



**State of Florida
Department of Children and Families**

Charlie Crist
Governor

Robert A. Butterworth
Secretary

August 1, 2008

Mr. Wayne Campbell
Chief Executive Officer
Fort Walton Beach Medical Center, Inc.
1000 Mar-Walt Drive
Fort Walton Beach, Florida 32547-6795

Dear Mr. Campbell:

The Department of Children and Families (DCF) Mental Health Program Office has received a letter from the DCF Circuit 1 Administrator recommending that the Department implement a moratorium on all involuntary Baker Act admissions at the Fort Walton Beach Medical Center as a result of the following concerns:

- 1) The recent highly publicized incident that occurred involving two elopements by the same person from the Emergency Department at your facility and the subsequent tragic deaths of that individual and a sheriff's deputy. This event has caused great concern in the community and the Mental Health Program Office regarding the general adequacy of safety and security processes utilized in the Emergency Department at Fort Walton Beach Medical Center (FWBMC).
- 2) Public statements by the Risk Manager of the facility that demonstrated a fundamental lack of knowledge regarding the responsibilities and authority of Designated Receiving Facilities to provide a safe and secure environment for individuals requiring a mental health evaluation.
- 3) An investigation of the incident conducted by the Agency for Healthcare Administration that (AHCA) resulted in findings significant enough to warrant an issuance of a letter to FWBMC informing that hospital of "findings of Immediate Jeopardy" at the following Conditions of Participation: CFR 482.13-Patient Rights; 482.21-QAPI; and 482.55-Emergency Services.
- 4) Public information released by the Okaloosa County Sheriff's Office that detailed a very high number of elopements from the facility that were not reported to AHCA as required by licensure under applicable statutes and rules.

This is sufficient evidence to warrant concern for the safety of individuals brought to your facility on an involuntary examination petition. Therefore, the Department concurs with the Circuit 1 recommendation and is officially implementing a moratorium on Baker Act admissions, effective immediately.

As a result of the moratorium, Fort Walton Beach Medical Center will immediately cease all admissions of persons brought to them involuntarily under the Baker Act. If, however, individuals arrive at your Emergency Department requiring examination for involuntary inpatient placement, under Federal law known as EMTALA, your facility must still perform the evaluation pursuant to chapters 394 and 395.003(5)(a) Florida Statutes, and then coordinate a transfer to another

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

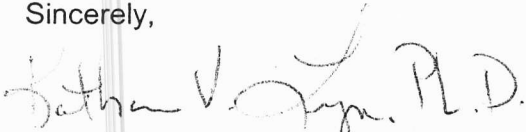
designated receiving facility. Given the history of elopements from the Emergency Department, the expectation is an immediately implemented protocol to maintain individuals in a safe manner. The Department will notify municipal and county law enforcement, the courts, and other receiving facilities in your area of the moratorium so that future involuntary admissions can be diverted to the other facilities.

The moratorium will remain in effect until the Fort Walton Beach Medical Center fully implements an approved corrective action plan. The Corrective Action Plan must include actions that ensure patient and community safety, staff knowledge regarding the Baker Act, improved coordination between the Emergency Department and Psychiatric Unit to facilitate timely transfers, and significant improvements in the Risk Management processes to ensure the appropriate internal and external review of incidents, including elopements. The Corrective Action Plan must provide time frames for completion of the various actions to be taken, person(s) responsible for each action, and how completion of action steps will be measured. Time frames should reflect the urgency of the situation. Upon approval of the Corrective Action Plan, a site visit will be scheduled to review the progress the facility is making toward the resolution of these issues. The results of that review will determine when a recommendation will be made to lift the moratorium or any further actions must be taken.

Please forward your Corrective Action Plan to Dr. Paul Rollings by close of business Tuesday, August 5, 2008 at the DCF Circuit 1 office at 160 Governmental Center, Suite 611, Pensacola, FL, 32502-5734. Dr. Rollings may be reached at (850) 595-8269.

The Department regrets the necessity of taking this action and hopes for the timely and effective correction of the problems outlined in this letter.

Sincerely,



Katharine V. Lyon, Ph.D.
Director of Mental Health

Cc: William H. Janes, Assistant Secretary for Substance Abuse and Mental Health
Janice Thomas, Circuit 1 Administrator
Dr. Paul Rollings, Substance Abuse and Mental Health Program Supervisor
Laura MacLafferty, Agency for Health Care Administration
Mark Thomas, Agency for Health Care Administration
Jason Dimitris, Department of Children and Families