, as aforesaid, are permanently enjoined to provide all necessary and proper monitoring mechanisms to assure that community living arrangements and other community services of the necessary quantity and quality are provided and maintained.

4. Commonwealth and county defendants, as aforesaid, are permanently enjoined to implement with dispatch Act 256 of the 1970 Pennsylvania General Assembly, the specific schedule to be set by further Order of the Court upon recommendation of the Master as set forth in paragraph 6 (a) below.

5. The Court, on the basis of nine weeks' testimony in this case and the submissions of all parties, finds that the implementation of this Order will be impossible without the appointment of a Special Master, and, therefore, pursuant to Rule 53, Fed. R. Civ. P., and in the exercise of the Court's equitable powers, the Court shall appoint a Special Master with the power and duty to plan, organize, direct, supervise and monitor the implementation of this and any further Orders of the Court. Commonwealth and county defendants, their successors, officers, agents, servants, employees, attorneys and all persons in active concert or participation with them shall provide the Master with access to all premises, records, documents and personnel and residents and with every other cooperation and service necessary to the discharge of the Master's duties and shall make available to the Master all professional and other resources of the Department of Public Welfare, the Pennhurst State School and Hospital, the County Offices of Mental Retardation and the Base Service Units as may be necessary to execute this Court's Orders.

6. The Special Master shall prepare and present to this Court for its approval and Order a Plan of Implementation which shall include the following:

(a) A plan specifying the quantity and type of community living arrangements and other community services necessary for the habilitation of all plaintiffs in the least separate, most integrated, least restrictive community setting, taking into account the existing community services in the five county area and including, by county, specification of the residential, program and staffing patterns necessary, the delineation of responsibility for their creation and maintenance, their funding and a specified time frame for their provision.

(b) A report specifying resources, procedures, and a schedule for individual evaluations and the formulation of individual exit and community program plans required for the habilitation of each member of plaintiff class and for their periodic review.

(c) A plan for the recruitment, hiring and training of a sufficient number of qualified community staff to be detailed to each Base Service Unit to manage the preparation of individual exit and community program plans for each member of plaintiff class and upon completion of such plans to assist

in the execution of the responsibility to create, develop, maintain, and monitor the community living arrangements and other services required.

(d) A plan for the creation, development and maintenance of mechanisms to monitor a system of community services to assure that community living arrangements and other community services of the necessary quality and quantity are continuously provided to retarded persons in the least separate, most integrated, least restrictive community setting, which plan shall include but shall not be limited to the provision of friend-advocates to assist in the protection of the rights of each member of plaintiff class.

(e) A plan to provide retarded people, members of the class, with continuing information concerning the effect and the implementation of the Court's decision, concerning the plans to provide all necessary community living arrangements and other community services to them and any other general or specific information regarding the conditions necessary to habilitation of retarded persons and to provide for consultation with them.

(f) A plan to provide parents and family of the members of the class with continuing information concerning the effect and the implementation of the Court's decision, concerning the plans to provide all necessary community living arrangements and other community services to their relative and any other general or specific information regarding the conditions necessary to habilitation of retarded persons and to provide for consultation with them.

(g) A plan to provide opportunities for alternative employment to each employee of Pennhurst State School and Hospital, including employment in community programs and otherwise.

7. Within not more than sixty (60) days after appointment, the Master shall file with this Court the reports required at paragraphs 6 (a) and (b) above and 11 below. A hearing will then be scheduled by the Court within fifteen (15) days from the date of their filing. Following the adoption of any plan by Order of the Court, it shall be implemented forthwith.

8. The Master shall engage such staff of his or her own as he or she finds necessary, subject to the approval of the Court. The Master and his or her staff shall be compensated by commonwealth defendants at a rate to be set by the Court; The expenses of the mastership shall be borne by the commonwealth defendants. The Master shall promptly submit to the Court a form of Order with respect to these matters.

9. County defendants, as aforesaid, are hereby enjoined from recommending or in any way counselling that any individual be committed to Pennhurst, and from petitioning for the commitment of any individual to Pennhurst, and from advancing in any way any application for admission to Pennhurst, and

are herewith enjoined from participating in any program or activity in connection with the placement in the future or commitment in the future of any retarded person at Pennhurst.

10. Commonwealth defendants, as aforesaid, are hereby enjoined from recommending or in any way counselling that any individual be committed to Pennhurst, and from petitioning for the commitment of any individual to Pennhurst, and from advancing in any way any application for admission to Pennhurst, and are herewith enjoined from participating in any program or activity in connection with the placement in the future or commitment in the future of any retarded person at Pennhurst. Commonwealth defendants are further enjoined from providing a residence and/or habilitation at Pennhurst to any retarded person who is not of this date a resident at Pennhurst.

11. The Special Master, as aforesaid, shall prepare and present to the Court for its Order a plan for the interim operation of Pennhurst pending its prompt replacement by community living arrangements and other community services. The plan shall address, but need not be limited to, the matters referenced in paragraphs 12-19 below, any other condition at Pennhurst which threatens the life, safety or well-being of any Pennhurst resident, and measures to assure that the interim operation of Pennhurst, including all activities therein, contributes to the prompt provision of services in the community necessary to the habilitation of each Pennhurst resident.

12. Commonwealth defendants are hereby mandated to take every precaution to prevent the physical or psychological abuse, neglect or mistreatment of any Pennhurst resident. Each and every alleged incident of abuse, neglect or mistreatment shall be promptly investigated. The manner and mechanisms of such investigations shall be developed and established by the plan referenced to in paragraph 11.

13. Commonwealth defendants are hereby enjoined to exert the maximum effort in enforcing the following Department of Public Welfare regulations on the "Use of Restraints in Treating Patients/Residents" and "Personnel Rules and Institutional Policy on Acts of Abuse Against Patients/Residents" (promulgated in 7 Pennsylvania Bulletin 3199 (October 29, 1977)) which include interalia the following requirements:

a. That mechanical restraints controlling involuntary movement or lack of muscular control due to organic conditions be employed only as part of an individual program plan, upon a finding of the program team trained in the use of such restraints, and only when necessary to 1) prevent injury to self or others, or 2) promote normative body positioning and physical functioning.

b. That restraints shall be used to control acute or episodic, aggressive behavior only when a resident is acting in such a manner as to be a clear and present danger to self or others and only when less restrictive measures and

techniques have been proven to be less effective.

c. That mechanical restraints may be used only upon the order of a qualified mental retardation professional for a period not to exceed two hours; that the resident must be checked every fifteen minutes and must be examined by a physician before the initial order is renewed.

d. That chemical restraints may be administered only upon the order of a physician.

e. That seclusion (practice of placing a resident alone in a locked room) is prohibited in all cases except where it is apparent that there exists a clear and present danger to the resident, other residents or staff and all other less restrictive methods have failed or have been deemed inappropriate. (Title XIX - ICF-MR 249.13 and State Agency Letter No. 77-30 issued December 14, 1977.)

f. That individual program plans shall require and document that all possible attempts be made at preventing assaultive behavior by positive, constructive, intervention.

g. That acts of abuse by employees directed at residents are absolutely prohibited and are cause for disciplinary action including dismissal.

h. That an abusive act is any action which may cause or causes physical or emotional harm or injury and includes any willful action which violates the regulations on use of restraints.

14. Commonwealth defendants are hereby enjoined from:

(a) Administering excessive or unnecessary medications to class members;

(b) Using medication as punishment, for the convenience of the staff, as a substitute for programming, or in quantities that interfere with a Pennhurst resident's functioning;

(c) Failing to ensure that only appropriately trained staff are allowed to administer drugs to residents;

(d) Failing to provide training programs to staff who administer drugs to residents. The nature of such training programs, and the qualifications to be required of staff members who administer drugs to residents shall be established in the plan;

(e) Administering drugs to residents on a p.r.n. basis. Written policies and procedures governing the safe administration and handling of medications shall be established pursuant to guidelines developed in the plan;

(f) Failing to monitor and to provide for at least

monthly reviews by a physician of each resident's medications.

15. Commonwealth defendants are enjoined from failing to provide a program of medical and health related services for residents which provides accessibility, quality and continuity of care for physical illness or injury. The plan of implementation shall develop and establish detailed standards for the provision of adequate medical and health related services to residents.

16. Commonwealth defendants are hereby enjoined from failing to provide individualized adaptive wheelchairs to each physically handicapped resident who needs them. Each and every individual resident shall be immediately evaluated to ascertain the need for such equipment.

17. Commonwealth defendants are hereby enjoined from feeding any resident in the supine position or in any other position less than the maximum upright position consistent with their capabilities and handicaps.

18. Commonwealth defendants are hereby enjoined from denying any resident programmed activities as punishment.

19. Commonwealth defendants are enjoined to take every precaution to keep every Pennhurst building currently housing residents clean, odorless and insect-free at all times.

20. All bulletins, memoranda, directives of official policy issued by the defendants in connection with the implementation of this Court's Order, shall upon issuance, be sent to counsel for each of the plaintiffs.

21. Jurisdiction is retained by this Court until further Order.

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RAYMOND J. BRODERICK, J.

# ACTION CHECK

This form is to be used to report incidents of suspected neglect, abuse, or improperly used restraints, seclusion, medical treatment, wheelchairs, feeding, or the presence of unsanitary living conditions as outlined in the Federal Court Order of March 1978. A summary of the Order is printed on the reverse side of this form.

Complete this form and send it to the Office of the Special Assistant, who will notify the appropriate supervisory staff of your observations. They will complete an investigation and provide you, the Superintendent, and the Special Assistant with a copy of their findings. The Special Assistant will check three weeks later to verify that the problem was solved.

Telephone Pennhurst Security (through the Pennhurst Operator) for any situation that immediately endangers a client and which is beyond your ability to correct.

Date: \_\_\_\_\_ Time \_\_\_\_\_ Client Name \_\_\_\_\_ Living Area \_\_\_\_\_

WHAT I SAW OR HEARD:

Court Order # \_\_\_\_\_  
(take from reverse side)

Witnesses: Name & Classif. \_\_\_\_\_

Reported by: (your name & classif.  
This information is  
required!)

Pennhurst Phone # \_\_\_\_\_

(This section will be completed by the Superintendent or the Special Assistant)

To be followed up by \_\_\_\_\_ Date & time assigned \_\_\_\_\_

Assigned by \_\_\_\_\_ Special Instructions: \_\_\_\_\_

Complaint # \_\_\_\_\_

Date & time received \_\_\_\_\_

12. Commonwealth defendants are hereby mandated to take every precaution to prevent the physical or psychological abuse, neglect or mistreatment of any Pennhurst resident. Each and every alleged incident of abuse, neglect or mistreatment shall be promptly investigated. The manner and mechanisms of such investigations shall be developed and established by the plan referenced in paragraph 11.

13. Commonwealth defendants are hereby enjoined to exert the maximum effort in enforcing the following Department of Public Welfare regulations on the "Use of Restraints in Treating Patients/Residents" and "Personnel Rules and Institutional Policy on Acts of Abuse Against Patients/Residents" (promulgated in 7 Pennsylvania Bulletin 3199 (October 29, 1977)) which include inter alia the following requirements:

a. That mechanical restraints controlling involuntary movement or lack of muscular control due to organic conditions be employed only as part of an individual program plan, upon a finding of the program team trained in the use of such restraints, and only when necessary to 1) prevent injury to self or others, or 2) promote normative body positioning and physical functioning.

b. That restraints shall be used to control acute or episodic, aggressive behavior only when a resident is acting in such a manner as to be a clear and present danger to self or others and only when less restrictive measures and techniques have been proven to be less effective.

c. That mechanical restraints may be used only upon the order of a qualified mental retardation professional for a period not to exceed two hours; that the resident must be checked every fifteen minutes and must be examined by a physician before the initial order is renewed.

d. That chemical restraints may be administered only upon the order of a physician.

e. That seclusion (practice of placing a resident alone in a locked room) is prohibited in all cases except where it is apparent that there exists a clear and present danger to the resident, other residents or staff and all other less restrictive methods have failed or have been deemed inappropriate. (Title XIX - ICF-MR 249.13 and State Agency Letter No. 77-30 issued December 14, 1977.)

f. That individual program plans shall require and document that all possible attempts be made at preventing assaultive behavior by positive, constructive intervention.

g. That acts of abuse by employees directed at residents are absolutely prohibited and are cause for disciplinary action including dismissal.

h. That an abusive act is any action which may cause or causes physical or emotional harm or injury and includes any willful action which violates the regulations on use of restraints.

14. Commonwealth defendants are hereby enjoined from:

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(b) Using medication as punishment, for the convenience of the staff, as a substitute for programming, or in quantities that interfere with a Pennhurst resident's functioning;

(c) Failing to ensure that only appropriately trained staff are allowed to administer drugs to residents;

(d) Failing to provide training programs to staff who administer drugs to residents. The nature of such training programs, and the qualifications to be required of staff members who administer drugs to residents shall be established in the plan;

(e) Administering drugs to residents on a p.r.n. basis. Written policies and procedures governing the safe administration and handling of medications shall be established pursuant to guidelines developed in the plan;

(f) Failing to monitor and to provide for at least monthly reviews by a physician of each resident's medications.

15. Commonwealth defendants are enjoined from failing to provide a program of medical and health related services for residents which provides accessibility, quality and continuity of care for physical illness or injury. The plan of implementation shall develop and establish detailed standards for the provision of adequate medical and health related services to residents.

16. Commonwealth defendants are hereby enjoined from failing to provide individualized adaptive wheelchairs to each physically handicapped resident who needs them. Each and every individual resident shall be immediately evaluated to ascertain the need for such equipment.

17. Commonwealth defendants are hereby enjoined from feeding any resident in the supine position or in any position less than the maximum upright position consistent with their capabilities and handicaps.

18. Commonwealth defendants are hereby enjoined from denying any resident programmed activities as punishment.

19. Commonwealth defendants are enjoined to take every precaution to keep every Pennhurst building currently housing residents clean, odorless and insect-free at all times.



POLICY ON THE PROHIBITION OF CLIENT ABUSE

POLICY

NO EMPLOYEE MAY, AT ANY TIME, COMMIT AN  
ACT OF PHYSICAL OR PSYCHOLOGICAL ABUSE  
AGAINST ANY CLIENT.

It is inherent in the nature and dignity of each individual that they be accorded certain human rights. A handicap in no way lessens these rights. As employees of Pennhurst Center, it is our duty to recognize the rights of all those whom we have been hired to care for, instruct, and supervise. Accordingly, we must at all times deal with each client in the most humane manner possible.

ABUSE DEFINED

AN ABUSIVE ACT IS ANY ACT WHICH CAUSES  
OR MAY CAUSE PHYSICAL OR PSYCHOLOGICAL  
PAIN TO A CLIENT AND WHICH IS DONE FOR  
THE PURPOSE OF WRONGFULLY CONTROLLING  
HIM, INAPPROPRIATELY PUNISHING HIM OR  
INSTILLING FEAR IN THE CLIENT.

Questions may arise as to what actions constitute abuse of a client. A common-sense application of the definition outlined above should answer most questions. Actions such as striking or kicking a client, restraining a client improperly or without authorization, and other such actions can be seen as causing physical pain to a client. As such, they are strictly forbidden! Acts such as teasing, humiliating or degrading a client, while not physical in nature, are no less painful; they constitute psychological abuse and will be dealt with no less severely.

SELF-DEFENSE

THE EMPLOYEE WHO FEELS IT NECESSARY TO  
DEFEND HIMSELF IN AN AGRESSIVE MANNER  
SHOULD BE VERY MINDFUL OF THE REQUIREMENT  
PLACED ON HIM, TO PROVE CONCLUSIVELY THAT  
NO OTHER COURSE OF ACTION REMAINED OPEN  
TO HIM.

Occasionally employees might be called upon to defend themselves from disturbed clients. This is a time when each employee must show maximum self-control and discipline to insure that he or she use only the minimum amount of force necessary in a given situation. An aggressive lashing out at a disturbed client will, in most cases, only worsen the situation. When called upon to restrain a client, in accordance with proper restraint procedures, the least amount of force necessary, applied intelligently, will insure that a client's rights are not violated.

EMPLOYEE OBLIGATION

ALL EMPLOYEES ARE OBLIGED TO REPORT ANY  
INCIDENT OBSERVED THAT MAY BE CONSIDERED  
ABUSE.

We have a responsibility to protect the rights of the clients from others who may seek to violate those rights. This is a prime responsibility for us all, as many clients cannot or will not speak up for themselves. Simple human decency dictates that we do not allow anyone to perpetrate actions upon clients which we know are wrong. With cooperation from all employees at all levels, we will be able to guarantee the clients of Pennhurst Center the respect and dignity that is their right as fellow human beings.

EACH EMPLOYEE HAS AN OBLIGATION TO BE  
FAMILIAR WITH THE POLICY ON ABUSE AND  
TO ADHERE TO THE REGULATIONS CONCERNING  
ABUSE.

EMPLOYER OBLIGATION

The employer has an obligation to see that the rights of both the client and employee are protected by following established policies and procedures and carrying out actions in a fair and consistent manner without undue delay.

The employer also has an obligation to provide thorough training and opportunities for discussion to assure understanding of the policy by all employees.

THIS POLICY IS BASED ON DPW REGULATION #8489  
AND ADHERES TO ALL FACETS OF THAT STATUTE.  
VIOLATIONS OF THIS POLICY WILL RESULT IN  
SEVERE DISCIPLINARY ACTION WHICH COULD INCLUDE  
DISMISSAL FROM STATE SERVICE.

Policy Formulated 8/73  
Revised 11/74  
Revised 2/79

George A. Kopchick, Jr.  
Superintendent

## PENNHURST CENTER

### POLICY ON PROHIBITION OF CLIENT EXPLOITATION

#### Definition

The term exploitation is defined in Webster's Collegiate Dictionary as "An unjust or improper use of another person for one's own benefit or advantage".

#### Declaration of Right

The mentally retarded clients at Pennhurst Center have a right to protection from exploitation.

#### Policy

Any use of clients for selfish gains by an employee shall be considered exploitation and will not be tolerated.

Each employee must recognize that he or she has a duty to care for and protect the clients in that those clients are often incapable of formulating knowing and intelligent consent to the employee's request. An employee must acknowledge that a client will sometimes seem to acquiesce to the employee's wishes when in fact the client is acting out of fear, intimidation or an inability to comprehend the true meaning of choice.

It is the policy and responsibility of the Pennhurst administration and staff to protect its clients against all forms of exploitation.

Any willful action which reflects a lack of respect for the dignity and worth of the client is regarded as exploitation.

Each employee at Pennhurst Center has the responsibility and duty of protecting clients from acts of exploitation. This responsibility includes the expectancy that any employee who observes or hears of exploitation activity must promptly report the incident or bear the responsibility of being party to the act.

#### Examples (illustrative only)

1. Clients are exploited when their money or personal property is appropriated, borrowed or taken without authorization from a financially competent client or from a financially incompetent client or his/her guardian.
2. Clients are exploited when bribed, encouraged, requested or coerced to perform sexual activities of any kind by employees. Clients must be presumed to be incapable of consenting to any type of sexual activity with employees or at the suggestion or direction of any employee.

3. Clients are exploited if food or other supplies purchased by the State for use of clients is appropriated, borrowed, or taken without authorization.
4. Clients are exploited when employees involve them in gambling.
5. Clients are exploited when they are bribed, encouraged, requested or coerced to run errands or perform work for others. (Anti-peonage Act)
6. Clients are exploited when bribed, encouraged, requested, or coerced to take part in improper or foolish conduct for the amusement of others.
7. Clients are exploited when bribed, encouraged, requested, or coerced to go on Unauthorized Leave.

#### **Procedures**

1. All acts of exploitation must be reported promptly through regular administrative communication channels.
2. The appropriate Unit Director or Department Head must contact Security Police regarding every instance of possible exploitation. If Security Police believes the alleged offense may be punishable by law, they will notify the Pennsylvania State Police.
3. Since exploitation is regarded by this policy as willful actions upon and with clients which are prohibited, proven cases of exploitation will result in disciplinary actions including the possibility of suspension and dismissal.

## NOTICE

### PROCEDURES FOR PROTECTING THE HUMAN AND CIVIL RIGHTS OF PENNHURST RESIDENTS WHILE THEY LIVE AT THE INSTITUTION

The procedures described below are in compliance with specific items in the March 17, 1978, Court Order from Judge Raymond Broderick. Their purpose is to protect the human and civil rights of Pennhurst residents while they live at the State Center.

1. **Abuse.** All persons shall take every precaution to prevent physical or psychological abuse, neglect or mistreatment of any Pennhurst resident. The Pennhurst Abuse Policy and state regulations regarding abuse must be followed. Any person noting abuse, neglect or mistreatment of a resident must report the incident to the appropriate supervisor and the Superintendent (ext. 201). Reports shall be made by phone and on the Action Check Form.
2. **Use of Restraints.** State regulations and Pennhurst policies on the use of restraints must be followed. Specifically:
  - a. Mechanical restraints controlling involuntary movement or lack of muscular control due to organic conditions may be used only as part of a current individual program plan, upon a finding of the program team trained in the use of such restraints, and only when necessary (1) to prevent injury to self or others, or (2) to promote normative body positioning and physical functioning.
  - b. Restraints may be used to control acute or episodic, aggressive behavior only when there is documentation that the resident's action is clearly dangerous to self or others and only when there is documentation that less restrictive techniques have proven less effective.
  - c. Mechanical restraints may be used only after being ordered by a qualified mental retardation professional and for a period no longer than two hours. The resident must be checked every 15 minutes and he or she must be examined by a physician before the initial order is renewed. Use of mechanical restraints must be documented in the restraint record.
  - d. Chemical restraint may be administered only upon the order of a physician.
  - e. Individual programs shall require and document that all intervention to prevent assaultive behavior is positive and constructive.

NOTICE

3. **Medication.** Medication and its effects shall be monitored by the physician, the nurse, and the ward staff. The physician shall review and rewrite all medication orders at least monthly. Medication must not be:

- a. Given unnecessarily.
- b. Used for the convenience of any person, for punishment, as a substitute for programs, or in quantities that interfere with the resident's overall functioning.
- c. Given by any person who is not a licensed practical or registered nurse.
- d. Given on an "as needed" basis.

4. **Health Care.** Any persons noting residents with physical ailments (including fevers, bruises, abrasions) or changes in their usual behavior patterns (including eating, sleeping or normal activity) shall alert the nurse to those observations. The nurse shall conduct an immediate follow-up and shall notify the resident's physician of the problem. The physician shall be responsible for obtaining appropriate treatment for an illness.

5. **Wheelchairs and other orthotic devices.** Any resident who requires a wheelchair or other orthotic device shall be given free access to his/her own such device(s). These wheelchairs and devices shall be modified to meet each resident's individual needs as determined through individual evaluations.

6. **Mealtime Positioning.** Residents who cannot eat in completely upright positions shall receive their meals in as close to an upright position as possible, considering their particular disabilities. A photograph of the appropriate mealtime position for each resident and specific mealtime instructions, as approved by the physician, shall be posted where the resident eats his/her meals.

7. **Denial of Program Activities.** Residents may never be denied participation in programmatic activities for purposes of retribution and punishment.

8. **Sanitation.** Every living Area for clients shall be kept clean, free of offensive odors, and free of infestation by insects and vermin.

\* Non-compliance with any procedure by any person is a serious matter which may result in:

Disciplinary action by the Pennhurst Administration,

Note: If such disciplinary action is warranted, the employee involved shall retain all rights according to his/her respective grievance procedures.

# OFFICE OF THE SPECIAL MASTER

FEDERAL DISTRICT COURT

ROBERT H. AUDETTE  
MASTER

649 S. HENDERSON ROAD  
2ND FLOOR  
KING OF PRUSSIA, PA 19406

(215) 265-5401  
(800) 362-0352

## PUBLIC HEARING

SUBJECT: Draft of the Plan to Provide Services and Other Assistance for Pennhurst Employees

DATE/TIME: Wednesday, January 17, 1979, 7:00 a.m. to 7:00 p.m.

PLACE: New Horizons Building, Main Conference Room, Pennhurst Center

All persons employed at Pennhurst and other concerned individuals are invited to attend a public hearing regarding the first draft of the Plan to Provide Services and Other Assistance for Pennhurst Employees. The specific suggestions offered on that day will be considered for incorporation into the Plan and for presentation to the Court. Those who present testimony at this hearing are requested to carry out the following procedures:

### Registration

1. Sign the Registration Book. Please include your full name, address, telephone number, and whether you are representing yourself or an organization.
2. Please be sure to receive a number. (The opportunity to testify will occur in the order of registration.)

### Presenting Testimony

1. In order to assure that everyone has an opportunity to speak, please observe the following time limits:
  - a. If you are speaking for yourself, please stay within five minutes;
  - b. If you are speaking for an organization, you may use ten minutes.If time is up before your testimony is complete, you may re-register at the desk.
2. We are interested in receiving your suggestions for specific deletions and/or additions to the Plan. It will be especially helpful if you provide a reason for your recommendations.
3. Written testimony will be accepted at the registration desk on the day of the hearing and at this office any time before that date.