

MINUTES

SOUTHEAST ALLIANCE

LOCAL HUMAN RIGHTS COMMITTEE (LHRC) MEETING

5:30 pm, Tuesday, December 13, 2005
2nd Floor Conference Room, CSB Central

Members Present: Martha Tennille - Presiding (departed at 6:15 p.m.)
Maude Robinson
Tim Dorsey
Sandra Malloy
Richard Flournoy
Lisa Fragala
Nathaniel Parker

Members Absent: None

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

Introductions Dr. Tennille welcomed everyone, introduced new members, Lisa Fragala and Maude Robinson, for those members that did not get the chance to meet them at the last meeting. Each member introduced themselves. Dr. Tennille thanked everyone for attending.

OLD BUSINESS Since there was no election of officers in June, there will be an election of officers in December 2005.

ACTION A motion was made as follows: "Motion to approve the minutes of the meeting in September 13, 2005 as circulated." Without further discussion, the motion was approved unanimously.

ELECTIONS Nathaniel Parker moved to re-seat the same set of Officers for 2005-2006 as were seated in 2004-2005. Tim Dorsey seconded the motion, and the motion carried unanimously. The new officers for the term of June 2005 through May 2006 are:

Chair: Martha Tennille, PhD.
Vice Chair: Sandra Malloy
Secretary: Timothy W. Dorsey

NEW BUSINESS
PROGRAM REPORTS

The H-NNCSB reported 5 deaths in the community 2 outpatient clients, (1 death from natural causes; 1 death was result of aneurism); 1 PACT Client- Death unknown (suspected heart failure). 2 Formal complaints, 1 Unfounded, (discrimination) 1 founded (guardian right to participate in treatment) Medical Director and LRA met with legal guardian; proposed array of services. Awaiting a response. Linda M. reported that an affiliate's agreement has been put in place and Dr. Tennille sign off on the agreement. Linda presented the rules of conduct from the last meeting pending consumer input; Dr. Tennille signed. Teresa Vess and Stephanie Savage were here to report about a new program. Because the New program information was not mailed out in advance for the members to view, it was decided to schedule a special meeting to review same on January 10, 2006 at 5:00 p.m.

Lutheran Family Services reported there had been no allegations of abuse or neglect. They have moved at the new location and the address is as follows, 525 Butler Farm Road. Suite 106, Hampton, Virginia 23666.

Colonial CSB reported 1 complaint about treatment, in October (unresolved) outcome pending an appeal. 2 deaths causes heartaches, 2 serious injuries- 2 clients horse playing, 1 fractures shoulder as a result.

The Arc reported a change in staff, As of December 7, Linda Williams has been appointed Director of Community Living and she will be the new representative for the committee. There were 3 medication errors, 2 consumer to consumer contacts, 1 allegation of neglect, 3 restraints for protection and 1 significant injury.

Serenity House reported 4 formal complaints in October, (2 allegations of staff infection), (1 religious right), 1 right to have visitor complaint (individual decided to leave agency program).

ADVOCATE REPORT

Willie Barnes discussed the Southeastern Alliance LHRC bylaws that were approved by the SHRC. Willie Barnes discussed posting of the minutes for all LHRC effective immediately, not only posting but; notifications of the meetings. Willie then discussed what should be included in the minutes, no client information, posting information not only from Hampton Newport News CSB but to all the affiliates, and when posting the meeting the date, time, when and where should be available. The LHRC can post on the state web site; DLS.State.Va.Us/FoiaCounsel.htm, Drafts of the minutes must be posted within 10 days of the meeting, and the approved minutes should be posted within 3 days after approval. Linda spoke to the IT department at HNNCSB and they are willing to have a web site to post information but; the concerned was because all the affiliates

have to post , it was suggested that the state web site be the local website and the website will redirect to HNNCSB.

Stuart Prost discusses the importance of LHRC to following FOIA. LHRC need to come up with some plans, we have the responsibility to tell you about FOIA and you have to adhere to it. Update on the status of revision of Human Rights Regulation, the advisor process made recommendations it went to the state board in October and was approved. In turn it went too the Department of Public Budget and Finance, it did not make in time for the Warner administration, they are looking for it to be reviewed until spring or summer. LHRC seminar will be early fall, if anyone have any suggestion for the seminar they are most welcomed.

**CLOSED
SESSION**

A motion was duly made and seconded at 6:35 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.

**RECONVENED IN
OPEN SESSION**

Upon reconvening in open session at 6:49 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 Va. Code § 2.2-3711(A).

OTHER

A discussion was had concerning restrictive plans (plans calling for a minor consequence in the case of certain behavior) and whether same require LHRC approval. Mr. Dorsey advised that LHRC approval is required of plans calling for restraint or seclusion, not merely restrictions. However, should the "restriction" rise to the level of a restraint or seclusion, it must be presented to the LHRC.

**CLOSED
SESSION**

A motion was duly made and seconded at 6:54 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 Arc.

**RECONVENED IN
OPEN SESSION**

Upon reconvening in open session at 7:25 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 Va. Code § 2.2-3711(A).

ACTION

A motion was made as follows: “Motion to approve the Medical and Behavioral Support Plans for ARC #1 through #10 with the admonishment that any references therein to the possible use of CPI techniques of restraint or any other restraints in the event positive redirection is ineffective does not relieve the Arc of its obligation to later report actual use of restraints to the LHRC.” Without further discussion, the motion was approved unanimously.

SPECIAL MEETING

A Special Meeting is scheduled for 5:30 p.m. on Tuesday, January 10, 2006 at the H-NNCSB 2nd Floor Conference Room, CSB Central, to review and approve Rules of Conduct for a new program of the H-NNCSB.

**NEXT REGULARLY
SCHEDULED
MEETING**

The next regularly scheduled meeting will be held at 5:30 p.m. on Tuesday, March 14, 2005, at the H-NNCSB 2nd Floor Conference Room, CSB Central.

ADJOURNMENT

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

Submitted by Tamico J. Eley and Timothy W. Dorsey