



State of Utah

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February 5, 2025

UHS of Provo Canyon dba Springville Campus
763 N. 1650 W.
Springville, Utah 84663

ATTN: Tim Marshall, CEO; Trish Martinez, Director

RE: NOTICE OF AGENCY ACTION - **CONDITIONS PLACED ON LICENSE**

UHS of Provo Canyon dba Springville Campus (F22-93697)

Dear Licensee,

This letter serves as notice that the Utah Department of Health and Human Services, Office of Licensing ("Department") is placing conditions on UHS of Provo Canyon dba Springville Campus ("Licensee") license, License Number (F22-93697). These conditions are effective immediately and will expire on May 5, 2025.

In accordance with Utah Code § 26B-2-703(2) and Utah Admin. Code R380-600-8, the Department is issuing these conditions on the license because of the Licensee's conduct adverse to the standards required to provide services and promote public trust, including aiding, abetting, or permitting the commission of abuse, harm, or mistreatment. The

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issuance of these conditions does not preclude the Department from taking additional agency actions, including issuing sanctions.

The Department finds the Licensee was out of compliance with the following state administrative rule. This action is taken based on the noncompliance listed in the inspection report provided on January 22, 2025 and based on prior noncompliances of the same administrative rule.

COUNT 1:

December 3, 2024

On December 3, 2024, the Department conducted an inspection. Licensee was cited with a non-compliance of the following rule:

R380-80-6. Client Rights

- (1) The provider shall ensure that each client has the right to:
 - (c) be free from potential harm or acts of violence.

Noncompliance Statement:

The provider was out of compliance with this rule because staff failed to keep a client free from harm or acts of violence. During an investigation inspection and review of video footage from December 1, 2024, it was observed that a staff member struck a client while the client was being physically restrained. This is a repeat noncompliance. Licensee has been cited with noncompliance of this rule on the following dates: February 27, 2023, November 29, 2023, December 21, 2023, April 9, 2024, September 12, 2024, and November 26, 2024.

CONDITIONS ON LICENSE

The following conditions are immediately in effect:

1. Licensee will receive increased monitoring inspections and pay \$393.37 charge for each Department monitoring inspection;
2. Licensee must provide in-person training on Utah Administrative Rule R380-80, Provider Code of Conduct and Client Rights and require all staff to read, review and sign the

Provider Code of Conduct. This documented training must be completed within 15 calendar days of this notice;

3. Licensee must immediately notify clients and their legal guardians and state agencies that have clients placed in the program of these conditions placed on the license. Licensee must submit proof of compliance with this requirement to the Department no later than 5 calendar days from receipt of the conditional license; and

4. Within 5 days of receiving this notice, the Licensee shall post this notice on-site where it is easily viewable by the public and shall post a copy on each facility website as applicable.

Pursuant to DHHS Administrative Hearing Procedures set out in Administrative Rule R497-100-6, you may request an administrative hearing if you disagree with the agency action taken in this notice and there is a disputed issue or fact. You must submit your request to the Department in writing, **within 15 calendar days of receipt of this letter** using this [form](#). You can find this 'Request for an Administrative Hearing' form in the *Facility Forms* section of our [website](https://dlbc.utah.gov): <https://dlbc.utah.gov>. Any administrative proceeding shall be conducted informally in accordance with Utah Code § 63G-4-203 and Utah Administrative Code Rule R497. Pursuant to Utah Administrative Rule R497-100-6(4), if there is no disputed issue of fact, the Department's administrative law judge may deny a request for a hearing and issue a decision based on the record. There is no issue of fact if you present facts that on their face establish the right of the Department to take the action or if the facts do not conflict with the facts relied upon by the Department in taking its action.

All correspondence concerning this action should be addressed to:

Dustin Penman
Utah Department of Health and Human Services
Office of Licensing
195 North 1950 West
Salt Lake City, Ut. 84116
Please reference the program and site name on all correspondence.

Sincerely,

F. Schapira

Florencia Schapira De Grout
Director, Office of Licensing (OL)
Department of Health and Human Services
195 North 1950 West
Salt Lake City, UT 84116
ffschapira@utah.gov
801-803-4618

Cc:

Shannon Thoman-Black, Director, Division of Licensing and Background Checks
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Jenilee Davidson, Licensing Manager
Dustin Penman, Human Service Administrator
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Marlene Bravo, Process Specialist
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