

State of California

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

* yes Fatality
*W.C. Carrier : SCIF

NARRATIVE SUMMARY

Establishment Name: CA Dept of Mental Health/Napa State Hospital	Inspection No. 300752581
Management Official: Dolly Matteucci	Title: Director, Napa State Hospital

Information on Injured

Covered by Worker's Compensation Yes

Victim name, address, phone number	Occupation
Donna K. Gross	
	Psychiatric Technician

Summary:

On October 24, 2010 at approximately 2:00 pm the Santa Rosa district office of Cal/OSHA was notified by the employer of a fatality at Napa State Hospital, in Napa, California. The district office initiated an investigation on October 25, 2010 at approximately 10:00 am. Employee Donna K. Gross, 54 years old, was found dead on October 23, 2010, at approximately 6:45 pm after failing to report for her second shift of the day as required. She had apparently been asphyxiated.

Donna K. Gross was employed as a Psychiatric Technician at Napa State Hospital for approximately 14 years. She was in the process of returning from her break between shifts late Saturday afternoon on the grounds outside of her unit in the Secure Treatment Area (STA). She was alone, on foot, at the same time there was an undisclosed amount of unsupervised individuals within this non-structured environment. Her supervisor became concerned when she did not return from her break. A search was initiated and she was discovered unresponsive outside of her unit. It was determined that she had been fatally assaulted, presumably by an unsupervised individual on the highest level grounds pass.

The mission of Napa State Hospital is "to provide hope to adults with a serious mental illness and support each individual to achieve personal recovery."

Napa State Hospital (NSH) is a state facility which houses a population of over one thousand three hundred individuals, approximately 90% of which are forensic. The individuals are referred through local

governments or the court system, using the following criteria for either male or female admissions to NSH:

a. Penal Code (PC):

PC 1026-not guilty by reason of insanity,
PC 1370-incompetent to stand trial,
PC 1372-prior PC 1370,
PC 2964-mentally disordered parolee from California Department of Corrections (CDCR) on community outpatient treatment under CONREP,
PC 2972-mentally disordered offender, ex-parolee from CDCR, committed to Department of Mental Health on a civil commitment for one year,
PC 2974-parolee from CDCR Outpatient Parole admitted under LPS provisions.

b. Welfare & Institutions Code:

WIC 702.3-minor, not guilty by reason of insanity,
WIC 1756-CDCR-DJJ (Department of Juvenile Justice) commitment,
WIC 6316-mentally disordered sex offender.

c. Penal Code 1610-a mechanism for hospitalizing an individual previously living in the community under the supervision of CONREP.

FACTORS INVOLVED IN THE FATALITY:

Factors in the fatality included lack of adequate employee alarm systems on the units, non-existent alarm systems in the STA outside of the units, inadequate police presence in the event of assaults, no enforcement of written policies and procedures by the employer, and an ineffective Injury and Illness Prevention Program.

REGULATORY ACTIVITY

Willful:

3203(a)(6)-Failure to correct a known, serious hazard.

Serious:

3203(a)(3)-Failure to adequately communicate a known, serious hazard.

3203(a)(4)-Failure to identify hazards posed by a new, assaultive population.

6184(a)(6)-Failure to establish procedures for sounding an alarm on the grounds.

6184(b)(2)-Failure to provide adequate warning to allow for escape in an emergency.

General:

Four generals for a total penalty of 1,340.00.

Total penalty amount: 100,140.00