

Hannah Elliott

From: Smith, Adam <asmith@schwabe.com>
Sent: Monday, February 19, 2024 3:12 PM
To: John Eisler
Cc: Alex Solterbeck; Will VanVactor; Wilson-McNerney, Julie
Subject: RE: Sunshine Behavioral Health Correspondence [IMAN-PDX.FID4560231]
Attachments: 2 - Client Code of Conduct.pdf; 11 - Urinalysis Testing and Labs.pdf; 12 - Intake.pdf; 14 - Searches.pdf; 5 - Client Visitation.pdf

John,

Attached are a number of additional polices that all work together to prevent clients from using drugs or alcohol while receiving treatment from Sunshine Behavioral Health. Please let me know if you have any additional questions or concerns.

Thanks,
-Adam

Adam Smith

Shareholder

Pronouns: he, him, his

D: 541-749-1759

asmith@schwabe.com

SCHWABE, WILLIAMSON & WYATT

CLIENT SHOWCASE | INNOVATING FOR GOOD

From: John Eisler <John.Eisler@crookcountyor.gov>
Sent: Friday, February 16, 2024 4:05 PM
To: Smith, Adam <asmith@schwabe.com>
Cc: Alex Solterbeck <Alex.Solterbeck@crookcountyor.gov>; Will VanVactor <Will.VanVactor@crookcountyor.gov>; Wilson-McNerney, Julie <JWilson-McNerney@schwabe.com>
Subject: RE: Sunshine Behavioral Health Correspondence [IMAN-PDX.FID4560231]

Adam,

Again, I appreciate you responding to my requests so promptly. The document you sent me was helpful. It is clear that Sunshine Behavioral Health intends to operate a drug rehabilitation program. If it's not obvious, I am trying to ascertain whether Sunshine has protocols in place to ensure that the residents, while under Sunshine's care, will not be currently using drugs or alcohol and thus would qualify as handicapped under the Fair Housing Act.

If your client has any such documentation (or if it was in the documents already provided and I missed it), that would assist in our review of your accommodation request.

Thank you and have a great holiday weekend,



JOHN EISLER

ASSISTANT COUNSEL

Crook County Legal Counsel's Office

Mailing: 300 NE 3rd St., Prineville, OR 97754

Office: (541) 416-3919 Ext. 279

From: Smith, Adam <asmith@schwabe.com>

Sent: Friday, February 16, 2024 3:46 PM

To: John Eisler <John.Eisler@crookcountyor.gov>

Cc: Alex Solterbeck <Alex.Solterbeck@crookcountyor.gov>; Will VanVactor <Will.VanVactor@crookcountyor.gov>;

Wilson-McNerney, Julie <JWilson-McNerney@schwabe.com>

Subject: RE: Sunshine Behavioral Health Correspondence [IMAN-PDX.FID4560231]

Attached. Please let me know if you have any further questions.

Adam Smith

Shareholder

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D: 541-749-1759

asmith@schwabe.com

SCHWABE, WILLIAMSON & WYATT

CLIENT SHOWCASE | INNOVATING FOR GOOD

From: John Eisler <John.Eisler@crookcountyor.gov>

Sent: Friday, February 16, 2024 12:34 PM

To: Smith, Adam <asmith@schwabe.com>

Cc: Alex Solterbeck <Alex.Solterbeck@crookcountyor.gov>; Will VanVactor <Will.VanVactor@crookcountyor.gov>;

Wilson-McNerney, Julie <JWilson-McNerney@schwabe.com>

Subject: RE: Sunshine Behavioral Health Correspondence [IMAN-PDX.FID4560231]

Hi Adam,

Thanks again for sending this. I'm reading the Admissions Criteria pdf, and it mentions "Ineligibility Criteria" at the end of the first paragraph. I believe that's a separate document. Could I ask that you reach out to your client and have them send that as well?

Thanks and have a great weekend.

Best,



JOHN EISLER

ASSISTANT COUNSEL

Crook County Legal Counsel's Office

Mailing: 300 NE 3rd St., Prineville, OR 97754

Office: (541) 416-3919 Ext. 279

From: Smith, Adam <asmith@schwabe.com>

Sent: Tuesday, February 13, 2024 4:47 PM

To: John Eisler <John.Eisler@crookcountyor.gov>

Cc: Alexandria Solterbeck <Alexandria.Solterbeck@crookcountyor.gov>; Will VanVactor

<Will.VanVactor@crookcountyor.gov>; Wilson-McNerney, Julie <JWilson-McNerney@schwabe.com>

Subject: RE: Sunshine Behavioral Health Correspondence [IMAN-PDX.FID4560231]

John,

Thanks for talking today and confirming that Crook County anticipates responding to our letter by the end of next week. We very much appreciate County staff's coordination and support.

Attached please find two policy documents provided by our clients. Both document outline Sunshine Behavioral Health's admission procedures and criteria. As you can see, Sunshine Behavioral Health only provides services to clients recovering from drug and/or alcohol additions, which is a disability under the ADA and FHAA.

Happy to chat more or to provide additional documentation as needed.

-Adam

Adam Smith

Shareholder

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SCHWABE, WILLIAMSON & WYATT

CLIENT SHOWCASE | INNOVATING FOR GOOD

From: John Eisler <John.Eisler@crookcountyor.gov>

Sent: Thursday, February 8, 2024 10:51 AM

To: Smith, Adam <asmith@schwabe.com>; Will VanVactor <Will.VanVactor@crookcountyor.gov>

Cc: Alexandria Solterbeck <Alexandria.Solterbeck@crookcountyor.gov>

Subject: RE: Sunshine Behavioral Health Correspondence [IMAN-PDX.FID4560231]

Hi Adam,

The County is in receipt of your accommodation request for Sunshine Behavioral Health Group, LLC. I'm shooting to have some kind of response to you by February 23, 2024. I'll reach out before then if I have any questions or updates.

Best,



JOHN EISLER

ASSISTANT COUNSEL

Crook County Legal Counsel's Office
Mailing: 300 NE 3rd St., Prineville, OR 97754
Office: (541) 416-3919 Ext. 279

From: Smith, Adam <asmith@schwabe.com>
Sent: Wednesday, February 7, 2024 2:15 PM
To: Will VanVactor <Will.VanVactor@crookcountyor.gov>; John Eisler <John.Eisler@crookcountyor.gov>
Subject: Sunshine Behavioral Health Correspondence [IMAN-PDX.FID4560231]

Gentlemen,

Attached is the correspondence we discussed during our meeting on January 18, 2024. As we discussed, the letter requests a deviation to the County's process for our upcoming land use application as a reasonable modification / accommodation under the ADA and FHAA.

I assume the matter will be discussed with the County Court during an executive session and that we will then receive an answer to our request soon after that meeting. For our internal scheduling purposes, my client is asking when we can expect to receive that response?

Thanks again for the productive meeting on January 18. I look forward to continuing to work with you both on this project.

-Adam

Adam Smith

Shareholder

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SCHWABE, WILLIAMSON & WYATT

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Section 6 – Admissions	Policy - 2	Est: 8/2014	Rev: 03/2022
Client Code of Conduct		Approved By: Exec. Leadership Board	

Policy: Sunshine Behavioral Health establishes a code of conduct for clients to agree upon and follow during their treatment. Clients are presented with the list of program rules upon admission to the program and are required to signify their receipt. Program rules are contained in the Treatment Agreement and are recorded in the client’s electronic medical record. Clients in violation of the program rules are subject to discharge from the program.

Client Code of Conduct

- Use of alcohol or other drugs is grounds for immediate discharge from the program.
- Possession of weapons, sharp objects, acts of violence, or threats of violence are grounds for immediate discharge.
- Smoking or the use of smokeless tobacco products are allowed in designated outside areas only.
- All Clients must sign out and in whenever they leave or return, as well as their destination.
- Clients must attend all treatment activities unless excused by staff.
- Negative contracts involving major rule violations not reported to staff will result in consequences or discharge.
- Clients will respect the personal property of other Clients and staff. Clients will not borrow the property of others.
- Clients are responsible for their behavior and are expected to communicate, cooperate, and show respect to other Clients and staff.
- Consumption of food and drink shall be restricted to designated areas.
- All visitors must be approved by clinical staff and may only visit during designated times
- All mail is to be opened with staff supervision.
- Failure to abide by the rules may result in restriction of privileges. In more serious cases, repeated violations, or disregard for program rules will result in administrative discharge.
- Sexual relationships with peer are grounds for dismissal as they are considered detrimental to the community and to the individual’s recovery process.
- Being on time to all scheduled activities is required.
- All treatment assignments are to be completed in a timely manner.
- All assigned work responsibilities must be completed.
- When you do not know what to do, do not assume.....ask the staff.
- No profanity or verbal abuse of staff or other Clients is allowed.
- Gambling is not permitted.
- Logos on clothing that are gang or drug related are not permitted.
- No tank tops, halter-tops, backless or low-cut clothing. No short shorts, or other tight clothing is permitted.
- Undergarments must be worn at all times.
- No medications of any kind are allowed unless approved and prescribed by your physician.
- No stealing, borrowing, or lending of money is permitted.
- No cameras, tape recorders, or other recording devices are permitted.
- No material other than recovery related material.
- Knowledge and awareness of all rules is expected.
- No perfumes or any glass bottles are permitted.



Section 6 – Admissions	Policy - 2	Est: 8/2014	Rev: 03/2022
Client Code of Conduct		Approved By: Exec. Leadership Board	

- No straight edge razors are permitted; electric razors are permitted.
- No hand sanitizers are permitted.
- No stuffed animals are permitted.
- No safety pins or knives are permitted.
- No mouthwash with alcohol is permitted.
- I understand that if I am suspected of using alcohol/drugs, I will be asked to undergo a blood and/or urine test. If the results are positive, I may be asked to leave the program with an appropriate referral.
- I am aware that regular attendance is a requirement of the program; I understand that breaking this rule can result in discharge from the program.
- I understand that information discussed in groups is confidential and should not be discussed outside of the program.

Behavior that undermines treatment rules and expectations will not be tolerated. Violation of these rules will result on consequences and may result in dismissal from the program. Illegal activity is subject to criminal prosecution



Section 7 – Medical	Policy - 11	Est: 8/2014	Rev: 03/2022
Urinalysis, Testing, and Labs		Approved By: Exec. Leadership Board	

Policy: All clients participating in any Monarch Shores program are subject to alcohol and other drug testing at random or for cause. Monarch Shores only conducts CLIA waived testing on-site. All other laboratory and testing needs are referred or contracted out to third party vendors. Contracted physician may also order blood panel, HIV, TB, Hepatitis, and other tests relevant to the treatment of a client’s substance use disorder. Results of all labs, testing, and urinalysis are kept in the client’s medical record. Health care providers and nursing staff shall review the results of all tests to provide meaningful and effective care.

Procedure: Support staff, nurses, contracted physician, and health care providers will perform assessments on clients to determine health status. These tests and assessments include the pre-admissions and face to face assessments, urinalysis testing, breathalyzer testing, blood panel testing, and tuberculosis testing. These tests are used by contracted physicians or health care providers to determine the safest course of managing detox.

1. **Urinalysis testing:** Urinalysis testing is collected by trained staff. Tests are administered at admission and then randomly thereafter for therapeutic integrity of treatment and the community. Urinalysis tests is administered on site at licensed locations. Urinalysis tests are sent out to third party labs for confirmation testing and disposal. All urinalysis tests are reviewed by clinical, nursing, and contracted medical staff, as necessary.
 - a. All urinalysis supplies are stored in a secure location with access limited only to those employees involved in the collection process.
 - b. Urinalysis testing supplies are kept at conditions as specified by the manufacturer.
 - c. Urinalysis may be done at random, or upon suspicion of use.
 - d. Urine drug screens may be collected the day of, before or after each client's pass or outing.
 - e. Clients being urine drug tested will be monitored by a staff member.
 - f. Results of a client's drug screen will be documented in the client’s chart on a drug screen log along with the date the test occurred, type of testing provided, and staff member collecting the specimen.
 - g. All urine drug tests are sent out to third party laboratories for confirmation testing.
 - h. Urinalysis tests will be collected in the restroom nearest the staff office.
2. **Breathalyzer testing:** Breathalyzer tests are administered on admission and randomly thereafter by trained operations support staff. The results of these tests are documented in the client’s record and reviewed by nursing, medical, and clinical staff, as necessary.
 - a. All breathalyzer supplies are stored in a secure location with access limited only to those employees involved in the breathalyzer test.
 - b. Breathalyzer testing supplies are kept at conditions as specified by the manufacturer.
 - c. Breathalyzer’s may be utilized at random, or upon suspicion of use.
 - d. Breathalyzer tests may be conducted the day of, before or after each client's pass or outing.
 - e. Clients being breathalyzer tested will be conducted by a trained staff member.
 - f. Results of a client's breathalyzer will be documented in the client’s chart.
 - g. Breathalyzer testing will be conducted in the IMS room.
3. **Blood Panel Testing:** Blood panel testing is administered as ordered by a contracted physician or health care provider. A third-party phlebotomist will come onsite to draw blood. All blood products will be referred to third party labs for testing and disposal. All results will be reviewed by a contracted physician or health care provider.



Section 7 – Medical	Policy - 11	Est: 8/2014	Rev: 03/2022
Urinalysis, Testing, and Labs		Approved By: Exec. Leadership Board	

- a. Blood panel testing can only be ordered by a physician to assist in the treatment of the client’s substance use disorder.
 - b. Contracted health care providers can order tests for HIV, STI’s, organ function, et. Cetera.
 - c. Contracted health care provider will coordinate with a licensed phlebotomist to pull blood samples from clients for which tests are ordered.
 - d. No staff shall have contact with, store, or assist in handling blood samples. All blood sample handling is conducted by the licensed phlebotomist.
 - e. All tests on blood samples will be conducted at third party laboratory.
 - f. Results of all tests are kept in the client medical record.
 - g. Blood tests and samples will be executed by contracted service.
4. Tuberculosis Testing:
- a. Tuberculosis (TB) testing is ordered by a contracted physician or health care provider.
 - b. TB tests are administered via subcutaneous injection by a licensed nurse prior to the 30th day of treatment.
 - c. The results of the TB test are read by a licensed nurse between 48 and 72 hours after the injection was placed.
 - d. Should a positive skin reaction occur, the client will be referred by a contracted health care provider for X-Ray confirmation of either positive or negative TB.
 - e. Results of all skin and X-Ray tests are kept in the client’s medical record.
 - f. If a client does test positive for TB with a confirmation X-Ray, the client will be referred to appropriate medical services for treatment.
 - g. TB tests will be administered and read by the providing contracted service.

Collection and Labeling of Urinalysis Testing:

1. Prior to informing the client that a sample is required, ensure that a drug test, drug screen log, and protective gloves are available and ready.
2. Inform the client that you require a drug test from them immediately.
3. Clients must remain in common areas and cannot leave for passes, meetings, or walks until the sample is obtained.
4. Once the client is ready to provide the sample escort them to the designated testing restroom.
5. Perform a thorough pre-inspection of the restroom to make sure contraband is not present that could alter the sample.
6. Inform the client to fill up the cup to the fill line and also tell them they need to wait to flush and wash hands until they give the sample back to staff with the lid sealed.
7. With protective gloves on, immediately check the temperature reading to make sure sample is in normal range.
8. Allow sample to sit for time required per manufacturer instructions so an accurate reading can be performed.
9. Remove label cover and read the results and immediately document in the drug screen log. All results must be reported to the clinical and medical staff and sent for verification testing.
10. Each specimen will be labeled with the following: Name of client, date and time of specimen collection, initials of staff (marked pre-pass or post-pass when applicable) and other identification requirements per third party laboratories.



Section 7 – Medical	Policy - 11	Est: 8/2014	Rev: 03/2022
Urinalysis, Testing, and Labs		Approved By: Exec. Leadership Board	



Section 9 - Operations	Policy - 12	Est: 8/2014	Rev: 03/2022
Intake		Approved By: Exec. Leadership Board	

Policy: Sunshine Behavioral Health maintains strict standards during the client intake process to ensure the safety of all clients as well as the integrity of the program. All clients admitting to any level of care must undergo the procedure outlined below and document the completion of each step in the client’s electronic medical record.

Procedure: Upon verification of an incoming client through communication with the Admissions and Transportation team, the Operations team at the house will do the following:

- Communicate with the transportation team to solidify a time of arrival for the client.
- Upon arrival, clients will be taken to the Intake and Assessment room.
- Client’s luggage and belongings must be searched thoroughly, and an inventory of all items stored and/or returned to the client for immediate use will be listed in the client’s medical record.
- Client’s person will be searched. Clients are asked to remove shoes, socks, to turn out pockets, present the waistband of their pants, shake out their shirts, and remove any head ware.
- Clients will submit to a 12-panel, quick-read, urinalysis. The results of the urinalysis will be documented in the client’s electronic medical record and communicated to the appropriate parties.
- Clients will begin initial orientation and assessment with medical staff, including taking of vital signs, pain screen, nutritional screen, and suicide screening. The results of all screenings will be documented in the client’s electronic medical record.
- Operations staff will present all Consent forms for the client to sign, along with a Commitment to Treatment agreement.
- Clients will complete a Face to Face assessment with the nurse to determine current medical, historical, emotional, mental, physical state of well-being and to collect other pertinent information. Face to Face assessment must be completed and reviewed by Medical Director’s staff.
- Operational staff will document all medications brought in by the client into the electronic medication inventory. Inappropriate or unapproved medications will be destroyed.
- Once the initial medical and operational processes have been completed, the client will be shown the property and taken to their room. Staff will transport client’s luggage to the appropriate room and ensure that the client is comfortable, fed, and properly hydrated.
- Client will be allowed to sleep, if they desire to do so, immediately following initial assessments.
- Once clients have settled, the Client Advocate will provide the client with full Program Orientation, including schedule review and expectations, program structure, staff introductions, and outline emergency contact numbers and referrals.
- Client’s physical, mental, and emotional symptoms will be documented, along with vitals and subjective withdrawal assessment scores (if necessary) for at least the first 72 hours of treatment.
- Client will meet with a member of the Medical team for a complete History and Physical within 24 hours of admission.
- Client will work with medical team to determine and agree upon an appropriate Initial Treatment Plan within 24 hours of admission.
- Client will meet with Clinical staff to complete a BioPsychoSocial assessment within 24 hours of admission.
- Client will meet with Clinical staff to complete and agree upon a Master Treatment Plan within 7 days of admission.



Section 9 - Operations	Policy - 12	Est: 8/2014	Rev: 03/2022
Intake		Approved By: Exec. Leadership Board	

Completion of all steps and documentation thereof is monitored and audited for improvement and compliance purposes.



Section 9 - Operations	Policy - 14	Est: 8/2014	Rev: 03/2022
Searches		Approved By: Exec. Leadership Board	

Policy: Sunshine Behavioral Health ensures the safety of its clients, property, and program by executing property and personnel searches upon intake to any level of care. Additionally, property and person searches may occur with cause, if staff suspects possession of contraband or unauthorized substances and material.

Procedure:

- Upon intake to any program, or level of care, clients personal belongings, luggage and person will be searched. Any items deemed “contraband” (on the list of Do Not Bring) will be stored or disposed according to Client Property policy.
- Luggage will be emptied and each item will be searched, including luggage pockets compartments, clothes pockets, toiletry bags, etc..
- Clients vehicles will be searched if they are to be left on property.
- Client will be informed of any and all material that is found and deemed to be unauthorized. In the case of personal property that is inappropriate for facility possession, but not illegal or illicit, the client will have the option to store it and retrieve it upon discharge, or to mail it home.
- Person searches – **Person/Patient Searches may only be conducted by members of the same gender as the patient being searched.**
 - Clients will be asked to remove shoes and any headware.
 - Clients will be asked to turn out pockets and untuck shirts.
 - Clients will be asked to run hands around the inside waistband of pants.
 - Suspicion requiring any further search will be referred to medical facility for proper handling.
 - Strip searches will not be performed by facility staff at any time for any reason.
 - All person searches will be conducted with a witness present. The witness must be the same gender as the patient, as well as the individual conducting the search.
- Results of searches will be documented in clients electronic medical records along with photographs and descriptions of contraband or items to be stored.



Section 8 – Clinical	Policy - 5	Est: 8/2014	Rev: 03/2022
Client Visitation		Approved By: Exec. Leadership Board	

Policy: Residents are encouraged to have visitors who are supportive to their recovery process and attend family-only sessions, such as parents, spouses, children, or loved ones. All visitors are expected to abide by all standards outlined in this policy.

Procedure:

1. Requests for visitations must be made in advance to the client’s care team.
2. Requests must be approved and expectations for visitation explained.
3. Visitors are welcomed only during scheduled hours. The Clinical Director will designate appropriate periods of time for visitation in collaboration with clients’ schedules.
4. Visitation periods will be supervised by staff.
5. Visitation must occur in a common area or location designated by the clinical/operational staff.
6. Staff may deny any visitor that is harmful to the clients’ progress or the progress of other clients. This includes:
 - a. Former clients who left ACA (Against Clinical Advice) or AWOL (Absent Without Leave).
 - b. Any known or practicing drug or alcohol abuser.
 - c. Anyone under the influence of alcohol or drugs or anyone who appears to be under the influence of alcohol or drugs.
 - d. Visitors behaving inappropriately or in a destructive manner.
 - e. Visitors who refuse to abide by program standards.

Guidelines for Visitors:

1. All visitors must be approved prior to visitation by the Clinical Director.
2. Appropriate behavior needs to be maintained during all visits. Visitors who exhibit loud, boisterous, overly affectionate, and/or overly negative attitudes or behaviors, may be asked to discontinue their behavior or end their visit.
3. All visitors must dress in an appropriate manner.
4. Any visitor bringing contraband or sharp objects onto the premises will immediately be asked to leave and will be restricted from future visits. Illegal weapons and/or objects brought onto any premises will be confiscated by a staff member and given to the police.
5. If a client and/or visitor becomes physically or verbally abusive, they will be asked to leave, and the client will participate in a one-on-one with staff.
6. If any visitors appear to be under the influence of alcohol and/or drugs, the visitor will be asked to leave and will be restricted from future visits.