



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

Office of General Counsel

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

February 12, 2024

Sent via e-mail only

Jeremy Whitworth, Executive Director
Trails Carolina
500 Winding Gap Road
Lake Toxaway, NC 28747

Dear Mr. Whitworth:

Trails Carolina is licensed and operating as a Residential Therapeutic Camp for children and adolescents who have mental illness, developmental disabilities or substance use disorders under Chapter 122C of the North Carolina General Statutes and rules found at 10A NCAC 27G.5200. That license for Trails Carolina is issued by the North Carolina Department of Health and Human Services (NCDHHS), Division of Health Services Regulation (NCDHSR). In addition, NCDHHS' Division of Social Services (NCDSS) oversees child welfare services in North Carolina in partnership with the local county departments of social services. Core to our mission is for children in North Carolina to be healthy and live in safe and appropriate placements.

On Saturday, February 3, 2024, you notified NCDHHS that a child in your care at Trails Carolina died. No person should ever experience harm while in the care of a health care facility, and we take seriously our role to ensure the life and safety of individuals at health care facilities. Our staff from NCDHSR and NCDSS are working jointly with local law enforcement and the Transylvania County Department of Social Services, including active oversight and providing technical assistance. Local DSS staff were onsite the following day (February 4), but Trails Carolina prevented access to the camp's children until February 6. Local and state staff have been onsite since, including unannounced visits made this past weekend. These agencies have been focused on ensuring the safety of the remaining youth while diligently investigating the child's death and reviewing all aspects of the camp's operations.

While these investigations are on-going, NCDHHS has several measures that Trails Carolina must put in place to ensure that any children remaining at the camp are safe and protected. Several of these actions have already been implemented by Trails Carolina as part of the investigation, and those remaining should be implemented immediately:

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • OFFICE OF GENERAL COUNSEL

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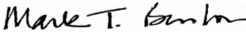
AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER


- Cease new admissions until NCDHSR completes its investigation;
- Discontinue use of bivy bags for any purpose for all children or adults at the camp through the conclusion of all investigations in this matter;
- Require at least one staff member to remain awake while one or more children are asleep;
- Staff who were in the cabin where the decedent resided cannot return to the cabin or campsite(s);
- Permit unlimited and unannounced access by local county DSS staff, law enforcement and NCDHSR investigators to the cabin(s), campsite(s), staff and clients;
- Provide by 10 am (EST) each morning (Mon-Sun) to Transylvania County Department of Social Services (DSS) a list of all clients, their group assignment and location at Trails Carolina, and whether a restraint of any type was used against that child in the previous 24-hour reporting period;
- Thoroughly complete and update the Incident Report provided to NCDHHS in accordance with *Incident Response and Reporting (IRIS) Manual found at <https://files.nc.gov/ncdhhs/documents/files/incidentmanual2-25-11.pdf>*; and
- Provide NCDHSR and Transylvania County DSS the names and contact information for parents or guardians for all children at the camp, including their state and/or county of residence.

Further, we want to remind you that the use of restrictive interventions must be reported as outlined in the IRIS manual for which Trails Carolina is subject and must adhere to.

This recommended list of actions is not exhaustive, and we encourage you to implement any others that you may deem necessary and appropriate to ensure the safety of the children. Lastly, this list of actions does not preclude, delay, or supersede any licensure actions NCDHSR may take during the course of its ongoing investigation.

Sincerely,

DocuSigned by:

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Mark T. Benton
Chief Deputy Secretary, NCDHHS

DocuSigned by:

45A8654FA28C41F...
Susan Osborne
Deputy Secretary, NCDHHS

cc: Amanda Vanderoef, Director, Transylvania County DSS