

FINAL — approved 3/23/09
Chesterfield Local Human Rights Committee (CLHRC)
January 26, 2009

Committee Members Present:

Ms. Trish Angle, Chair
Dr. Analie Rademaker
Ms. Mauretta Copeland

Mr. James Bowser, Regional Advocate
Ms. Beverly Garnes, Region IV Advocate

Staff:

Ms. Karen Mingloski, Chesterfield CSB

Guests:

Mr. Joshua Prentice
Mr. Charles Armstrong
Ms. Roxanna Ronquillo
Mr. Keith Clark, Chesterfield CSB

Affiliates Present

Mr. David Mangano, Chesterfield CSB
Ms. Inger Wyatt, Covenant Homes, LLC
Ms. Julie Jacobs-Jennings, Grafton Schools
Ms. Veronica Cook, J&M Adult Care Services
Ms. Shona Parham, J&M Adult Care Services
Mr. George Szabad, Advanced Services for Kids
Ms. Susan Sweeney, Advanced Services for Kids
Ms. Gloria Setterland, Advanced Services for Kids
Mrs. Amel Shelton, Quality Life Family Services, LLC
Ms. Cecelia Smith, Kids in Focus
Ms. Dane' Willbrandt, Kids in Focus
Ms. Rogina Washington, Kids In Focus
Mr. James Conner, Kids In Focus
Mr. Kevin Birdsell, Kids in Focus
Ms. Sheena Lyle, Lyle Professional Consulting
Ms. Lisa Smith, Langhorne Family Care
Ms. Leonett Reese, Rivers Assisted Living, LLC
Ms. Christina Rivers, Rivers Assisted Living, LLC
Ms. Debbie Garris, Jerolin Management Services
Mr. Kenneth Stith, Jerolin Management Services
Ms. Cynthia Calhoun, Youth Empowerment Services
Mr. Rob Johnson, Youth Empowerment Services
Mr. Vincent Walker, Youth Empowerment Services

1. Call to Order

A quorum being present, Chair Trish Angle called the Chesterfield Local Human Rights Committee meeting to order at 5:33pm at Chesterfield Mental Health Support Services, Rogers Building. Mrs. Angle asked for introductions of those present.

2. Approval of Minutes

A motion was made and seconded to approve the minutes of the September 23, 2008 meeting, as presented.

Ayes: Dr. Rademaker, Ms. Copeland, Ms. Angle

3. Matters of the Public

Chair Angle entertained comments to open the floor for items of interest to the committee.

Chair Angle recognized Mr. Bowser on his retirement and presented him with a plaque dated January 26, 2009 thanking him for the many years of service advising the Local Human Rights Committee. Mr. Bowser thanked the Committee and affiliates, noting his pleasure to serve as Regional Advocate for the past 25 years.

4. Old Business

a. Authorized Representative – Chesterfield CSB

Mr. Mangano presented an update on the request for a next of friend authorized representative for A.C. The LHRC approved a 3 month trial period at the September 2008 meeting. Based on the information contained in the written update, the Chesterfield LHRC recommends continuation of appointed authorized representative, and Chesterfield CSB can obtain the Executive Director's approval.

b. Policy & Procedures

- **J & M Adult Care Services** – Revisions to the policies and procedures have been made based on recommendations from the last meeting. The LHRC members have no additional questions, and unanimously approved J&M Adult Care Services policies and procedures.
- **Rivers Assisted Living** – Revisions to the policies and procedures have been made based on recommendations from last meeting, such as the time limit of time-out, and the discrepancies found on page 2 and page 187 regarding seclusion, restraint and time out policy and the behavior plan. The LHRC suggests combining the two policies, as they

currently conflict with one another. Revisions should be submitted to Beverly Garnes, Office of Human Rights.

- **Jerolin Management Services** – Revisions to the Behavior Management policy were reviewed. The LHRC recommends deleting “unless prescribed by a physician” as noted in Item #1.

c. Restrictions

- **Grafton Schools – Richmond Region**

Ms. Jacobs-Jennings reviewed the written summary of restrictions (in the packet) as requested by the LHRC. She noted there are 6 homes with alarms because there are consumers at high risk of eloping even under staff supervision. The LHRC had no further recommendations.

5. New Business

a. Providers

1. Program Expansion

Advanced Services for Kids

Ms. Susan Sweeny presented information on a program expansion called “Choices”. Several providers have asked ASK to expand and provide community based services to include intensive in-home and community services. Ms. Copeland requested the provider use more person-centered language (i.e., intellectual disabilities) in their program information/materials.

A motion was made and seconded to approve the program expansion of Advanced Services for Kids, Inc.

2. Affiliation Renewal & Policy and Procedure Review

Chesterfield CSB

Mr. Mangano requested affiliation renewal for the Chesterfield Community Services Board. Mr. Mangano reported there have been no changes in the human rights policies and procedures. He presented a summary of programs and services provided for FY09 (included in packet), and noted there has not been any program expansions since the last renewal. Licensure conducted a visit in December 2008.

The LHRC reviewed the Event Management Plan containing seclusion, restraint and time-out policies. It was recommended on the MR Residential Services Behavior Management Plan to remove “approval” on page 1 and replace with “review”, and remove “emergency” on page 2; resubmit to the LHRC with the above changes.

A motion was made, seconded, and voted to approve the affiliation renewal of Chesterfield CSB. The affiliation agreement was completed.

Grafton Schools – Richmond Region

Ms. Jacobs-Jennings requested affiliation renewal for Grafton Schools-Richmond Region, noting they have not made any changes to the approved human rights policies and procedures. She presented a summary of programs and services provided (included in packet),

A motion was made, seconded, and voted to approve the affiliation renewal of Grafton Schools-Richmond Region. The affiliation agreement was completed, and the affiliation fee was submitted.

Kids in Focus, a company of ResCare

Mr. Kevin Birdsell requested affiliation renewal for Kids in Focus (KIF). Mr. Birdsell noted that KIF has not added any new services, but KIF has changed ownership and is now operated by ResCare, and that they are still in a transition phase. He presented a summary of programs and services provided (included in packet).

A Safety Committee was created to discuss any critical incidents that have occurred. Discussion ensued regarding the definition of time out per the Regulations. KIF should define time out and how it is used in their policy, which should be revised and resubmitted to the LHRC.

A motion was made and seconded to approve the affiliation renewal of Kids in Focus, a company of ResCare, with the condition that the time out section is revised in accordance with the regulations and resubmitted before the next LHRC meeting. The affiliation agreement was completed, and the affiliation fee was submitted.

Advanced Services for Kids

Advanced Services for Kids (ASK) requested affiliation renewal, noting they have not made any changes to the approved human rights policies and procedures. A summary of programs and services was reviewed (included in packet). The LHRC recommends person first language to be used in their mission statement (i.e., intellectual disability).

A motion was made, seconded, and voted to approve the affiliation renewal of Advanced Services for Kids, Inc. The affiliation agreement was completed, and the affiliation fee was submitted.

3. Event Report Statistics

Ms. Angle entertained reports from each provider on events occurring during the period of September and October, 2008 and November and December 2008.

Advanced Services for Kids – Mr. Szabad reported during September/October there were 3 informal complaints that were unsubstantiated. For November/December, 1 informal complaint that was unsubstantiated.

The LHRC reminded providers to include the outcome or corrective action of each event reported.

Chesterfield CSB - Mr. Mangano reported during the September/October period there were 3 attempted suicides in which all consumers were hospitalized, and 2 consumer deaths. For the November/December period, 2 attempted suicides in which both consumers were hospitalized and 2 consumer deaths. Mr. Mangano also reported that Licensure visited in December, although no Corrective Action Plan has been received to date. Chesterfield CSB has hired Debbie Burcham as the new Executive Director, starting today.

Mr. Mangano provided an update to the implementation of the action plan regarding the DB case, specifically emergency services intake calls, Child and Adolescent Services team waiting list, and waiting times, communication among programs, and the apology letter. Chair Angle requested Mr. Mangano to put this update to the implementation plan in writing so the LHRC can prepare a response to the State Human Rights Committee (SHRC).

It was noted that the LHRC and SHRC gave proper and good direction to a very complicated process that involves a lot of people and effort. Mr. Bowser encouraged providers to resolve complaints within the program.

Covenant Homes – Ms. Wyatt reported no events for the reporting period of September/October and November/December.

Grafton Schools – Ms. Jacobs-Jennings reported September/October there were 2 formal complaints that were resolved; and, November/December, 1 allegation of abuse which was not founded. There were questions regarding the November/December allegation, and determined that it should be moved to an allegation of neglect. Grafton should resubmit summary and findings.

J & M Adult Care Services, Inc. – Ms. Parham reported no events for September/October and November/December.

Jerolin Management Services – Ms. Garris reported no events for September/October and November/December.

Kids in Focus, Kids in Focus II, Girls in Focus, Little Kids In Focus, Little Kids in Focus II

Ms. Willbrandt reported September/October there were 3 informal complaints, 2 allegations of abuse, noting that 1 was founded, and, 9 allegations of neglect, noting 3 were founded. For November/December, reported 1 informal complaint, 2 allegations of abuse, noting both were founded, 10 allegations of neglect, noting 2 incidents were founded.

After lengthy discussion regarding various policies and events that have occurred over the past 4 months, the LHRC requests KIF to submit policies and procedures that have been revised or new since the transition of ownership (policies specifically noted: policy replacing Community Rebuild, motion detectors or cameras, medication procedures, program rules and AWOL protocols), and any corrective action plan written by the Office of Human Rights or Licensure. It was noted that if alarms are put in place at the program, the notification of use should be brought to the LHRC before implemented.

Langhorne Family Care – Ms. Smith reported no events for September/October and November/December.

Lyle Professional Consulting – Ms. Lyle reported no events for September/October and November/December.

Quality Life Services – Mrs. Shelton reported no events for September/October and November/December.

Rivers Assisted Living – Ms. Reese reported no events for September/October and November/December.

Youth Empowerment Services – Mr. Walker reported during the period of September/October, there were 3 formal complaints; 1 allegation of abuse was founded; and 2 allegations of neglect that were founded and resolved. There was some discussion regarding the temperature reported in formal complaint item 1, and although the issue was corrected by hiring a private contractor, the Office of Human Rights will get with YES staff about this.

The LHRC reviewed the October 2008 letter from Licensure. Mr. Walker reported the kitchen facility construction has reached final stages, although it did not pass the last inspection with Chesterfield County. Some duct work has to be finalized, the Health Department license has been received, and the furniture is in place. Windows have been installed in the bedrooms. Until the kitchen is finalized, meals are still being brought in.

Mr. Walker reported the period of November/December there was 1 allegation of abuse that was not founded; 8 allegations of neglect, one was founded.

6. Announcements / Updates

Mr. Mangano provided a few legislative updates, one of which is the proposal to take money out of the budget for 200 MR waiver slots, and additional cuts in 2010. Delegate Cox has submitted a budget amendment to restore funding this year for 200 slots and 430 slots for next year. If you support this amendment, contact him and other Chesterfield delegates and senators. There is also a budget amendment to restore rate increases for day services.

Delegate Cox held a town hall meeting via phone, which is an innovative approach to reach his constituency.

Chair Angle noted the next regular meeting will be held at Chesterfield CSB (Rogers Building) on **Monday, March 23, 2009**. Chair Angle reminded all providers to submit the event reports for the reporting period of January and February by **March 9, 2009**.

7. Executive Session

A motion was made, seconded and passed to move into Executive Session pursuant to Virginia Code 2.2-3711 for the protection of the privacy of individuals and their records in personal matters not related to public business, namely for the purpose of interviewing a candidate for membership.

Upon reconvening in open session, the Local Human Rights Committee certified that to the best of their knowledge that only matters lawfully exempted from open meetings requirements and only such matters for the protection of the privacy of individuals and their records in personal matters not related to public business were heard, discussed or considered in closed session.

8. Adjournment

There being no further business, the meeting was adjourned at 7:25pm. The next regular scheduled meeting will be held **Monday, March 23, 2009**, in the Rogers Building, Board Room.