

**TIDEWATER REGIONAL
LOCAL HUMAN RIGHTS COMMITTEE**

July 29, 2014

MINUTES

Members Present

Delinda P. Swanston, LHRC Committee Member
Janet Martin, LHRC Chairperson
Juliet Sawi, LHRC Committee Member
Rosalyn Wiggins, LHRC Committee Member

Others Present

Brigitte McAlister, Day Treatment Supervisor – Oyster Point Academy
Carolyn Barnes, Assistant Director – First Home Care
Dana Gillentine, Risk Manager – Kempsville Center for Behavioral Health
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
Marie Henrich, Office Manager – Harbor Point Behavioral Health Center
Mary Epps, R.N., Director of Nursing – Harbor Point Behavioral Health Center
MiMi Sedjat, Clinical Director – First Home Care
Reginald Daye, Regional Advocate – DBHDS
Sarah Crawford, Partial Hospital Program Manager – Kempsville Center for Behavioral Health
Simona Haqq, Human Rights Advocate – DBHDS

I. CALL TO ORDER

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

II. REVIEW OF MINUTES

The minutes from April 29, 2014 were reviewed and Ms. Swanston made a motion to approve the minutes. Ms. Wiggins seconded the motion. The motion was approved.

The LHRC Agenda was reviewed and approved as amended (added FOIA Training facilitated by Mr. Daye and Horizons Program Color System for Harbor Point BHC under “New Business”. Ms. Swanston made a motion to approve the agenda as amended and Ms. Wiggins seconded the motion. The motion was approved.

III. PUBLIC COMMENTS

There were no public comments.

IV. UNFINISHED BUSINESS

A. Mr. Daye informed the committee that there is still one vacancy to this committee that needs to be filled. He has not received any recommendations from the providers.

V. NEW BUSINESS

A. Review and Recommend Approval of Partial Hospitalization Program – Kempsville CBH – Ms. Gillentine presented information on the new Partial Hospitalization Program. Sarah Crawford was introduced as the Program Director for this new program. Ms. Gillentine went on to explain that this program would offer services for families in the community who required a transition down from residential treatment. This

would be a Monday through Friday program offering full mental health services (eight hours per day) whereas the patient would be able to go home in the evening and on weekends.

Ms. Martin noted a correction on **page 2** of the **Physical Holds Policy; Section 4** – change “registered” to “registered nurse”. Ms. Martin had a question on **page 6** under **Physical Holds** – “A few minutes...” to reach the on-call physician. Ms. Gillentine provided clarification stating that an immediate response is not necessary in order to conduct the hold. **Page 4 Physical Hold P001** – Ms. Martin stated she had reservations that an MHT (Mental Health Technician) would have the training and capability to interpret vital signs as well as assessment. Ms. Gillentine stated she would revise the verbiage and take out the section “MHT interprets vital sign results”. Mr. Daye suggested to Ms. Gillentine that before she removes that information she verify that MHT’s are indeed permitted to interpret vital sign results. Ms. Gillentine was able to contact Jamie Fernandez, RN, Director of Nursing at Kempsville CBH and explained that MHT’s are indeed trained and permitted to interpret vital sign results but almost always the results are interpreted by the nurses. She explained that when an MHT does interpret the results nurse oversight is not required. Mr. Daye and Ms. Martin asked that all training material pertaining to vital sign interpretation by MHT’s be send to them for review. Mr. Daye explained that MHT training policies and responsibilities are not subject to approval by the LHRC. ***The policy (P001) was approved by the LHRC with a request for a copy of the training protocol for the MHT be submitted to the members of the LHRC for review at the next LHRC meeting.***

Motion: Ms. Swanston made a motion to approve the following policies and procedures submitted by Kempsville CBH and to grant affiliation of the Partial Hospital Program:

003 – Closed Circuit Cameras
005 – Behavioral Management Intervention
013 – Personal Searches
035 – Report of Restraints
010 – Time-Out
015 – Voluntary Time Away
002 – Rule of Conduct

Second: Ms. Wiggins seconded the motion. The motion was approved.

Handbook (Partial Hospital Program) – Mr. Daye stated that he reviewed the handbook and recommended approval of the handbook.

Motion: Ms. Swanston made a motion for approval.

Second: Ms. Wiggins seconded the motion. The motion was approved.

**** Note: Any changes in the now approved handbook must be submitted to LHRC for review and approval prior to implementation.***

- B. Preparation for BTS Outpatient Services – First Home Care – FHC is seeking and addition to their current license. Mr. Daye explained to Ms. Fisher and Ms. Sedjat that policies for this new program must be sent to State Human Rights Director along with the “Human Rights Compliance Verification” form for review and acceptance. This must be done before the LHRC can act on the request for affiliation for outpatient services. Mr. Daye informed Ms. Fisher and Ms. Sedjat that a cover letter containing information on the BTS Outpatient Services must be submitted to the LHRC members and his office, along with a copy of the policies submitted to the LHRC members in his office, along with a copy of the policies for the new service. Action on the policies will take place during the LHRC meeting. The program would be located at 231 Hatton Street in Portsmouth – The program provides behavioral therapy services and tutors that travel to the homes of families with children with autism and provides adaptive functioning skills. A total of six hours per week would be dedicated to in-home services.

- C. Harbor Point BHC – Horizons Unit Color System – Ms. Abbott presented the Horizons Unit Color System. This system will be used in conjunction with the Matrix. This population is lower functioning and would benefit from the Color System. Ms. Abbott explained that if a resident were to be placed on “restart” they would restart at 350 points vs. 0 points in order to achieve his/her level quicker. Ms. Abbott also presented the school incentive that is being piloted this quarter for Horizons. The school incentive program would include (3) thirty minute breaks throughout the school day for residents to utilize as needed.

Motion: Ms. Swanston made a motion to approve the Horizons Program Color System, school incentive and reduction in Matrix points.

Second: Ms. Sawi seconded the motion. The motion was approved.

VI. STANDING REPORTS

A. General Information – None

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

OVERVIEW OF ALLEGATIONS REPORT-SECOND QUARTER 2014			
LOCATION	APRIL	MAY	JUNE
FHC-Oyster Point Academy	5	5	3
FHC-Day Support	1	1	4
FHC-Mental Health Skill building	0	0	0
Kempsville CBH	15	21	5
Harbor Point BHC	26	34	37
VBPC	5	6	2

SECLUSION & RESTRAINT REPORTS (S=Seclusion) (MR=Mechanical) (PR=Physical) (CR=Chemical)			
LOCATION	APRIL	MAY	JUNE
FHC-Oyster Point Academy	13	17	11
Kempsville CBH	30-PR	68-PR 1-S	22-PR 2-S
Harbor Point BHC	124-PR	126-PR 3-S	176-PR 2-S
VBPC	2-S 3-MR 3-PR	1-S 4-MR 2-PR	0-S 1-MR 1-PR

VBPC – ADC (79) – Ms. Neaves reported that the LHRC membership for application and Mr. Daye’s contact information was distributed at the Clinical Ethics forum in June 2014. On May 19, 2014 Mr. Gonzales, Licensing Specialist, conducted an announced triennial survey for both inpatient level of care and the existing partial hospital program. The facility was granted a three year license for mental health and substance abuse inpatient psychiatric services for adults with a track for a medical detoxification and chemical dependency service for adults to include involuntary patients, and a three year license for a substance abuse partial hospitalization service for adults with substance use disorders and a six month conditional license for the mental health track of the partial hospital program.

There were no citations in the partial hospitalization services. The citations for inpatient services were: orientation and background checks were not completed for contracted physicians, the emergency medical form did not include the name, address and telephone number of the physician and the non-narcotic medication cassettes were not lockable within the medication rooms. A corrective action plan was submitted and accepted.

There were no new or amended policies, procedures, or program rules during the quarter that could potentially impact the human rights of individuals receiving services through the organization including but not limited to restrictions, restraints, seclusions, and time-outs.

Harbor Point BHC – ADC (101) – There were no changes in DBHDs licensing status during 2nd quarter 2014. Corrective action plan from annual site inspection received during 2nd quarter.

During the 2nd quarter Harbor Point BHC continued to utilize the Matrix (Behavioral Management System) on all units. Harbor Point BHC made no changes to the Matrix during the 2nd quarter. 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 resident to track their points and levels daily. The Color System was used in conjunction with the Matrix on Child and BSP D units during 2nd quarter.

Ms. Abbott asked leadership staff to share the information and application for LHRC membership with the community and referral agency employees.

Quarterly Review of any Behavioral Plans involving the use of restraint or time out: The facility continues to drill down reasons for restraints and implement actions to reduce restraints.

Kempsville CBH –ADC (April – 65; May – 72; June – 56) – On June 25, 2014 Kempsville CBH began the process to seek provision/affiliation for a Partial Hospitalization Program.

Recruitment efforts include announcement to all professionals who participated in seminar held at Kempsville CBH.

First Home Care – ADC (Day Support – 42, Behavioral Therapy – 38, Day Treatment – 41, Mental Health Skill-Building – 32, Intensive In-Home – 44) – A licensure visit occurred on June 20, 2014 with no citations given. First Home Care received approval for license of added service for Summer Day Treatment at the Brighton Campus building 21.

There have been no new or amended policies, procedures or program changes during this reporting period.

- C. Reports on Structured Living** – SLP was not utilized this quarter at Harbor Point BHC and Kempsville CBH.
- D. Regional Advocate Report** – Mr. Daye instructed First Home Care to send the actual quarterly reports (allegations) not just the numbers. He informed them they can mail the numbers but must run the report from CHRIS data base. Copies of the internal investigations can be obtained from CHRIS.
- 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. Swanston. All members voted in favor of the motion.

Reconvene in Open Session: Upon reconvening in Open Session, Ms. Sawi and Ms. Swanston 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).

This committee voted to recommend the following:

1. Harbor Point BHC submit their personal allowance and medication error policies to the next scheduled committee meeting.

2. The committee also recommended that First Home Care submit their newly developed serious injury protocol (although approval is not required by this committee).

F. Freedom Of Information Act Training (FOIA) – Mr. Daye conducted FOIA training with the LHRC members.

VII. NEXT SCHEDULED MEETING

October 21, 2014

VIII. ADJOURNMENT

There being no further business to discuss, Ms. Swanston made the motion to adjourn. Ms. Sawi seconded the motion. The motion was approved. The meeting was adjourned at 11:35 a.m.

RESPECTFULLY SUBMITTED:

Marie Henrich, Office Manager-Harbor Point BHC
Recording Secretary

Janet Martin, LHRC Chairperson