

Human Writes

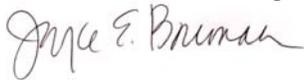
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Greetings from the Chairman

As Chair of the State Human Rights Committee, I am pleased to welcome you to our electronic newsletter, "*Human Writes*". Last year we set a goal in the SHRC Work Plan to enhance our communications with Local Human Rights Committees and the Office of Human Rights. This newsletter has been created to share information about emerging issues, best practices, and other topics that affect Human Rights service delivery in the Commonwealth of Virginia. We will also include updates on new initiatives as well as perspectives and trends that impact advocates, consumers and service providers. The newsletter will periodically feature guest columnists. As we continue to protect the legal and human rights of our consumers, the SHRC will monitor, evaluate and deal with issues related to the implementation and enforcement of the regulations. We hope that you will continue to give the State Human Rights Committee, Local Human Rights Committees and the Office of Human Rights your feedback and support.

If you have ideas for articles or suggestions for guest columnists, please email them to SHRCnewsletter@co.dmhmrsas.virginia.gov.



Joyce E. Bozeman, Ph.D.
Chair, State Human Rights Committee

Questions and Answers:

Q: What is *Human Writes*?

A: A Newsletter of the State Human Rights Committee to all Local Human Rights Committees.

Q: What is its purpose?

A: To foster greater news and idea sharing among all of us.

Q: How often will it appear?

A: On a quarterly basis.

Q: What does the SHRC want from the Local Human Rights Committees?

A: Ideas, opinions, jokes, but especially the raising of issues that are of particular concern to the LHRC reporting it and the resultant sharing of solutions. To facilitate this, there will be a regular column titled, "Issues".

Q: How does an LHRC communicate questions and feedback to the SHRC?

A: E-mail SHRCnewsletter@co.dmhmrsas.virginia.gov

Best Wishes from Margaret Walsh, Director, Office of Human Rights

On behalf of the Office of Human Rights, I want to thank each member of a local human rights committee for your efforts in protecting the rights of individuals receiving services in the DMHMRSAS system. I also want to congratulate the State Human Rights Committee (SHRC) on the first edition of "*Human Writes*". I look forward to lively and informative communications!

Margaret S. Walsh, Director

The [State Human Rights Committee](#) consists of nine volunteers, who are broadly representative of various professional and consumer groups, and geographic areas of the State. Appointed by the State MHMRSAS Board, the SHRC acts as an independent body to oversee the implementation of the human rights program. Its duties include to: receive, coordinate and make recommendations for revisions to regulations; review the scope and content of training programs; monitor and evaluate the implementation and enforcement of the regulations; hear and render decisions on appeals from complaints heard but not resolved at the LHRC level; review and approve requests for variances to the regulations; review and approve LHRC bylaws, and; appoint LHRC members.

The [Local Human Rights Committees](#) are committees of community volunteers who are broadly representative of various professional and consumer interests. LHRCs play a vital role in the Department's human rights program, serving as an external component of the human rights system. LHRCs review consumer complaints not resolved at the program level; review and make recommendations concerning variances to the regulations; review program policies, procedures and practices and make recommendations for change; conduct investigations, and; review restrictive programming.

Advocates represent consumers whose rights are alleged to have been violated and perform other duties for the purpose of preventing rights violations. Each state facility has at least one advocate assigned, with regional advocates located throughout the state, who provide a similar function for consumers in community programs. The Commissioner, in consultation with the State Human Rights Director, appoints advocates. Their duties include investigating complaints, examining conditions that impact consumer rights and monitoring compliance with the human rights regulations.

Meet the Advocate: Chuck Collins

"I'm from the government, I'm here to help." I often use this opening line when I give a human rights training, and it often gets a laugh from the audience. While my intention is to break the ice, I actually believe in the truth of that statement as it relates to my training.

I began my tenure as the Regional Advocate for Region I on September 1, 1988. My close friends and respected colleagues – Jim Bowser, Nan Neese, and Reggie Daye – had already signed on as Regional Advocates, and together we established a new and exciting chapter for human rights in Virginia with the expansion of the advocacy system from the facilities to the community.

One of the great strengths of our advocacy system is the diversity of education, skills, and experience of the advocates themselves. I started my professional career after receiving my MSW from Catholic University in 1970. I spent the next four years as a Captain in the U.S. Army, where I

first met Col. Ray Marsh. After leaving the military, I became a clinical social worker at UVA's Children's Rehabilitation Center, and then Director of Social Work for UVA's Blue Ridge Hospital. I had been a social worker for 12 years when I felt the need for a significant life change. With only three years left to use my G.I. Bill benefits, I went to Gonzaga University School of Law in Spokane, WA, and received my J.D. in 1985. Soon afterwards, my wife Betsy, my son Chris, our dog Dickens, and I traveled back to Virginia where I passed the Virginia State Bar, and took a job as Executive Director of the Charlottesville/Albemarle Association for Retarded Citizens. After three years in this position, I joined the Office of Human Rights in 1988.

I cover Region I of the state, which is comprised of 28 counties on both sides of the Shenandoah Valley from Lexington to Winchester, and Charlottesville to Fredericksburg. The region includes 11 local human rights committees, 7 community service boards, Western State Hospital, Commonwealth Center for Children and Adolescents, and 79 private providers of which 30 are CORE (Children) programs and 5 are in-patient psychiatric units in community hospitals. My staff consists of Angela Harrison, Mark Seymour, and Randy Urgo.

The first and perhaps most fundamental human right found in our regulations is entitled, "Assurance of Rights". This right requires that clients and their legally authorized representatives be informed of their rights upon admission and be re-notified on an annual basis. How can clients protect and enforce their rights if they don't know those rights? To assist clients and others in understanding their rights and effectively advocating for themselves, I developed a motivational/educational presentation entitled, "The Seven Principles of Effective Self-Advocacy". I wrote this presentation in 2000 for the IAPRS Annual Conference in Richmond. I have given this presentation at the IAPRS (now called VAPRS) Annual Conference every year since, as well as at clubhouses, sheltered workshops, and other statewide conferences over the past six years. My goal is simply to motivate, educate, and empower participants to effectively and appropriately stand up for themselves in any negotiation or conflict situation. The presentation is by, for, and about our clients so that they can advocate effectively for themselves and not be dependent on others. It is also a vehicle for me to explain the rights of clients which are protected by our regulations and how our dispute resolution process works. I have greatly enjoyed giving this presentation and continue to accept invitations to give it.

Chuck Collins, Advocate, Region I

Regulations Revisions

The *Rules and Regulations to Assure the Rights of Individuals Receiving Services From Providers of Mental Health, Mental Retardation, and Substance Abuse Services* (regulations) are the foundation of the human rights system in Virginia. The regulations are in the process of being revised in accordance with the Virginia Administrative Process Act. The Department established the Human Rights Regulation Revision (H3R) Advisory Committee to provide help and to provide guidance and recommendations to the Department regarding potential revisions to the regulations. Several local human rights committee members served on the H3R Advisory Committee. On July 5, 2005, the H3R Advisory Committee submitted its report to Commissioner Reinhard and its recommendations are being considered as the Department drafts the revised regulations.

It is hoped that the revised regulations will be available for public comment, following approval of the State MHMRSAS Board, in the winter of 2006. I encourage each of you to comment on the regulations during the upcoming public comment period. As members of local human rights committees, you have a unique and valuable perspective. Your comments and suggestions about the upcoming revisions to the regulations are very important!

Information about the revision process and how you can submit comments can be found on the Department's web site, <http://www.dmhmrzas.virginia.gov/OHRRegsUpdate.htm>, and on the Virginia Regulatory Townhall web site at <http://www.townhall.state.va.us>. Comments can also be submitted via email to <mailto:cohrreg@co.dmhmrzas.virginia.gov>.

Virginia's public mental health, mental retardation and substance abuse services system is comprised of forty community services boards (CSBs) and sixteen [state facilities](#). The CSBs and state facilities serve children and adults who have or who are at risk of [mental illness](#), serious emotional disturbance, [mental retardation](#), or [substance use disorders](#). If you are in need of immediate services, please contact your local community services board for assistance.

DMHMRSAS Mission Statement

"We [DMHMRSAS Central Office] provide leadership and service to improve Virginia's system of quality treatment, habilitation, and prevention services for individuals and their families whose lives are affected by mental illness, mental retardation, or substance use disorders. We seek to promote dignity, choice, recovery, and the highest possible level of participation in work, relationships, and all aspects of community life for these individuals." ([Read full Mission and Values](#)) DMHMRSAS has adopted a new [Vision](#) that focuses on self-determination, empowerment and recovery.

Office of Human Rights Purpose and Mission

The Office of Human Rights assists the Department in fulfilling its legislative mandate under §37.1-84.1 of the Code of Virginia to assure and protect the legal and human rights of individuals receiving services in facilities or programs operated, licensed or funded by the Department. The mission of the Office of Human Rights is to monitor compliance with the human rights regulations by promoting the basic precepts of human dignity, advocating for the rights of persons with disabilities in our service delivery systems, and managing the DMHMRSAS Human Rights dispute resolution program.

Please submit comments and suggestions to: SHRCnewsletter@co.dmhmrzas.virginia.gov, or write to us at:

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