

# SOUTHEAST ALLIANCE

## LOCAL HUMAN RIGHTS COMMITTEE MEETING

5:30 p.m., Tuesday, December 09, 2008

Rm. 1357 Staff Development & Training Room, CSB Bldg. 300

Members Present: Nathaniel Parker  
Timothy Dorsey  
Shirley Atkins  
Lisa Hillman  
Richard Flournoy  
Linda Lane

Members Absent: Gail Russell

Affiliates Present: Michelle Iwaniw  
Fredrena Blow  
Willie Barnes – Advocate  
Linda Kerns  
Fred Mitchell  
Rachel Gholston  
Ryan Dudley  
Deborah Townsend-Pittman  
Keith German  
David A. Coe  
Julie Palmer

**CALL TO ORDER** Nathaniel Parker called the meeting to order at 5:30 p.m.

Mr. Parker thanked everyone for joining the meeting and called for introductions.

**OLD BUSINESS:** The circulated minutes from the meeting of September 23, 2008 were discussed.

**ACTION:** A motion was made as follows: “Motion to approve the minutes of the meeting on September 23, 2008.” The motion was seconded and unanimously approved without further discussion.

### **NEW BUSINESS:**

1. H-NNCSB Request for Temporary Affiliation. Ryan Dudley of H-NNCSB provided a list of ten schools in Newport News that H-NNCSB cites as potential locations for its Therapeutic Day Treatment Program. It is estimated that only five of these schools will actually be added this school year, and the balance sometime thereafter. Because final plans have not been completed as to which schools will be added this year, the H-NNCSB requests temporary affiliation for each listed school. Each program would operated under rules and policies already approved both by Region V and by the LHRC.

**ACTION:** A motion was made as follows: “Motion to extend temporary affiliation of H-NNCSB’s Therapeutic Day Treatment Program to the following Newport News Schools: Epes, Palmer, Sedgefield, Yates, Dozier, Hines, Huntington, Denbigh, Menchville and Warwick. Such temporary affiliation shall extend until the next regularly scheduled meeting of the LHRC.”

The motion was seconded and unanimously approved without further discussion.

2. H-NNCSB's Behavioral Management Policy. H-NNCSB proffered a revision to its Behavioral Management Policy (HS-027) that now makes it optional for staff who do not have regular client contact to be trained on non-violent crisis intervention techniques. Such training was previously mandatory. H-NNCSB cited the burden of such an aggressive certification program as the need for the change.

**ACTION:** A motion was made as follows: "Motion to approve H-NNCSB's Behavioral Management Policy (HS-027) as amended." The motion was seconded and unanimously approved without further discussion.

3. Treasurer's Report. Ms. Iwaniw provided the Treasurer's Report. After discussion about mileage reimbursement, Ms. Iwaniw agreed to ensure LHRC members without email access would be mailed any necessary forms for mileage reimbursement.

**ACTION:** A motion was made as follows: "Motion to accept the Treasurer's Report as submitted." The motion was seconded and unanimously approved without further discussion.

#### 4. Affiliate Reports.

H-NNCSB- Michelle Iwaniw stated that HNNCSB had three formerly processed complaints. Of these, one included a dual rights violation. The allegations included (1) Physical Abuse, unable to determine, (3) Staff Neglect, 1- failure to implement a physician's order for the addition of a new medication/ unable to determine- pending, 1- failure to order lab work/ founded- pending; 1- medication error/ unable to determine- pending; (2) Informal complaints, 1- right to services/ resolved, 1- right to services and dignity/ resolved; (7) Deaths- (4) natural Causes, (3) Unknown

ARC of the Virginia Peninsula: Julie Palmer stated that there were 1- Medication error, 3- restraints incidents used for safety/ protection reasons, 4- significant medical incidents- and 2- allegation of abuse (1- found, 1- unfounded), 1- allegation of physical abuse (founded), 1- complaint

Lutheran Family Services: Rachel Gholston states that there is nothing significant to report

Colonial CSB: Fred Mitchell stated that there were (1) injury, (2) deaths- consumer died at home of heart failure, unexpected, consumer died in hospital of heart failure, expected, (1) informal complaint: MR Day Support, confidentiality violation by provider; unable to substantiate and unfounded, resolved; (1) formal complaint: Emergency services- ongoing unresolved concerning treatment

Fred Mitchell had previously announced his retirement. Mr. Parker thanked Mr. Mitchell for all his years of dedicated service to the community and to the LHRC, and stated that he would be sorely missed. Mr. Mitchell received a well earned round of applause.

#### 5. Advocate Report.

Willie Barnes introduced community seclusion and restraint reporting form that is required to be sent to DMHMRSAS of any seclusion or restraints for the past year to be forwarded to Ms. Carolyn Lankford by 15<sup>th</sup> of January and forward a copy to Mr. Daye. Willie announced that there are two additional LHRC from the region and Sept. 17<sup>th</sup> there was training for Atlantic LHRC and Ocean LHRC and their bylaws

were approved. She states that there will be a vacancy coming up from now until the end of June and applications are available, if needed. Willie reminds the agencies that it is their responsibility to recruit committee members and there are four members needed to have a quorum.

**CLOSED SESSION:** A motion was duly made and seconded at 6:10 p.m. to enter into Closed Session pursuant to Va. Code § 2.2-3711(A), for discussion or consideration of information excluded from the Freedom of Information Act, namely to receive medical and/or mental records on clients of the Arc of the Virginia Peninsula.

**RECONVENED IN OPEN SESSION:** Upon reconvening in open session at 6:26 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 plans for consumers of the ARC of the Virginia Peninsula, Fairmont House ICF/MR as follows:

Consumer #12 - Physical plan (CPI holds)"

The motion was seconded and approved unanimously without further discussion.

**ACTION:** A motion was made as follows: "Motion to approve plans for consumers of the ARC of the Virginia Peninsula, Hilton House ICF/MR as follows:

Consumer #16 - Behavioral Support Plan

Consumer #19 - Medication Plan; Behavioral Support Plan"

The motion was seconded and approved unanimously without further discussion.

Ms. Kerns discussed with the LHRC expansion plans of one of the Arc's facilities from four rooms to five. No approval is necessary from the LHRC at this time.

The next regularly scheduled meeting is scheduled for **March 10, 2009** at H-NNCSB, Bldg. 300. at 5:30 p.m.

**ADJOURNMENT** There being no further business, the meeting was adjourned at 6:32 p.m.