

AGENDA

EASTERN VIRGINIA LOCAL HUMAN RIGHTS COMMITTEE

February 12, 2009

Maryview Behavioral Medicine Center

- I. Call To Order
- II. Approval of Meeting Agenda
- III. Review of minutes from last meeting
- IV. Presentation of Old Business
- V. New Business/Program Updates
 - a. Holiday House of Portsmouth, Inc.
 - b. St. Mary's Home for Disabled Children
 - Behavioral Support Manual
 - Behavioral Support Log
 - c. Maryview Behavioral Medicine Center
 - d. Regional Human Rights Advocate
 - Affiliation Agreement
 - FOIA Training for LHRC Members
- VI. Open Forum
- 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

Eastern Virginia Local Human Rights Committee
Meeting Minutes
February 12, 2009

A meeting of the Eastern Virginia Local Human Rights Committee was held on Thursday, February 12, 2009, at 9:00 a.m., at Maryview Behavioral Medicine Center, 3636 High Street, Portsmouth, Virginia 23707.

Members Present:

Jeff Kail, Chairman
Marcia Kennedy
Denise Gordon

Members Absent:

George Amory, Vice-Chairman

Providers Present:

Jacqueline Mazyck, Holiday House of Portsmouth, Inc.
Melanie Perez-Lopez, St. Mary's Home for Disabled Children
Carol Taaffe, Director, Maryview Behavioral Medicine Center

Providers Absent:

None

Also Present Were:

Stewart Prost, Office of Human Rights
Melanie Joyner, Holiday House of Portsmouth, Inc.
Tomeka Gary, Holiday House of Portsmouth, Inc.
Ann Sparkman, St. Mary's Home for Disabled Children
Theresa Waldo, St. Mary's Home for Disabled Children

I. Call to Order

Mr. Jeff Kail, Chairman, called the meeting to order at 9:04 a.m., Eastern Standard Time and Ms. Janice Burrus, EVLHRC Secretary, recorded the minutes. A quorum of members was present, and the meeting, having been duly convened, was ready to proceed.

II. Welcome

Mr. Kail welcomed Mr. Stewart Prost, Office of Human Rights, to our meeting who is attending for Ms. Willie Barnes. Attendees were asked to introduce themselves and after the introductions, the meeting proceeded to the next agenda item.

III. Approval of Meeting Agenda

Carol Taaffe requested the agenda order be revised to reflect Maryview presenting first during Executive Session due to a scheduling conflict. Motion was made by Ms. Marcia Kennedy to revise the agenda order. Motion was seconded by Ms. Gordon. All members present voted in favor of the motion.

IV. Review of Minutes

A motion was made by Ms. Kennedy to accept the minutes as written. Motion was seconded by Ms. Gordon. All members present voted in favor of the motion.

V. Old Business

None

VI. New Business/Updates from:

Holiday House of Portsmouth, Inc.

Report was given and copies of report were submitted for November 2008 – January 2009.

Maryview Behavioral Medicine Center

Report was given and copies of report were submitted for November 2008 – January 2009.

St. Mary's Home for Disabled Children

Report was given and copies of report were submitted for November 2008 – January 2009.

Office of Human Rights

Mr. Stewart Prost gave the following report:

Office of Human Rights lost a staff member in January. Interviews will be next week.

The proposed closing of Southeastern Training Center is of great concern.

EVLHRC has one existing consumer vacancy. Please forward names of prospective members to Ms. Barnes who has applications. Mr. Jeff Kail's term ends on June 30, 2009. Mr. George Amory and Ms. Marcia Kennedy are eligible for reappointment at that time. If interested, Ms. Kennedy and Mr. Amory can notify Ms. Barnes as she has the appropriate reappointment forms.

Mr. Prost shared information from a memo by Kirby Wright, Chairperson, State Human Rights Committee, regarding provider affiliations with local human rights committees. Many new committees will need to be developed in Regions III, IV and V to

accommodate all the new providers seeking a DMHMRSAS license. All local committees are asked to consider accepting additional affiliations of providers in our areas.

Mr. Prost asked to see the draft of the Affiliation Agreement between the affiliates for his review. A couple of changes were discussed and Mr. Prost will make some changes in the verbage.

VII. Open Forum

None.

VIII. Closed Session for Human Rights Complaints, Abuse, Discrimination, Formal/Informal Complaints:

Ms. Kennedy moved the EVLHRC 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. Motion was seconded by Ms. Denise Gordon. All members present voted in favor of the motion. The motion was made to accept the information given during closed Executive Session and go into open session. All members present voted in favor of the motion.

Upon reconvening in open session, each member of EVLHRC certified that, to the best of each EVLHRC 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. While in open session, Mr. Prost conducted a short training of the Freedom of Information Act.

IX. Adjournment

The meeting adjourned at 12:00 Noon.

X. Next Meeting:

The next meeting of the Eastern Virginia Local Human Rights Committee will be held on Thursday, May 14, 2009, at Holiday House, Inc., 4211 County Street, Portsmouth, Virginia 23707. Holiday House will provide refreshments.

**HOLIDAY HOUSE OF PORTSMOUTH, INC.
EVLHRC REPORT**

I. Period Covered:	November 1, 2008-January 31,2009
II. Admissions:	(0)November (1) December (0) January
III. Discharges	(0) November (1) December (0) January
IV. Deaths	(0)November (0) December (0) January
V. Current Census	26 Residents (Capacity: 28)
VI. Medication Supports:	18 Residents
VII. Supportive Devices	14 Residents

<u>Types of Supports</u>	<u>Number of Residents</u>
Soft Helmet	1
Hard Helmet	1
Knee Pads	1
Elbow Splint/Knee Immobilizer	1
Soft Hand Mittens	1
Benick Gloves	2
Gait Belt	1
Bed Side Rails	5
AFO's	5
Stander	3
Gait Trainer	2
Lap Belt	6
Thoracic Belt	1
Abductor Wedge	1
Chest Harness	5
Footrest W/Straps	5
Bathing Chair	5
Feeding Chair	1
Oversized Strollers w/straps	7
Ear Guard	1

VIII. Emergency Medication for Behaviors	(1)
IX. Formal/Informal Complaints	(0) Informal (0) Formal
X. Human Rights Violation	(0)
XI. Serious Injuries	(1)November (0)December (0) January
XII. Peer on Peer Injuries	(0)November (0)December (0) January
XIII. Allegation of Abuse& Neglect	(0) November (1)December (0) January

All of the above Serious Injuries, Peer on Peer injuries, and Allegations of Abuse will be discussed in Executive Session.

Reports Submitted by:

Melanie Joyner, BSW, QMRP
Social Worker

Date: February 4, 2009

**EVLHRC
Executive Session**

Holiday House of Portsmouth, Inc.

February 12, 2009

1. Holiday House of Portsmouth went into Executive Session with the EVLHRC at 10:20a.m. Pursuant to Virginia Code 1.1-3711A for purpose of reviewing behavior plans, serious incidents, deaths and complaints, the following was reviewed and discussed: 18 resident's behavioral plans and data, 18 resident's psychotropic medications, 3 resident's additional behavioral support plans and 1 resident guidelines for temporary use of protective hand mittens for medical reasons.
2. The committee members approved the 18 behavioral support plans and the 3 additional behavior support plans and Guidelines for the temporary use of the protective hand mittens.
3. Holiday House Social Worker discussed 1 serious injury and 1 allegation of abuse and neglect that occurred during the quarter (November – January).
4. There were no recommendations.
5. Holiday House of Portsmouth came out of Executive Session 11:05a.m.

Submitted by: J. Mazyck
QMRP
LHRC Representative

Date completed: 02/13/09
Date emailed: 02/16/09

Maryview Behavioral Medicine Services

Human Rights Report November, 2008 – January, 2009

Month	ADC	Admissions	Discharges
November	42.9	190	184
December	36.7	163	179
January	40.1	176	176

Complaints

November -	2
December -	1
January -	0

Restrictions

November -	0
December -	0
January -	0

Investigations

November -	2
December -	3
January -	0

Administrative Discharges

November -	0
December -	0
January -	0

Serious Injury/Death

November -	0
December -	0
January -	0

Seclusion/Restraint Report November 2008 – January 2009

ADULT

Month	Seclusion	Physical Restraint	Mechanical Restraint	Met Criteria
November	0	0	3 (1.5)	100%
December	0	0	4 (1.3)	100%
January	0	0	3 (1.8)	100%

CHILD/ADOLESCENT

Month	Seclusion	Physical Restraint	Mechanical Restraint	Met Criteria
November	0	0	1 (.8)	100%
December	0	0	0	N/A
January	0	0	1 (1)	100%

/jb rev. 2/2/09

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Date February 4, 2009

TURNING POINT PROGRAM

Turning Point Intensive Outpatient Program reports the following information for the period of November 1, 2008 to January 31, 2009

Evening Program

Admissions: 25
Discharges: 14
Still in IOP: 15
Successful Completions: 11
Unsuccessful: 4
Other (3 Sessions or less) 2

Current Census: 15

Emergency Medications: none

Complaints of Violation of Human Rights:

Aftercare 13

Current Census: 15

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
Outpatient Chemical Dependency Services

Cc: Carol Taaffe

**EVLHRC
Executive Session**

Maryview Behavioral Medicine Center

February 12, 2009

The following is a summary of the executive session for February 12, 2009.

Three complaints and five investigations were presented. There were no questions or concerns.

Submitted by: Carol Taaffe
EVLHRC Representative

EVLHRC

St. Mary's Home for Disabled Children

February 12, 2009

The following is information for the February 12, 2009 Local Human Rights Committee meeting. St. Mary's Home for Disabled Children reports the following for the period November 1, 2008 through January 31, 2009:

Admissions:

November	December	January
1	1	1

Discharges:

November	December	January
2	0	0

Current Census: 89

Restraints: 4

Use of psychotropic medications: 6

Use of Emergency Medical Restraints: 3

Serious Incidents: 3

Deaths: 0

Informal/ Formal Complaints: 0

Seclusion/ Time Out: 0

Current programming is appropriate.

Submitted by,

Melanie Perez-Lopez
Director of Social Work

**EVLHRC
Executive Session**

St. Mary's Home for Disabled Children

February 12, 2009

The following is a summary of the Executive Session for February 12, 2009 for St. Mary's Home for Disabled Children. Pursuant to Virginia Code 1.1-3711A for purpose of reviewing behavior plans and serious incidents for 10 residents, the following was discussed in closed session beginning at 10:55 a.m.:

Three uses of Emergency Medical Restraints and three serious incidents were discussed.

Behavior plans for use of psychotropic medications and /or restraints were reviewed on 10 residents (including the addition of a restrictive garment for a resident already on an existing behavior plan). All plans were approved until the next regularly scheduled meeting in May, 2009. Members wish to see Resident 9 in his environment and an appointment is scheduled for 2/27 at St. Mary's.

At 11:40, the committee came out of executive session. The committee then certified that, to the best of each member's 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 and seconded upon coming out of executive session.

In open session, the Behavior Support Manual was approved for St. Mary's Home for Disabled Children.

Melanie Perez-Lopez
Director of Social Work
St. Mary's Home for Disabled Children

EVLHRC Minutes
Emergency meeting
04-22-09

EVLHRC
Meeting held at Holiday House, Inc.
April 22, 2009

Members in attendance were: Jeff Kail (Chair), George Amory (Vice-Chair) and Marcia Kennedy.

Others in attendance were: Melanie Joyner, Terry Waldo, Willie Barnes and Brian Whitley.

The meeting was called to order by Jeff Kail, Chair, at 9:10 a.m.

Introduction of new advocate, Brian Whitley

Agenda items discussion: Interview of candidate, plan from Holiday House and St. Mary's Home for Disabled Children.

Motion was made by Ms. Kennedy to convene in executive session and motion was seconded by Mr. Amory (Pursuant to VA Code 2.2-3711 (a) for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of interviewing candidate for recommendation for membership and hearing of behavior modifications for Holiday House of Portsmouth and St. Mary's Home for Disabled Children.)

At 10:10 a.m., Ms. Kennedy moved that the committee come out of Executive Session. This was seconded by Mr. Amory. Mr. Kail, Chair, moved and ordered that the committee go into open session and certified that only private matters related to Resident #1 at St. Mary's and Residents #2 and #3 at Holiday House of Portsmouth were discussed. Modifications to the current restrictive plan for Resident #1 was discussed and approved. The behavior support plans for Residents #2 and #3 were reviewed and approved. The Committee's recommendation to forward Matthew Albright's application to SHRC for appointment to the EVLHRC. Each member certified that only private matters related to Residents 1, 2 and 3 were discussed during closed session.

Discussion of a new date for our next scheduled EVLHRC quarterly meeting ensued. The meeting date needs to be changed due to committee members not being available for the May 14 date. Mr. Kail will forward a list of possible dates to the secretary for a new scheduled date.

Meeting was adjourned at 10:25 a.m.

Advocate tour of facility by Ms. Joyner of Holiday House of Portsmouth.

**EVLHRC COMMITTEE MEETING DATES
2009**

Thursday, February 12, 2009

Maryview Behavioral Medicine Center
3636 High Street
Portsmouth, VA 23707

Monday, June 8, 2009

Holiday House of Portsmouth
4211 County Street
Portsmouth, VA 23707

Thursday, August 13, 2009

Holiday House of Portsmouth
4211 County Street
Portsmouth, VA 23707

Thursday, November 12, 2009

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