

**MINUTES**  
**STATE MENTAL HEALTH, MENTAL RETARDATION**  
**AND SUBSTANCE ABUSE SERVICES BOARD**

April 3, 2007  
Stonewall Jackson Hotel & Conference Center  
Staunton, Virginia

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**Members Present:** Victoria Huber Cochran, **Chair**; Daniel E. Karnes, **Vice-Chair**; Cheryl Ivey Green, Catherine M. Hudgins, Kathryn A. Smith and David B. Trinkle

**Member Absent:** Linda S. Bartlett, B. Hunt Gunter and Ruth G. Jarvis

**Staff:** Leslie Anderson, Director, Office of Licensing  
Jewel Booker, Executive Secretary, State Board  
Wendy Brown, Policy Analyst, Office of Planning & Development  
Charline Davidson, Director, Office of Planning & Development  
Jerry Deans, Assistant Commissioner, Office of Facility Management  
Marion Greenfield, Director, Office of Quality Management  
Jane Hickey, Senior Assistant Attorney General and Chief,  
Office of the Attorney General  
Martha Mead, Director, Office of Legislation & Public Relations  
Raymond Ratke, Deputy Commissioner, DMHMRSAS  
James Reinhard, M.D., Commissioner, DMHMRSAS  
Ruth Anne Walker, Manager, Office of Legislation & Public Relations  
Margaret Walsh, Director, Office of Human Rights

**Others:** Barbara Barrett, Past Chair, VACSB  
Michael Marsh, Chair, State Human Rights Committee

**Call to Order:** Victoria Huber Cochran, Chairman called the meeting to order at 9:11 a.m. Ms. Cochran thanked Jewel Booker and Ruth Anne Walker for their assistance in organizing and making the necessary arrangements for the board meeting. A call for introduction of attendees took place prior to proceeding.

**Agenda:** Upon a Motion by Daniel Karnes and seconded by Kathryn Smith, the Board unanimously approved the April 3, 2007 agenda as presented.

**Minutes:** Upon a Motion by Cheryl Ivey Green and seconded by David Trinkle the minutes of the January 17, 2007 meeting were approved as submitted.

**Public Comment:** Ms. Huber Cochran expressed her sincere thanks to those who expressed their sympathy during the passing of her mother in January.

## **Report of the Policy Development & Evaluation Committee and Report of Planning & Budget Committees**

Wendy Brown, Policy Analyst, reported for the Committee. The Committee met jointly with the Planning & Budget Committee on Monday, April 2 to consider two policies under review. The Committee recommended that the Board adopt the following revised policies:

1) Policy 1004(SYS) 83-7 *Prevention Services*, which establishes priorities for prevention services in the public mental health, mental retardation, and substance abuse services system and establishes the Prevention and Promotion Advisory Council (PPAC). Upon a Motion by Daniel Karnes and seconded by David Trinkle the revised policy was adopted.

2) Policy 1010(SYS)86-7 *Board/Department Interaction in the Development of the Department's Comprehensive State Plan for Mental Health, Mental Retardation and Substance Abuse Services*. Upon a Motion by Daniel Karnes and seconded by Kathryn Smith the revised version of this policy was adopted.

### **Adoption of Final Regulations To Govern Temporary Leave From State Mental Health and Mental Retardation Facilities 12 VAC 35-210-10 et seq**

Marion Greenfield, Office of Quality Management, highlighted the key provisions of these regulations. The final regulations included revisions that were made in response to public comment. Upon a Motion by David Trinkle and seconded by Cheryl Ivey Green the regulations for final promulgation were adopted. After approval by the Executive Branch, the regulations will be published in the Virginia Register for a 30-day final adoption period and then become part of the Virginia Administrative Code.

### **Adoption of Proposed Regulations for Issuing an Order of Summary Suspension of the License to Operate a Group Home or Other Residential Facility for Adults 12 VAC 35-105-115**

Leslie Anderson, Office of Licensing summarized the proposed Standards for Issuing an Order of Summary Suspension of the License to Operate a Group Home or Other Residential Facility for Adults. These regulations are currently effective as emergency regulations and are being considered for adoption as permanent regulations.

Upon a Motion by David Trinkle and seconded by Kathryn Smith the proposed regulations for public comment were adopted.

**Adoption of Proposed Interdepartmental Standards for Children's Residential Facilities 22 VAC 42-11-10 et seq.**

Ms. Anderson asked the Board to adopt the Standards for Interdepartmental Regulation of Children's Residential Facilities for public comment. These regulations are proposed to replace the emergency regulations that were approved last year. Upon a Motion by Kathryn Smith and seconded by David Trinkle the proposed Interdepartmental Standards for Children's Residential Facilities 22 VAC 42-11-10 et seq. for public comment were adopted.

**Adoption of Final Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services 12 VAC 35-115-10 et seq.**

Margaret Walsh, Office of Human Rights, summarized the revisions that were made to the proposed regulations in response to public comment. The Board reviewed the revised regulations and changed: (1) the title of the regulations on page 1; (2) revised the definitions of Individualized Service Plan (ISP) on page 8, (3) revised the definition of Peer to Peer Aggression on page 9. The Board decided to postpone its adoption of final regulations until its May 4, 2007 meeting in Portsmouth. This will provide additional time for the Board and public to consider the final revisions. After the Board adopts the final amended regulations, they will be submitted to the Secretary and the Governor for Executive Branch approval and then be published in the Virginia Register for a 30 day final adoption period.

Upon a Motion by Kathryn Smith and seconded by Catherine Hudgins the Board accepted the recommended revisions from the Policy Development and Evaluation and Planning and Budget Committees.

Upon a Motion by Cheryl Ivey Green and seconded by David Trinkle the Board agreed to postpone the final adoption of Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services 12 VAC 35-115-10 et seq. until its May 4<sup>th</sup> meeting in Portsmouth.

*At 10:30 a.m. the Chair called for a break and reconvened the meeting at 10:45 a.m.*

## **Board Liaison Report**

Kay Smith reported that she attended the Southside Consortium (South Boston, Martinsville & Danville CSBs) meeting in February and encouraged members to have volunteers at the State Board Annual Volunteer luncheon.

Catherine Hudgins reported that she had been in contact with the Fairfax – Falls Church CSB and they have established a Service A Commission to look at the mental health system.

Victoria Huber Cochran reported that she continues to work with the Crisis Intervention team in her region and they are forward in the process to train police statewide. The Portsmouth Behavioral Health group, Mt. Rogers CSB, Region Ten CSB and the Northwestern CSBs are working towards developing their own CIT programs in their communities. They are working in conjunction with the Mental Health Association at the New River Valley CSB to get their officers trained.

## **State Human Rights**

Dr. Michael Marsh reported for the committee and stated that the committee has completed their goals during their set timelines. Dr. Marsh informed the Board that two members of the State Human Rights term expires the end of June and there is a subcommittee forming to nominate candidates to fill the vacancies. Dr. Marsh also informed the Board that Mr. Joseph Lynch, State Human Rights member, will be undergoing major surgery later in the month and will be in recovery for a few months. He will not be active with the Committee while recovering. The State Board agreed to send Mr. Lynch a card extending well wishes and a speedy recovery.

## **Commissioner's Report**

Commissioner Reinhard thanked and commended the Board and the State Human Rights committee for their volunteer services to the Commonwealth and the Department. He shared updated information from Central Office, the 16 facilities and the system in general.

Dr. Reinhard announced that Martha Mead, Director of Legislation & Public Relations, will be retiring and the Department will be working with Ruth Anne Walker, Legislative & Public Relations Manager, on the legislation affairs. The Department is currently recruiting for a Communications Manager. The Commissioner also plans to develop a position of Special Assistant to the Commissioner to coordinate the supervision for legislative affairs and other special projects as well as serve as the Board Liaison. Ms. Mead was commended for her tenure and services to the Department and the Commonwealth.

Dr. Reinhard states that there continues to be ongoing strategic planning to determine what the priorities are in the system and where to focus efforts. There continues to be ongoing high performance initiatives looking at the organization from a developmental standpoint and empowering staff.

The Department maintains the important task of operating 16 facilities and Dr. Reinhard stated that he is proud of the service of operations currently in the 16 facilities. There are about 3000 consumers served among the facilities. Jerry Deans, Assistant Commissioner, Facilities Management was commended for his work in managing the facilities and staff.

Dr. Reinhard also reported on the status of replacement facilities. He discussed the planning process for the ongoing transformation of the service system for individuals with intellectual disabilities.

There continues to remain challenges in the workforce in nursing and direct staff. The Department is working with Secretary Tavenner to eliminate mandatory overtime for nursing and direct staff in the facilities. Jerry Deans announced that mandatory overtime would be eliminated effective July and that work groups have been formed to develop work plans to undertake and achieve this effort.

Dr. Reinhard announced that they are working on a smoking cessation plan in the facilities. There will be a process to eliminate smoking not only for consumers but for staff as well. Smoking cessation classes will be offered to aid consumers and staff to deal with the smoking ban as this coincides with the Governor's initiative to ban smoking in state buildings. Dr. James Evans, Medical Director is collaborating with this initiative as well. The Board totally supports this initiative and the Board chair requested that staff put together information to be distributed at the May meeting.

## **VACSB Report**

Barbara Barrett, Past Chair reported on behalf of the VACSB. Ms. Barrett distributed a written report.

She announced that the VACSB in conjunction with the ARC would be co-sponsoring a session on "Making Government Benefits Work for People with Disabilities". The training will be held June 21 in Mechanicsville at the Richmond Times Dispatch Production Facility and on the 22<sup>nd</sup> in Roanoke at the Higher Education Center.

She reminded and encouraged board members to attend the upcoming VACSB Professional Development conference in Portsmouth on May 2-4 at the Renaissance Hotel in Olde Town Portsmouth.

**Staff Update**

Victoria Huber Cochran thanked Martha Mead for her support to the State Board and expressed the pleasure in working with her over the years. The Board chair then called for other members of the board allowing them an opportunity to express their well wishes to Ms. Mead.

Ms. Mead thanked the Board for their kind words and distributed copies of the final 2007 Legislative and Budget updates. She indicated there were additional funding for additional waiver slots and substance abuse services.

Ruth Anne Walker announced that there would be a retirement celebration planned honoring Ms. Mead and more information will be forthcoming.

The Board Chair reminded the board of the 24<sup>th</sup> Annual Volunteer Luncheon following the board meeting and encouraged each to attend. She expressed the Board's delight that The Honorable Anne Holton would be the keynote speaker.

Board members were reminded of the next scheduled meeting on May 4, 2007 at 10:00 a.m. in Portsmouth. No committee meetings will take place in Portsmouth. Additional information on the location and other details will be mailed.

**Adjournment**

There being no further business the meeting adjourned at 11:52 a.m.

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**Victoria Huber Cochran, Chair**

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**Jewel Booker, Executive Secretary**