

EVLHRC Meeting

November 8, 2007

Record of Attendance

	<u>Present</u>	<u>Absent</u>
EVLHRC Members		
Matthew Albright		X
George Amory	X	
Kimberly Benton	X	
Jeffrey Kail	X	
Marcia Kennedy	X	
Human Rights Advocate		
Willie Barnes	X	

AGENDA

EASTERN VIRGINIA LOCAL HUMAN RIGHTS COMMITTEE

November 8, 2007

St. Mary's Home for Disabled Children

- I. Call To Order
- II. Approval of Meeting Agenda
- III. Review of minutes from last meeting
- IV. UPDATES FROM:
 - a. Holiday House of Portsmouth, Inc.
 - b. St. Mary's Home for Disabled Children
 - c. Maryview Behavioral Medicine Center
 - d. Regional Human Rights Advocate
- V. Presentation of Old Business
- VI. Presentation of New Business
- VII. Executive Session for Programs
 - a. Holiday House of Portsmouth, Inc.
 - b. St. Mary's Home for Disabled Children
 - c. Maryview Behavioral Medicine Center
- VIII. Adjournment

EVLHRC Meeting Minutes

November 8, 2007

Location of Meeting: St. Mary's Home for Disabled Children
6171 Kempsville Circle
Norfolk, VA 23502

Please see attached Record of Attendance for members of the Board.

The meeting was called to order by Kimberly Benton, Chairperson, at 9:10 a.m.

The meeting agenda was approved by members with the following exception:

-Updates from the three facilities will be listed on the agenda in alpha order with the host facility being last.

Motion was made, seconded and carried to amend the agenda as noted.

Minutes from the previous committee meeting of August 9, 2007 were reviewed and approved as written.

Program Updates

Holiday House of Portsmouth, Inc.

Report was given and copies of report were submitted for August 1, 2007- October 31, 2007.

St. Mary's Home for Disabled Children

Report was given and copies of report were submitted for August 1, 2007- October 31, 2007.

Maryview Behavioral Medicine Center

Reports were given and copies of reports were submitted for August 1, 2007- October 31, 2007, for Acute Care Services, Clinical Trials and Turning Point Program.

Human Rights Advocate Report

- Willie Barnes, Advocate, reported new regulations are in effect and distributed copies. She gave an overview of the revised formal and informal process of complaints.

- Ms. Barnes stated that all affiliates must review and update their Human Rights Policies and Procedures for compliance to the new HR regulations that came out in September, 2007. Upon completion, forward an affidavit to Margaret Walsh, Director of HR, stating that the policies have been updated according to the new HR regulations. Forward a copy of the HR policies and procedures to the Regional Advocate for replacement of the old policies in HR records. It is up to the EVLHRC members to decide how they want the affiliates to review the policies. Ms. Marcia Kennedy suggested to the affiliates to submit only the revised policies that have significant changes, not minor changes. The committee agreed with her. If the affiliates have made changes to The Behavioral Intervention policy (formerly Behavioral Management) and Program Rules (formerly Rules of Conduct), these changes must be submitted to the committee and Advocate for review and comments. If no changes are made to the Behavioral Intervention and Program Rules policies, then submit a copy to the Regional Advocate's office, only. Due date for submitting certification to Ms. Walsh and forwarding revised policies to Mr. Daye's office is March 1, 2008.
- Ms. Barnes announced she will be conducting further member training regarding new regulations after January. More info on dates will be forthcoming.

Old Business

None.

New Business

- St. Mary's Home for Disabled Children, Holiday House of Portsmouth and CBHhealth have presentations requiring a special meeting. This meeting will be held on Tuesday, December 4, 2007, 9:00 a.m., at Maryview Behavioral Medicine Center.

Human Rights Complaints, Abuse, Discrimination, Formal/Informal Complaints

The EVLHRC agreed to go into executive session pursuant to the Virginia Code Section 2.2-3711 A (4) for the purpose of reviewing behavior programming and client specific data and/or complaints, investigations for St. Mary's Home for Disabled Children, Maryview Behavioral Medicine Center and Holiday House of Portsmouth, Inc.: see attached reports.

Upon reconvening in open session, each member of EVLHRC certified that, to the best of each LHRC Member's knowledge, only public business matters lawfully exempted from statutory open meeting requirements, and only public business matters identified in the motion to convene the executive session were discussed in the executive session. See attached record of Executive Session.

EVLHRC Meeting Minutes

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There being no further business the EVLHRC meeting was adjourned at 10:10 a.m.

Submitted by,

Janice Burrus
EVLHRC Liaison

EVLHRC Meeting
Date of Meeting: November 8, 2007

Holiday House of Portsmouth, Inc. Report

I. Period Covered:	August 1, 2007- October 31, 2007
II. Admissions:	(2)
III. Discharges	(2)
IV. Deaths	(0)
V. Current Census	27 Residents (Not Capacity: 28)
VI. Medication Supports:	17 Residents
VII. Supportive Devices	12 Residents

<u>Types of Supports</u>	<u>Number of Residents</u>
Posey Belt	0
Posey Vest	0
Helmet	1
Knee Pads	2
Protective Leather Gloves	1
Elbow Splint	1
Soft Hand Mittens	1
Benick Gloves	4
Gait Belt	4
Bed Side Rails	3
AFO's	2
Stander	3
TLSO	4
Gait Trainer	5
Lap Belt	5
Thoracic Belt	2
Knee Immobilizes	3
Abductor Wedge	1
Protective Eyewear	0
Chest Harness	4

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Waist Belt				2
Footrest W/Straps				3
Bathing Chair				1
Feeding Chair				1
Oversized Strollers				4
Ear Guard				1
VII. Emergency Medication for Behaviors				(1)
VIII. Formal/Informal Complaints				(0) Informal (0) Formal
IX. Human Rights Violation				(0)
X. Serious Injuries	(0) August	(0) September	(2) October	
XI. Peer on Peer Injuries	(0) August	(0) September	(0) October	
XII. Allegation of Abuse	(0) August	(0) September	(1) October	

All of the above serious incidents, peer on peer injuries, and allegations of abuse will be discussed in Executive Session.

**Reports Submitted by:
Melanie Joyner, BSW, QMRP**

Date: November 6, 2007

EVLHRC

Executive Session

HOLIDAY HOUSE OF PORTSMOUTH, Inc.

Programming Department

November 8, 2007

1. Program Manager reported on 19 residents, which included two new residents that were recently admitted to the facility. Their psychotropic medications and behavior graphs were reviewed. The LHRC approved all 19 resident's plans. There were no recommendations for changes.
2. Social Worker reported on 2 serious injuries and 1 allegation of abuse for August, September and October quarter.

Submitted by: J. Mazyck

Program Manager/QMRP

LHRC Representative

Maryview Behavioral Medicine Services
Human Rights Report August - October, 2007

Month	ADC	Admissions	Discharges
Aug	42.5	205	213
Sept	42.8	202	183
Oct	44.7	227	235

<i>Complaints</i>		<i>Restrictions</i>	
Aug -	<u>0</u>	Aug -	<u>0</u>
Sept -	<u>0</u>	Sept -	<u>0</u>
Oct-	0	Oct-	0

<i>Investigations</i>		<i>Administrative Discharges</i>	
Aug -	0	Aug -	0
Sept -	<u>0</u>	Sept -	<u>0</u>
Oct-	<u>3</u>	Oct -	<u>0</u>

Serious Injury/Death

Aug -	<u>0</u>
Sept -	<u>0</u>
Oct-	<u>0</u>

Seclusion/Restraint Report August – October, 2007

ADULT

Month	Seclusion	Physical Restraint	Mechanical Restraint	Met Criteria
Aug	0	0	4 (1.8 hr.)	100%
Sept	1 (.5 hr.)	0	2 (.75 hr.)	100%
Oct	1 (1.75 hr.)	0	0	100%

CHILD/ADOLESCENT

Month	Seclusion	Physical Restraint	Mechanical Restraint	Met Criteria
Aug	0	0	2 (1 hr.)	100%
Sept	0	0	9 (1 hr.)*	100%
Oct	2 (.35 hr.)	0	3 (.9 hr.)	100%

* 8 episodes on one patient

November 1, 2007

TURNING POINT PROGRAM

Turning Point Intensive Outpatient Program reports the following information for the period of August 1, 2007 to October 31, 2007.

	Evening Program
Admissions:	29
Discharges:	43
Still in IOP:	9
Successful Completions:	10
Unsuccessful:	15
Other (3 Sessions or less)	9
Current Census:	9
Emergency Medications:	0
Complaints of Violation of Human Rights:	0
	Aftercare
Current Census:	16

The Turning Point Program continues to have a sliding census because of continued admissions and discharges. The Aftercare Program remains consistent.

Submitted by,
Donna Jones-Elliott, Counselor
Outpatient Chemical Dependency Services

Clinical Trial Report
Maryview Site/CBHhealth

Lilly HGMN – Adult Schizophrenia/Schizoaffective disorder, Predicting Response to Risperidone Treatment Through Identification of Early-Onset of Antipsychotic Drug Action in Schizophrenia

18 Screened
3 Screen Failed
15 Randomized
10 Early Termed
1 LTF
4 Completed

PSY-3007 – Adult Schizophrenia disorder, Double Blind Placebo Controlled Injectable Study with Paliperidone.

14 Screened
3 Screen Failed
12 Randomized
7 Early Termed
3 Completed

PSZ-3001 – Adolescent Schizophrenia disorder, Paliperidone 6-week double-blind placebo controlled study with Adolescent Schizophrenia with 6 month open label follow-up study.

1 Screened
0 Screen Failed
1 Randomized
0 Early Termed
0 Completed

Upcoming in December 2007:

Wyeth SCA-136 - A Randomized, Double-Blind, Placebo-Controlled, Risperidone-Referenced, Parallel-Group, Adaptive-Design Study of the Efficacy, Safety, and Tolerability of Vabicaserin (SCA-136) in Subjects with Acute Exacerbations of Schizophrenia

Astra-Zeneca D144AC00002 – An Open-Label Study to Assess the Steady-State Pharmacokinetics, Safety and Tolerability of Seroquel XR and Seroquel IR in Children and Adolescents with selected Psychotic and Mood Disorders.

EVLHRC
Executive Session

MARYVIEW BEHAVIORAL MEDICINE SERVICES

November 8, 2007

The following is a summary of the executive session for November 8, 2007.

Three investigations were presented with no recommendations or follow-up required.

Carol Taaffe, RNCS
Director
Maryview Behavioral Medicine Center

/jb

EVLHRC Meeting
Date of Meeting: November 8, 2007

St. Mary's Home for Disabled Children Report

The following is information for the November 8, 2007 Local Human Rights Committee meeting. St. Mary's Home for Disabled Children reports the following for the period August 1, 2007 through October 31, 2007:

Admissions

August	September	October
1	0	2

Discharges

August	September	October
2	0	1

Current Census: 87

Restraints: 4

Use of psychotropic medications: 3

Use of Emergency Medical Restraint: 2

Serious Incidents: 3

Deaths: None

Informal/ Formal Complaints: None

Human Rights Violations: None

Program does not use Seclusion.

Current programming is appropriate.

Submitted by:
Melanie Perez-Lopez
Dir. Social Work

EVLHRC
Executive Session

St. Mary's Home for Disabled Children
November 8, 2007

The following is a summary of the Executive Session for November 8, 2007 for St. Mary's Home for Disabled Children. Pursuant to Virginia Code 1.1-3711A for purpose of reviewing behavior plans for 7 residents, the following was discussed in closed session beginning at noon:

Behavior plans for use of psychotropic medications were reviewed on 3 clients. All plans were approved as submitted with no recommendations and will be reviewed at the next meeting in February, 2008. Four children had behavior plans reviewed for use of restraint. Of these, one had added the use of "manual hold" in addition to the use of restraint and was submitted to this committee for approval. Motion was made to accept specific wording that "... (resident initials) Behavior plan to reflect that when restraint is off, when resident attempts to bring hand to mouth and bite fingers, staff will gently bring down his hand and keep hand away from mouth for not more than 5 minutes. If redirection is unsuccessful, after 5 minutes, restraint will be applied." The legal guardian has given verbal approval; steps and specific wording will be added to the plan and written consent obtained from the legal guardian prior to implementation. This will be reviewed at the next regularly scheduled LHRC meeting.

Another resident reviewed that required monitoring of self stimulatory data and plan approved for the next quarter.

Resident situation reviewed regarding use of temporary wheelchair subbasis bar as restraint while on school bus. Doctor's order requires that bar cannot be removed while on school bus (for safety) or resident will not be able to continue to go out to school (while his permanent powerchair wheelchair is being repaired as frame is bent and repair will take an unknown number of weeks). Committee gave approval for use of subbasis bar that resident cannot remove (pending written behavior plan and written consent of the mother) until December 4th scheduled emergency meeting at 9 a.m. at Maryview. The motion was made to recommend implementation of the restrictive wheelchair subbasis bar device, pending plan and consent and this was approved. Plan and consents to be presented on 12/4.

Permission was also given to obtain the consents from legal guardian and staff **at any point during the quarter** (for example, at regularly scheduled quarterly meetings and annual IEP meetings) for those on behavior plans rather than securing the signatures just prior to the LHRC meeting.

Eastern Virginia Local Human Rights Committee
Emergency meeting
St. Mary's Home for Disabled Children
October 16, 2007

An emergency executive session was held on this date at 10:34 to review a behavior plan for resident #1, pursuant to Virginia Code 2.2 3711 (A) 4 for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing of behavior modifications pursuant to the regulations.

In attendance were: Willie Barnes, LHRC Human Rights Representative; and EVLHRC committee members: Marcia Kennedy, Jeff Kail and Matt Albright. In addition were St. Mary's staff members: Terry Waldo, psychologist; Sheri Manton, QMRP; Melanie Perez-Lopez, Social worker; Joy Albia, Primary nurse and Mr. Giermak, CEO.

Chair moved that we go into closed session, as stated above. Resident #1 was reviewed for use of right arm restraint and manual hold. A great deal of discussion ensued regarding her seizures, use of left hand now and how restraint and manual hold would be used. A suggestion was made to add the left hand (not just the right hand) for possible use of manual hold when resident #1 is having a seizure. Plan to be rewritten; father and staff to be apprised of change. Training is to be done by QMRP.

The committee then certified that, to the best of each members' knowledge, only private business matters lawfully exempted from statutory open meeting requirements and only private business matters identified in the motion to convene the executive session were discussed in executive session. This motion was made at 10:55 by M. Kennedy and seconded by M. Albright. A motion was then made to approve the restrictive behavioral plan for use of manual hold and use of right arm restraint. This motion was made by M. Kennedy and approved by J. Kail at 10:57. Meeting was then adjourned.

Melanie Perez-Lopez
Social Worker
St. Mary's Home for Disabled Children

SPECIAL MEETING FOR EVLHRC
December 4, 2007

MINUTES

Members in Attendance:

Kimberly Benton, Chair
Jeffrey Kail, Co-Chair
George Amory
Marcia Kennedy

Others in Attendance:

Stewart Prost, Human Rights Advocate
Ronnie Ratliff, CAO, Holiday House
Melani Joyner, Social Worker, Holiday House
Anita Morris, DON, Holiday House
Jackie Mazyck, Holiday House's Representative
Melanie Perez-Lopez, St. Mary's Representative

A called meeting for the EVLHRC was held on December 4, 2007 at Maryview Behavioral Medicine Center, 3636 High Street, Portsmouth, Virginia 23707. The meeting was called to order at 9:15 a.m., by Kimberly Benton, Chair. Introductions of members in attendance was given.

Mr. Ratliff presented a new policy, Use of Video Cameras for Monitoring Policy and Procedures. There will be 13 cameras, 1 DVR Camera system, no cameras will be allowed in the bedroom or bathrooms. Mr. Prost, HR Advocate, recommended to address in the policy whether or not parents will have access to the video. The policy was approved with corrections noted.

The EVLHRC agreed to go into executive session pursuant to the Virginia Code Section 2.2-3711 A (4) for the purpose of reviewing restrictive behavioral plans.

St. Mary's Home for Disabled Children presented behavioral plans for residents which were approved with the exception of the following revision being made:

Restraint will not be reapplied at 30 minute checks if patient (KP) is calm.
Criteria for reapplication of restraint would need to occur.

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Upon reconvening in open session, each member of EVLHRC certified that, to the best of each LHRC Member's knowledge, only public business matters lawfully exempted from statutory open meeting requirements, and only public business matters identified in the motion to convene the executive session were discussed in the executive session.

The meeting was adjourned at 10:10 a.m.

Emergency meeting

12-19-07

EVLHRC

St. Mary's Home for Disabled Children

December 19, 2007

Members in attendance were: Jeff Kail (Vice Chair), Matt Albright and George Amory.

Others in Attendance: St. Mary's staff attending were Terry Waldo, School Psychologist, Melanie Perez-Lopez, Social Worker, Sheri Mantoni, QMRP and Ann Sparkman, HIM; also Willie Barnes, LHRC Human Rights Representative.

The meeting was called to order by Jeff Kail, Vice Chair, at 10:31 a.m.

The following is a summary of the Executive Session for the emergency meeting held at St. Mary's Home for Disabled Children on December 19, 2007. Pursuant to Virginia Code 2.2-3711 (A)4 for purpose of reviewing behavior plans for Resident 1 for use of restraint, Posey mitt and manual hold in a restrictive behavior plan. Discussion ensued and proposed restraints were examined.

At 10:50 a.m., Mr. Albright moved that the committee come out of Executive Session. This was seconded by Mr. Amory. Mr Kail, Vice Chair, moved and ordered that the committee go into open session and certified that only private matters related to Resident #1 were discussed. It was moved, seconded and approved to accept the restrictive behavior plan for use of restraints and Posey mitts for Resident # 1.

The meeting was adjourned at 10:57 a.m.

Melanie Perez-Lopez

Social worker

St. Mary's Home for Disabled Children

EVLHRC
Special Session Meeting
January 17, 2008

A special session meeting was held at St. Mary's Home for Disabled Children on January 17, 2008 for the purpose of reviewing behavior programming and resident specific data for Holiday House of Portsmouth and for St. Mary's Home for Disabled Children.

Members in attendance:

Kimberly Benton, Chairperson
Jeffrey Kail, Vice Chairperson
Marcia Kennedy, LHRC Member

Members absent:

Matthew Albright, LHRC Member
George Amory, LHRC Member

Others in Attendance:

Willie Barnes, Human Rights Advocate
Jacqueline Parker-Mazyck, Program Director, Cottage 2, Holiday House of Portsmouth
Kelly Garcia-Smith, Program Director, Cottage 1, Holiday House of Portsmouth
Terry Waldo, School Psychologist, St. Mary's Home for Disabled Children
Melanie Perez-Lopez, Social Worker, St. Mary's Home for Disabled Children
Ann Sparkman, HIM, St. Mary's Home for Disabled Children

The meeting was called to order by Jeff Kail, Vice Chairperson, and Holiday House held their Executive Session first.

The EVLHRC Emergency Executive Session was called to order at 1:40 p.m. Introduction of Program Director of Cottage 1 from Holiday House was given. A motion was properly moved and seconded to go into Executive Session. The EVLHRC agreed to go into executive session pursuant to the Virginia Code Section 2.2-3711(A) for the purpose of reviewing behavior plan and resident specific data for Holiday House of Portsmouth. Holiday House presented a new Behavior Support Plan for resident "O". The plan was approved as submitted and updates will be provided at the next LHRC meeting. There were no recommendations pertaining to the Behavior Support Plan.

A motion was made and approved to go into open session. Upon reconvening in open session, each member of EVLHRC certified that, to the best of each member's knowledge, only public business matters identified in the motion to convene the executive session were discussed in the executive session.

St. Mary's Home for Disabled Children began their Emergency Executive Session at 2:05 p.m., for purposes of discussing plans for H.G. and D.H. Plans were approved as submitted. Also discussed was K.P. for additional use of a garment allowing proprioceptive input which may allow elimination of restraint use. Committee gave permission to use the garment, although unanimously felt that it would not be considered a restraint. Both H.G. and D.H.'s plans were approved and will be reviewed at the next regularly scheduled meeting in February. K.P.'s new technique is not viewed as a restraint, and will be used under the supervision of physical and or occupational therapists. This was moved and seconded.

At 2:37 p.m., a motion was made and approved to go into open session. Upon reconvening in open session, each member of EVLHRC certified that, to the best of each member's knowledge, only public business matters identified in the motion to convene the executive session were discussed in the executive session.

The emergency Executive Session meeting was adjourned at 2:45 p.m.

Melanie Perez-Lopez
Social Worker
St. Mary's Home for Disabled Children

Jacqueline Parker-Mazyck
Program Director
Holiday House of Portsmouth

**EVLHRC COMMITTEE MEETING DATES
2008**

Thursday, February 14, 2008

Maryview Behavioral Medicine Center
3636 High Street
Portsmouth, VA 23707

Thursday, May 8, 2008

Holiday House of Portsmouth
4211 County Street
Portsmouth, VA 23707

Thursday, August 14, 2008

Holiday House of Portsmouth
4211 County Street
Portsmouth, VA 23707

Thursday, November 13, 2008

St. Mary's Home for Disabled Children
6171 Kempsville Circle
Norfolk, VA 23502