

**TIDEWATER REGIONAL  
LOCAL HUMAN RIGHTS COMMITTEE  
December 13, 2011 – 8:30 a.m.  
MINUTES**

**PRESENT**

Brian Montella, LHRC Member  
Dana Gillentine, Risk Manager, Kempsville Center for Behavioral Health  
Felicia Sawyer, LHRC Member  
Fran Neaves, Director of Performance Improvement and Risk Manager, VBPC  
Jacqueline Abbott, Risk Manager, Harbor Point and Brighton Behavioral Health Center  
James A. Overton, LHRC Chairperson  
Kathy Gualtney, Day Treatment Supervisor  
Kawanna Ward, Virginia Clinical Director of Mental Health, First Home Care  
Kenya Ratliff, Day Treatment Supervisor, First Home Care  
Marie Henrich, Sr. Administrative Assistant, Harbor Point Behavioral Health Center  
Paula Harr, Director of QMS, First Home Care  
Reginald T. Daye, Regional Advocate, DBHDS  
Stacy Seitz, Risk Manager, Kempsville Center for Behavioral Health

**ABSENT**

Delinda Patterson-Swanston, LHRC Vice Chairperson  
Janet Martin, LHRC Member  
Matt Ours, Chief Executive Officer, Kempsville Center for Behavioral Health

**I. CALL TO ORDER**

The Local Human Rights Committee meeting was called to order at 8:40 a.m. by James A. Overton, LHRC Chairperson.

**II. REVIEW OF MINUTES**

The minutes from the meeting held on October 11, 2011 were not approved and accepted until 9:10 a.m. when Mr. Montella arrived. Upon his arrival the committee was able to have a quorum. Ms. Sawyer made a motion to approve the minutes. Mr. Montella seconded the motion and all members present voted to accept. ***A correction was noted to the minutes from October 11, 2011 per Paula Harr, Director of QMS, First Home Care. Overview of Allegations: Oyster Point/June-10; July-7; August-5. Brighton/June-1; July-0; August-0.***

**III. PUBLIC COMMENTS**

There were no comments from the general public at this time.

**IV. UNFINISHED BUSINESS**

There was no unfinished business to report.

**V. NEW BUSINESS**

- A. 2012 LHRC Meeting Schedule (to coincide with quarterly/annual report due dates) – Mr. Daye announced that annual reports are due January 24, 2012. (First quarter – 1/1 through 3/30). The 2012 meeting schedule is as follows:

January 24, 2012  
 May 1, 2012  
 August 7, 2012  
 November 6, 2012

Ms. Harr asked if a subcommittee could be held in between regularly scheduled meetings in order to approve new programs. Mr. Daye stated yes and that only two members are required for those subcommittees. Mr. Daye went on to state that any unlicensed program must have approval from Ms. Walsh and all policies associated with that program would need to be sent to her for approval.

**VI. STANDING REPORTS**

General Information – Mr. Daye went over the quarterly/annual report due dates with the committee members. We are currently in the fourth quarter (7/1-9/30) and our annual reports are due January 24, 2012. However, this report can be semi-annual (2011). Mr. Daye reminded us we are still required to submit updates on our current variances.

Harbor Point and Brighton Behavioral Health Center – Matrix – We are currently approved for two years with a required annual update to this committee. The quarterly update was due during this meeting. A written report was not submitted due to some miscommunication however, Ms. Abbott provided the committee members with a verbal update and will mail the written report to the State Local Human Rights Committee.

The Cooperative Agreement must be resubmitted with new members and changes in personnel. Mrs. Henrich will complete the updated Cooperative Agreement and mail to Mr. Overton for signature.

Kempsville Center for Behavioral Health – Ms. Gillentine submitted a request from Matt Ours, CEO. A request was made to remove the doors from the seclusion rooms. Mr. Daye recommended obtaining approval from state licensing office prior to removing the doors. This request does not impose a human rights violation.

**Overview of Allegations Reports**

Location	Sept	Oct	Nov	Average Daily Census
FHC- Oyster Point Academy	2	0	1	15
FHC – Fort Lane	7	0	0	0

FHC- Day Support	1	0	0	11
FHC – John Tyler	0	0	1	6
FHC – Brighton Elementary	0	0	1	9
Kempsville CBH	31			
Harbor Point BHC	1			
Brighton BHC	11			
VBPC	4- Telephone restrictions  5-Alleged- Physical	1- telephone restriction  1-informal complaint  1-formal complaint	2- telephone restriction  1- elopement  1-informal complaint  2-alleged- physical	

**Seclusion and Restraint Reports**

(S= Seclusion) (MR= Mechanical) (PR = Physical) (CR= Chemical)

Location	Sept	Oct	Nov
FHC- Oyster Point Academy	18 PR	14 PR	14 PR
FHC- Northampton Schools			
FHC –Brighton Elementary			
FHC – Fort Lane			
FHC – Day Support			
FHC – Mental Health Support			
VBPC	4MR  1PR	2S  1MR  1PR	2S  2MR  1PR

Kempsville Ctr. For Behavioral Health	39PR 22S		
Harbor Point BHC	7PR 0S		
Brighton BHC	9PR 0S		

**Reports on Structured Living Protocol**

VBPC – 0

Brighton Behavioral Health Center – 0

Harbor Point Behavioral Health Center - 0

**ALLEGATIONS REPORTS – CLOSED SESSION**

Motion: Ms. Sawyer 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 First Home Care, Brighton Behavioral Health Center, Harbor Point Behavioral Health Center, Kempsville Center for Behavioral Health, Virginia Beach Psychiatric Center, pursuant to the regulations.

Action: Second was made by Mr. Montella. All members present voted in favor of the motion.

Reconvene in Open Session: Upon reconvening in Open Session, Mr. Overton, Ms. Sawyer and Mr. Montella 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 were discussed in accordance to Virginia Code 2-2-3711A (4).

Recommendation:

Kempsville Ctr. For Behavioral Health: Ms. Sawyer made a motion to request the program CEO provide at the next meeting a detail overview of action taken including training when there is a medication variance or error. This overview should also include an explanation of the severity rating scale and how staff with multiply violations are handled.

Action: Mr. Montella seconded the motion. All members present voted in favor of the motion.

FOIA Training - Mr. Daye provided the required annual training to the members of the LHRC, on the FOIA.

**VII. NEXT SCHEDULED MEETING**

The next regular LHRC meeting is scheduled for Tuesday, January 24, 2012 in the Executive Board Room of Harbor Point Behavioral Health Center.

**VIII. ADJOURNMENT**

There being no further business to discuss, Ms. Sawyer made the motion to adjourn. Mr. Montella seconded the motion. The meeting was adjourned at 10:55 a.m.

RESPECTFULLY SUBMITTED:

Marie Henrich, Senior Administrative Assistant  
Recording Secretary

James A. Overton, LHRC Chairperson