

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

June 2, 2009  
12300 Washington Highway  
Ashland, Virginia

**Members Present:** Daniel E. Karnes, **Chair**, Ruth G. Jarvis **Vice-Chair**, Andrew Goddard, Cheryl Ivey Green, Catherine M. Hudgins, Ruth G. Jarvis, Jennifer M. Little, Ananda K. Pandurangi and Kathryn A. Smith

**Staff:** Jewel Crosby, Office of the Commissioner  
Wendy Brown, Policy Analyst, Office of Planning and Development  
Charline Davidson, Director, Office of Planning and Development  
Heidi Dix, Deputy Commissioner  
Paul Gilding, Director, Office of Community Contracting  
Linda Grasewicz, Planning and Development  
Marion Greenfield, Quality Management Director  
Jane Hickey, Senior Assistant Attorney General/Chief, Health Service Section, Office of the Attorney General  
Kli Kinzie, Executive Secretary, Office of Human Rights, SHRC and State MHMRSAS Board  
Janet Lung, Manager of Child and Family Services  
Ruth Anne Walker, Legislation Manager, Office of Legislative Affairs  
Margaret Walsh, State Human Rights Director  
Richard Wright, Forensic Mental Health Consultant, Office of Forensic Services

**Others:** Jennifer Faison, VACSB Public Policy Manager  
Alan Gernhardt, Staff Attorney, Virginia Freedom of Information Advisory Council  
David Rockwell, Peer Counselor, Henrico CSB  
Tim M. Slaven, Ph.D., Executive Director of Hanover County Community Services Board  
CeCe Smith, Executive Director, Kids in Focus  
Anthony Soltys, Chair, VACSB  
Florence Watt, Community Relations Coordinator, Henrico County CSB

**Call to Order:** Daniel Karnes called the meeting to order at 10:12 a.m. A call for introductions took place prior to proceeding.

**Agenda:** *Upon a motion the Board unanimously approved the agenda.*

**Special Presentation** Daniel Karnes presented a gift and plaque to Ms. Jewel Booker Crosby

**to Jewel Crosby** on behalf of the board.

**Minutes:** *Upon a motion by Catherine Hudgins and seconded by Anand Pandurangi the Board unanimously approved the minutes of the April 7, 2009 meeting as amended.*

**Public Comment:** CeCe Smith commented on the frustration and challenges in getting licensed by the department. There is a significant lag time in being reviewed and inspected by the Office of Licensing for approval to open for business.

**Host Welcome** Tim M. Slaven welcomed the board to Hanover and provided an overview of the geography of the CSB’s catchment area, population served, staffing and services provided.

**Review** Jane Hickey provided a review of the basics of the Conflict of Information Act (COIA). Board members are required to take the COIA orientation within the first two months of appointment to the board.

Alan Gernhardt spoke with the board about some of the basics of the Freedom of Information Act as they pertain to the conduct of the board.

**Policy Development and Evaluation Committee** Wendy Brown reported on the activities of the Policy Development and Evaluation Committee. The committee reviewed cultural competency policy and made no substantive changes to the document.

Wendy Brown reported on the review and amendment of Public Participation regulations as they pertain to the adoption of the Early Intervention Certification emergency regulations.

**Report of the Planning & Budget Committee** Charline Davidson reported on the activities of the Planning and Budget Committee. Key point discussed at the April 7 meeting have been incorporated into the draft plan. Ms. Davidson discussed the goals of the Comprehensive State Plan which include a more integrated focus of the system’s three main service areas of behavioral health, developmental disabilities and child and adolescent services.

**Regulatory Actions**

- **Petitions for Rule Making:** Wendy Brown and Margaret Walsh reported on three petitions for rule making submitted by Steven Shoon.

Petition 1: Wendy Brown and Margaret Walsh presented a request to adopt regulations requiring mental health facilities operated by the department to physically post FOIA information.

*Upon a motion by Catherine Hudgins and seconded by Ruth Jarvis the board unanimously denied the petition to adopt regulations regarding the posting of FOIA information. The board affirmed that the department will go ahead with the recommendation but will use a different mechanism for posting than stated in the petition.*

Petition 2: Margaret Walsh and Wendy Brown reported on a petition for a variance to the complaint process which would restrict the right to request a variance.

*Upon a motion by Ruth Jarvis and seconded by Kathryn Smith the board unanimously denied the petition for a variance to the complaint process.*

Petition 3: Margaret Walsh and Wendy Brown reported on a petition for regulatory action regarding the management of individuals found Not guilty by Reason of Insanity. Ms. Walsh stated that there is no need to add new regulatory provisions as the NGRI Guidelines are currently subject to the human rights regulations.

*Upon a motion by Cheryl Green and seconded by Ruth Jarvis the board unanimously denied the petition for management of individuals found Not Guilty by Reason of Insanity.*

- Request for NOIRA for amendment to the human rights regulations:

Margaret Walsh and Wendy Brown presented a request for Notice of Intended Regulatory Action for amendment to the human rights regulations to comply with Chapter 111 of the 2009 Virginia Acts of Assembly and to change the department name.

*Upon a motion by Kathryn Smith and seconded by Catherine Hudgins the board unanimously approved initiating the Notice of Intended Regulatory Action to amend the current human rights regulations to comply with Chapter 111 of the 2009 Virginia Acts of Assembly and to change the department's name.*

Human Research Regulations

Marion Greenfield and Wendy Brown presented a request for approval of minor revisions and updates to the Regulations to Assure the Protections of Participants in Human Research, 12 VAC 35-180-10 et seq., for promulgation under the fast-track process.

*Upon a motion by Ruth Jarvis and seconded by Catherine Hudgins the board unanimously adopted the proposed amended Regulations to Assure the Protections of Participants in Human Research, 12 VAC 35-180-10 et seq., for promulgation under the fast-track process.*

**Robert's Rules of Order**

*Review of Robert's Rules of Order was tabled until the Retreat meeting of the board schedule for September 2009.*

<b>Recognition of Wendy Brown</b>	The board presented a Resolution to Wendy Brown in appreciation of her services to the department.
<b>Commissioner's Report</b>	Heidi Dix reported on current activities and initiatives of the department on behalf of the Commissioner.
<b>Effects of Mental Health Law Reform</b>	Jim Martinez updated the board on on-going transformation efforts and mental health law reform.
<b>Peer Provided Services</b>	David Rockwell spoke with the board about peer-provided services.
<b>Board Liaison Reports</b>	<p>Kathryn Smith attended the Social Services Behavioral Health Consortium on May 28. She reported also that Martinsville has a new group home.</p> <p>Catherine Hudgins participated in the Annual Partnership for Youth Program. The program is focusing on youth suicide in partnership with schools. There is a great need for the Board of Supervisors to address the needs of youth.</p> <p>Anand Pandurangi attended a meeting at Chesterfield CSB. Staff of the CSB spent a lot of time to provide him with information about services and gave him a tour of the program. He also visited Piedmont Geriatric Hospital.</p> <p>Ruth Jarvis would like the board to consider issuing a letter relating to the responsibility of board liaisons to attend CSB meetings. She asked that the letter include a statement that the board members are expected to attend CSB meetings and to please provide notice of meetings and invite their board liaison to come.</p>
<b>Staff Updates (Legislative Overview)</b>	<p>Ruth Anne Walker provided a summary of the budget and updated the board on plans for the board retreat in September. She suggested that Teja Stokes, Assistant Commissioner of Public Relations and Quality Improvement, would be an excellent facilitator for the retreat.</p> <p>Ruth Anne presented the draft Board Liaison Assignment sheet and suggested the board discuss assignments at the retreat when, hopefully, the board vacancies are filled.</p>
<b>VACSB Update</b>	Jennifer Faison and Anthony Soltys provided an update on activities of the Virginia Association of Community Services Boards. The VACSB is involved in developing the planning and implementation of changes at Southeastern Virginia Training Center. The VACSB extended an invitation to Ruth Anne Walker to attend the next meeting.
<b>Other Business &amp; Adjournment</b>	Daniel Karnes reminded the board that Kathryn Smith has decided not to seek reappointment.

*There being no further business, the meeting adjourned at 2:20 p.m. The next meeting will be held in September.*

Respectfully Submitted:

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**Daniel E. Karnes, Chair**

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**Kli Kinzie, Secretary**