

**TIDEWATER REGIONAL
LOCAL HUMAN RIGHTS COMMITTEE
April 21, 2015
MINUTES**

Members Present

Janet Martin, LHRC Chairperson
Juliet Sawi, LHRC Committee Member
Casey Gilbert, LHRC Committee Member

Others Present

Brigitte McAlister, OPA TDT Supervisor – First Home Care
Carolyn Barnes – First Home Care
Dana Gillentine, Risk Manager – Kempsville Center for Behavioral Health
Darsha Bowie, RN – Virginia Beach Psychiatric Center
Fran Neaves, Risk Manager – Virginia Beach Psychiatric Center
Heather Fisher, QMS Director/Risk Manager – First Home Care
Jacqueline Abbott, Risk Manager – Harbor Point Behavioral Health Center
Jennifer Kelly, RN, Chief Nursing Officer – Virginia Beach Psychiatric Center
Jodi Diaz, Patient Advocate – Virginia Beach Psychiatric Center
Marie Henrich, Office Manager – Harbor Point Behavioral Health Center
Mary Epps, RN, Director of Nursing – Harbor Point Behavioral Health Center
Reginald Daye, Regional Advocate – DBHDS

I. CALL TO ORDER

The Local Human Rights Meeting was called to order at 8:35 a.m. by Janet Martin.

II. REVIEW OF MINUTES

The minutes from January 21, 2015 were reviewed and Mr. Daye noted a correction on page four of the minutes under “This committee reviewed the following”. The sentence should read “Ms. Epps stated that the nurses are provided counseling and **are held accountable for medication errors.**” Ms. Sawi made a motion to approve the minutes with the corrections. Ms. Gilbert seconded the motion. The motion was approved.

III. PUBLIC COMMENTS – There were no public comments.

IV. UNFINISHED BUSINESS – There was no unfinished business to report.

V. NEW BUSINESS

- A. Affiliation – Partial Hospital Program – Chesapeake (VBPC) – Ms. Neaves presented notification to the LHRC members of the addition Partial Hospital Program located in Chesapeake. The added site will come under the agency’s LHRC affiliation for its Partial Hospitalization Program.
- B. Searches for Day Treatment Program Patients (VBPC) – Ms. Neaves reported that VBPC uses a metal detector wand to search patients. If a patient is found to have dangerous contraband they may be dismissed from care. Ms. Neaves stated this is for the safety of off-site staff where a security team is not available.

Motion: Ms. Sawi made a motion to approve the policy on Searches for Day Treatment Program Patients. Second: Ms. Gilbert seconded the motion. The motion passed.

- C. Ms. Neaves reported that a complaint was made from a patient who reported he/she was not afforded the opportunity for an interpreter. A policy was developed as a result for the Partial Hospital Program. Ms. Neaves reported that VBPC will ensure that an interpreter will be available at all times. Ms. Martin asked if a medical interpreter was provided. Ms. Neaves and Ms. Kelly reported that they use a contracted agency with interpreters on site from 7:00 a.m. to 7:00 p.m. Phone services are available after hours. Ms. Neaves and Ms. Kelly reported that they could have an interpreter on site within thirty minutes if needed. Ms. Martin asked if they had a policy that translates to Spanish. Ms. Kelly state they do not but that the patient handbook and Bill Of Rights are translated into Spanish. PHP Interpretive Services for the Deaf and Hearing Impaired and Non-English Speaking Patients - Mr. Daye recommended separating the policies; one for deaf and hearing impaired and the other for Non-English speaking individuals. Ms. Neaves will separate the policy and bring the revision to the next committee meeting to present for information.

VI. STANDING REPORTS

A. General Information – None

B. Quarterly Reports/Annual Reports/Reports on Structured Living

OVERVIEW OF ALLEGATIONS REPORT-FIRST QUARTER 2015			
LOCATION	JANUARY	FEBRUARY	MARCH
FHC-Oyster Point Academy	6	5	18
FHC-Fort Lane	0	0	0
FHC-Day Support	0	0	0
FHC-John Tyler	0	0	0
FHC-Brighton Elementary	0	0	0
Kempsville CBH	8	20	10
Harbor Point BHC	44	37	20
VBPC	4	5	3

SECLUSION & RESTRAINT REPORTS (S=Seclusion) (MR=Mechanical) (PR=Physical) (CR=Chemical)			
LOCATION	JANUARY	FEBRUARY	MARCH
FHC-Oyster Point Academy	23-PR 0-S 0-MR	28-PR 0-S 0-MR	36-PR 0-S 0-MR
Kempsville CBH	28-PR 1-S	68-PR 4-S	33-PR 0-S
Harbor Point BHC	130-PR 0-S	151-PR 0-S	71-PR 0-S
VBPC	0-S 3-MR 2-PR	0-S 3-MR 4-PR	1-S 3-MR 3-PR

Virginia Beach Psychiatric Center – ADC 1025 – VBPC is adding a Chesapeake location for the Partial Hospital Program. A service modification form was submitted to the Office of Licensing and licensing specialist, Mr. Gonzales, is reviewing the location on May 29, 2015. The address of the Chesapeake location is 808 Live Oak Drive, #120, Chesapeake, VA 23320.

During the first quarter 2015 there have been no new or amended policies, procedures or program rules that could potentially impact the human rights of individuals receiving services through Virginia Beach Psychiatric Center including but not limited to, restrictions, restraints, seclusions, and time-outs.

Recruitment of membership to the LHRC was reviewed at the Leadership meeting during the first quarter. There are no reviews of any Behavioral Plans involving the use of restraint or time-out.

Kempsville Center for Behavioral Health – ADC 472 – Annual Licensing survey was conducted on February 12th and 13th, 2015. A one year license was issued following the survey for the Acute and Residential Programs, effective February 1, 2015 – January 31, 2016. A six month conditional license was issued for the Partial Hospitalization Program effective February 1, 2015 – July 31, 2015.

There were no new or amended policies during this quarter.

Recruitment efforts during this quarter were done through seminars conducted at Kempsville CBH.

First Home Care – ADC waiting on full report.

Harbor Point Behavioral Health Center – ADC 105.8 – Licensing Specialist changed from Ed Gonzalez to Nathan Woodard. DBHDS completed an annual renewal licensing inspection on March 9th and 10th, 2015.

During quarter one Harbor Point continued to utilize the Matrix (Behavioral Management System) on all units. Harbor Point made no changes to the Matrix during quarter one. The Matrix continues to provide rewards to residents for positive behaviors and consequences for negative behaviors. Staff maintains daily point sheets that are used for both staff and residents to track their points and levels daily. The Color System was used in conjunction with the Matrix on Child, BSP D, and Horizons units during quarter one.

SLP was not utilized in quarter one. Harbor Point will follow the SLP policy and procedure in the event SLP is ordered by the attending psychiatrist.

During the first quarter the Risk Manager asked Leadership staff to share the information and application with community members and referral agency employees. Copies of the application and Regional Advocate contact information provided.

The facility continues to drill down reasons for restraint and implement actions to reduce restraints. The facility's Corporate Clinical Department facilitated mandatory training to direct care staff on Milieu Management. Data is reviewed daily and posted for staff and residents; monthly analyses are also provided to staff with trends and areas for additional training and resources. Patient Care Monitoring Conferences are held for residents with multiple episodes of restraints.

- C. Reports on Structured Living** – SLP was not utilized this quarter at Harbor Point BHC and Kempsville CBH. Mr. Daye recommended discontinuing the variance on SLP since it has only been utilized twice in 2012.
- D. Regional Advocate Report** – Mr. Daye reported a new process for seeking program affiliation for a new service within the same region. A February 2, 2015 memorandum posted on the DBHDS website from the Acting Director of the Office of Licensing and the Director of the Office of Human Rights to all Local Human Rights Committees and DBHDS Licensed Providers explaining the new process. The memorandum clarified the process for when a provider plans to add a new service of a new location of a licensed service in the same region. The process would be as follows:
 - 1. Provider submits a service modification to the assigned Licensing Specialist;
 - 2. Provider submits notification of the new service or new location via mail or email to the assigned Human Rights Advocate and the Local Human Rights Committee with a copy to the Licensing Specialist. The notification should include and or address the following:
 - a. Request to have the new service or a new location added to the existing affiliation for the service.
 - b. Request to be placed on the LHRC agenda for the next meeting.
 - c. Type of service and address of the new location

- d. Name of Licensing Specialist
- e. Any paperwork required by the LHRC or the advocate
- f. Date location will be in operation
3. Licensing Specialists approves the new service or a new location and the provider then can begin the service.
4. Provider attends LHRC meeting if requested to discuss new service or a new location.
5. LHRC minutes reflect the addition of the new service or a new location to the existing affiliation for the service.

If the provider plans to add a new service or new location of a licensed organization in a different region, then a new affiliation must be established and approved before the new license is granted and the provider can begin the service or location.

Mr. Daye advised the providers to send their human rights policies and procedures, for the new service, to him for review. After he has accepted them as being in compliance with the human rights regulations, you will then be instructed to send a copy to the LHRC members.

You are to submit the program rules of conduct and behavioral management policies to the LHRC members for review and approval at the same time you submit your notification letter as noted in the referenced letter above.

Mr. Daye introduced Casey Gilbert as the newest member appointed on April 17, 2015 by the State Human Rights Committee. Delinda P. Swanston's last day on this committee will be June 30, 2015. Mr. Daye informed the providers that this position would need to be filled.

Mr. Daye reminded the providers that he currently does not have clerical support. He asked that the providers not fax or email their reports. Reports are required two weeks prior to the LHRC meeting. Mr. Daye emphasized the importance of this two week reporting time stating that the members do not have to accept the reports if the deadline is not met. Mr. Daye also informed the providers that he would request citation.

Mr. Daye reminded the providers of upcoming deadlines. On October 25, 2015 all variance renewals will expire. The State Human Rights Committee meets on October 23, 2015. Providers are required to attend this meeting. October 6, 2015 is the deadline for submission of reports to the SHRC which means the reports will need to be presented to the LHRC in July.

E. Allegation Reports - CLOSED SESSION:

Ms. Sawi made a motion that the committee go into Executive Session, pursuant to Virginia code 2-2-3711A (4) for the protection of the privacy of individuals in personal matters not related to public business, namely to review patient information from Harbor Point Behavioral Health Center, Virginia Beach Psychiatric Center, First Home Care and Kempsville Center for Behavioral Health pursuant to the regulations.

Action: Second was made by Ms. Gilbert. All members voted in favor of the motion.

Reconvene in Open Session: Upon reconvening in Open Session, Ms. Sawi, Ms. Martin and Ms. Gilbert of the Tidewater Regional LHRC certified to the best of their knowledge that only public matters exempt from statutory open meeting requirements and only public business matters identified in the motion to convene the Executive Session, as referenced above, were discussed in accordance to Virginia Code 2-2-3711A (4).

There were no recommendations.

VII. NEXT SCHEDULED MEETING

The next committee meeting originally scheduled for July 21, 2015 was rescheduled to August 4, 2015 due to a scheduling conflict.

VIII. ADJOURNMENT

There being no further business to discuss, Ms. Sawi made the motion to adjourn. Ms. Martin seconded the motion. The motion was approved. The meeting was adjourned at 11:05 a.m.

RESPECTFULLY SUBMITTED:

Marie Henrich, Office Manager-Harbor Point BHC
Recording Secretary

Janet Martin, LHRC Chairperson