

# AGENDA

## *EASTERN VIRGINIA LOCAL HUMAN RIGHTS COMMITTEE*

August 13, 2009

Holiday House of Portsmouth, Inc.

- I. Call To Order
- II. Election of Officers
- III. Approval of Meeting Agenda
- IV. Welcome New Members
- V. Review of minutes from last meeting
- VI. Presentation of Old Business
- VII. New Business/Program Updates
  - a. Maryview Behavioral Medicine Center
  - b. St. Mary's Home for Disabled Children
  - c. Holiday House of Portsmouth
  - d. Regional Human Rights Advocate
- VIII. Open Forum
- IX. Executive Session for Programs
  - a. Maryview Behavioral Medicine Center
  - b. St. Mary's Home for Disabled Children
  - c. Holiday House of Portsmouth, Inc.
- X. Adjournment

Eastern Virginia Local Human Rights Committee  
**Meeting Minutes**  
August 13, 2009

A meeting of the Eastern Virginia Local Human Rights Committee was held on Thursday, August 13, 2009, at Holiday House of Portsmouth, Inc., 4211 County Street, Portsmouth, Virginia 23707.

**Members Present:**

Dr. Marcia Kennedy  
Mr. George Amory  
Mr. David Paige  
Mr. Matthew Albright

**Members Absent:**

Ms. Denise Gordon

**Providers Present:**

Tomeka Gary, Director of Nursing, for Holiday House of Portsmouth, Inc.  
Ann Sparkman, for St. Mary's Home for Disabled Children  
Carol Taaffe, Director, Maryview Behavioral Medicine Center

**Providers Absent:**

Melanie Perez-Lopez  
Jacqueline Parker-Mazyck

**Also Present Were:**

Willie Barnes, Office of Human Rights  
Melanie Joyner, Holiday House of Portsmouth, Inc.  
Kelly Garcia-Smith, Holiday House of Portsmouth, Inc.  
Christine Parker, St. Mary's Home for Disabled Children

**I. Election of Officers**

Mr. George Amory, Vice-Chair, called the special session meeting (members and Human Rights Advocate, only) to order at 9:00 a.m., for the purpose of electing officers and for the purpose of providing training to new members regarding HIPPA and the Freedom of Information Act (FOIA).

A motion was made by Dr. Kennedy to nominate Matthew Albright as Chairman. This motion was seconded by Mr. David Paige. A motion was made to nominate Dr. Marcia Kennedy as Vice-Chair. This motion was seconded by Mr. Matthew Albright. Motion was made by Mr. Matthew Albright and seconded by Mr. George Amory to forgo voting and accept nominees as officers since officers were unopposed.

## **II. Call to Order**

Mr. Matthew Albright, newly elected Chairman, called the regular session of the EVLHRC meeting to order at 9:28 a.m., and Ms. Janice Burrus, EVLHRC Liaison, recorded the minutes. A quorum of members was present, and the meeting, having been duly convened, was ready to proceed.

**III.** Mr. Albright stated election of offices had been held and formally introduced himself as the new Chairman and Dr. Marcia Kennedy as Vice-Chairman. Mr. Albright asked everyone in attendance for introductions.

## **IV. Approval of Meeting Agenda**

There were no requests to change the agenda.

## **V. Review of Minutes**

A motion was made by Mr. David Paige to accept the minutes as written. Motion was seconded by Dr. Marcia Kennedy. All members present voted in favor of the motion.

## **VI. Old Business**

None

## **VII. New Business/Updates from:**

### **Maryview Behavioral Medicine Center**

Report was given and copies of report were submitted for May – July, 2009.

### **St. Mary's Home for Disabled Children**

Report was given and copies of report were submitted for May – July, 2009.

### **Holiday House of Portsmouth, Inc.**

Report was given and copies of report were submitted for May – July, 2009.

After reports were given, the committee agreed that a tour of each facility will be arranged for the benefit of new and old members with the first tour starting with our next meeting at St. Mary's Home for Disabled Children, scheduled for November 12. The next tour will be at Maryview Behavioral Medicine Services, scheduled for February 11, 2010, and the last tour at Holiday House of Portsmouth, Inc., scheduled for May 13, 2010.

### **Office of Human Rights**

Ms. Willie Barnes gave the following report:

Ms. Barnes stated training on FOIA and HIPPA for new members was given in the session before our committee meeting began.

Ms. Barnes announced a training date for additional training will be scheduled for members. More info will be forthcoming when plans are finalized. Ms. Barnes announced a free informational session and open to the public, will be held at the Virginia Beach library on Virginia Beach Boulevard on August 18, 2009, from 8:30 – 4:00 p.m.

Ms. Barnes reminded the committee of the new web address and name change for the Department. It is now the Department of Behavioral Health and Developmental Services. She distributed copy of memo from James Reinhard, Commissioner/DBHDS, which addresses the name change noting the new name removes stigmatizing words like “retardation” and “recognizes a broader responsibility to build a comprehensive developmental disabilities service system.”

### **VIII. Open Forum**

None.

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

Dr. Marcia 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 Mr. David Paige. 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.

### **IX. Adjournment**

The meeting adjourned at 11:30 a.m.

### **X. Next Meeting:**

The next meeting of the Eastern Virginia Local Human Rights Committee will be held on Thursday, November 12, 2009, at St. Mary’s Home for Disabled Children, 6171 Kempsville Circle, Norfolk, Virginia 23502. St. Mary’s will provide refreshments.

## Maryview Behavioral Medicine Services

Human Rights Report                      May – July, 2009                     

Month	ADC
May	41.9
June	40.4
July	39.6

*Complaints*

May - 0

June - 0

July - 0

*Restrictions*

May - 0

June - 0

July - 0

*Investigations*

May - 1

June - 1

July - 0

*Administrative Discharges*

May - 0

June - 0

July - 0

*Serious Injury/Death*

May - 0

June - 0

July - 0

### Seclusion/Restraint Report                      May – July 2009

#### **ADULT**

Month	Seclusion	Physical Restraint	Mechanical Restraint	Met Criteria
May	0	0	3 (2.25)	100%
June	0	0	3 (1.8)	100%
July	0	0	2 (2.25)	100%

#### **CHILD/ADOLESCENT**

Month	Seclusion	Physical Restraint	Mechanical Restraint	Met Criteria
May	0	0	0	N/A
June	0	0	4 (.9)	100%
July	0	0	1 (.5)	100%

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Date August 11, 2009

**TURNING POINT PROGRAM**

Turning Point Intensive Outpatient Program reports the following information for the period of May 1, 2009 to July 31, 2009

**Evening Program**

**Admissions: 31**

**Discharges: 25**

**Still in IOP: 10**

**Successful Completions: 14**

**Unsuccessful 10**

**Other (3 Sessions or less) 3**

**Current Census: (July 31, 2009) 14**

**Emergency Medications: none**

**Complaints of Violation of Human Rights:**

**Aftercare 10**

**Current Census: 9**

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 (Doris J. Cruea, LCSW)  
Outpatient Chemical Dependency Services

Cc: Carol Taaffe

**EVLHRC  
Executive Session**

Maryview Behavioral Medicine Center

August 13, 2009

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The following is a summary of the executive session for August 13, 2009.

Two investigations were presented. There were no questions or concerns.

Submitted by: Carol Taaffe  
EVLHRC Representative

**EVLHRC**

St. Mary's Home for Disabled Children

August 13, 2009

The following is information for the August 13, 2009 Local Human Rights Committee meeting. St. Mary's Home for Disabled Children reports the following for the period May 1, 2009 through July 31, 2009:

**Admissions:**

May	June	July
1	1	0

**Discharges:**

May	June	July
1	1	1

Current Census: 87

Restraints: 5

Use of psychotropic medications: 5

Use of Emergency Medical Restraints: 1

Serious Incidents: 3

Deaths: 0

Complaints: 0

Seclusion/Time Out: 0

Current programming is appropriate.

Melanie Perez-Lopez  
Director of Social Work

EVLHRC

**Executive Session**

St. Mary's Home for Disabled Children  
August 13, 2009

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The following is a summary of the Executive Session for August 13, 2009 from 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 10:45 a.m.

No deaths were discussed.

Three serious incidents were discussed.

One emergency medical restraint was discussed.

Behavior plans for use of psychotropic medications and/or restraints were reviewed on 10 residents (including changing restrictive garment for resident already on an existing behavior plan and locking the brakes on another resident wheelchair who is also already on a existing behavior plan as well per parents requests when resident is not in a one to one situation). All plans were approved until the next regularly scheduled meeting in November 2009.

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 the executive session. This motion was made and seconded. Approximately 11:30a.m. Executive session concluded.

Christine Parker, MSW  
Social Worker  
St. Mary's Home for Disabled Children.

HOLIDAY HOUSE OF PORTSMOUTH, INC.

August 13, 2009

EVLHRC REPORT

I. Period Covered:	May 1, 2009-July 31, 2009		
II. Admissions:	(0) May	(0) June	(1) July
III. Discharges	(0) May	(1) June	(0) July
IV. Deaths	(0) May	(0) June	(0) July
V. Current Census	27Residents (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	6		
AFO's	7		
Stander	3		
Gait Trainer	2		
Lap Belt	7		
Thoracic Belt	2		
Abductor Wedge	1		
Chest Harness	5		
Footrest W/Straps	6		
Bathing Chair	5		
Feeding Chair	1		
Oversized Strollers w/straps	7		
Ear Guard	1		
Arm Pad	1		
Elbow Extensions	1		
VII. Emergency Medication for Behaviors	(1)		
VIII. Formal/Informal Complaints	(0) Informal (0) Formal		
IX. Human Rights Violation	(0)		
X. Serious Injuries	(0) May	(0) June	(0) July

<b>XI. Peer on Peer Injuries</b>	<b>(0) May</b>	<b>(0) June</b>	<b>(1) July</b>
<b>XII. Allegation of Abuse&amp; Neglect</b>	<b>(0) May</b>	<b>(1) June</b>	<b>(0) July</b>

**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: August 11,2009**

## **EVLHRC**

### **Executive Session**

Holiday House of Portsmouth, Inc.

August 13, 2009

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1. Holiday House of Portsmouth went into Executive Session with the EVLHRC at 11:25 a.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 support plans which includes the use of psychotropic medications and data was provided. The committee members approved the 18 behavioral support plans.
2. Holiday House Social Worker discussed 1 peer-on-peer incident and 1 allegation of abuse, which occurred during the quarter (May-July).
3. There were no written recommendations or comments.
4. Holiday House of Portsmouth came out of Executive Session at 11:55 a.m.

Submitted by: Kelly Garcia-Smith  
Support Coordinator, QMRP  
Holiday House of Portsmouth

**EVLHRC COMMITTEE MEETING DATES  
2009**

Thursday, February 12, 2009

Maryview Behavioral Medicine Center  
3636 High Street  
Portsmouth, VA 23707

Thursday, 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