

MINUTES
SOUTHEAST ALLIANCE
LOCAL HUMAN RIGHTS COMMITTEE (LHRC) MEETING

5:30 pm, Tuesday, December 14, 2004
2nd Floor Conference Room, CSB Central

Members Present: Martha Tennille - Presiding
Nathaniel Parker
Jo Horvath
Tim Dorsey
Sandra Malloy
Richard Flournoy
Elizabeth Tobey

Members Absent: None

Others Present: Donna Jackson – Serenity House
Vilma Alejandro – Serenity House
Diane Parker - Arc Peninsula
Julie Palmer - Arc Peninsula
Charlie Ammons - Lutheran Family Services
Fred Mitchell – Colonial CSB
Stewart Prost – ESH Advocate
Willie Barnes – ESH Advocate
Teresa Vess - H-NNCSB Advocate
Linda Major – H-NNCSB Advocate
David Wilber – Eggleston Services
Dr. Baltej Gill – H-NNCSB Medical Director
Cheryl Kee – H-NNCSB Staff
Patricia Ozella – H-NNCSB Staff
Beverly Smith – H-NNCSB Staff
Rick Widell – H-NNCSB Staff
Mary deBeus – H-NNCSB Psychologist

CALL TO ORDER Dr. Tennille called the meeting to order at 5:30 p.m.

Introductions Dr. Tennille welcomed everybody to the meeting. Each of the members introduced themselves. Dr. Tennille introduced new committee members Elizabeth Tobey and Richard Flournoy.

OLD BUSINESS

ACTION

The minutes of the meeting of September 14, 2004, September 28, 2004 and the meeting of November 8, 2004 were approved as circulated.

NEW BUSINESS

Eggleston

Dr. Tennille read a letter from Eggleston Service stating they will not be seeking affiliation with the Southeast Alliance LHRC as of December 14, 2004; they filled a vacancy with another LHRC.

ADVOCATE REPORT

Stewart Prost reported the Human Rights Regulations require providers to submit seclusion and restraint forms to Maron Greenfield, Director of Quality Mgmt for the Dept of MHMRSAS in Richmond. He also reported on the Human Rights Regulation Review ("Review"). The Review, required by executive order, provides that all regulations be reviewed every 3 years. DMHMRSAS has put together an Advisory Group that will be looking at input and comments for 18 months. Stewart asked the committee members to be on the look out for issues concerning the Human Rights Regulations and asked for any input the Committee Members might have that can be sent into DMHMRSAS.

PROGRAM REPORT

The Arc announced they would be moving into their new building in January and are really excited about it. The Arc reported that a new Residents family member are making unrealistic complaints. The Arc mailed out updated Rules of Conduct and house rules in advance for committee members to review. After briefly reviewing the rules committee members realized that all of the information was not copied, therefore they decided to table it until the next meeting.

The following incidents were reported. One self-reported complaint of neglect; substantiated; consumer left unattended in van for five minutes; employee resigned. One self-reported complaint of neglect, unfounded and unsubstantiated; consumer had staff infection, resulting in septicemia; investigation team determined staff acted appropriately. One complaint made directly to Stewart Prost; in response to the complaint the HRC was not challenged and no further action was required. One medication error, consumer was not given a.m. med; staff cited and to undergo medication certification again with nurse. Two consumer injuries from falls requiring sutures; one in residential and one vocational. One CPI restraint; two man transport; by CPI trained staff; to remove consumer from street. One hospitalization for pneumonia. One incident of consumer indecent exposure in vocational workshop bathroom.

Colonial CSB reported two consumer deaths and one injury and no complaints.

Lutheran Family Services reported that there had been no allegations of abuse or changes to the program at this time.

Serenity House reported a consumer complaint related to loss of contact between a consumer and a counselor which may come before the committee in a formal hearing.

The H-NNCSB reported 4 allegations of neglect, 2 unable to determine; 2 unfounded; 1 physical abuse unfounded; 1 verbal abuse founded and staff resigned; 1 peer to peer physical abuse unfounded; 1 violation of client's right to sound therapeutic practice founded. Linda Major distributed the annual Seclusion and Restraint form that was faxed to her from Reginald Daye.

**CLOSED
SESSION**

A motion was duly made and seconded at 5:58 p.m. to enter into Closed Session pursuant to Virginia Code 2.2-3711-A, for discussion or consideration of information excluded from the Freedom of Information Act, namely to receive medical information on clients of the Hampton-Newport News Community Services Board (H-NNCSB) and the Arc and to consider proposed Behavioral Support Plans for such clients.

**RECONVENED IN
OPEN SESSION**

Upon reconvening in Open Session at 7:12 p.m., members of the LHRC unanimously and individually certified that to the best of each member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the Closed Session had been discussed in the Closed Session in accordance with Virginia Code 2.2-3711-A.

ACTION

A motion was made to approve the Behavioral Support Plan for PW proposed by H-NNCSB, subject to guardian consent, and, without further discussion, the motion was approved unanimously.

**NEXT REGULARLY
SCHEDULED
MEETING**

The next regular meeting was scheduled to be held at 5:30 p.m. on Tuesday, March 8, 2005, at the H-NNCSB.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:35 p.m.

Submitted by Dana Creech and Timothy W. Dorsey