

Hampton Roads Regional LHRC Meeting

February 25, 2009

I. CALL TO ORDER:

The meeting was called to order by Dr. Roderick Hawthorne at 9:34 AM.

II. INTRODUCTIONS:

Quorum present: Dr. Roderick S. Hawthorne, LHRC Chair, Marylin Copeland, and Doris Peterkin.

Quorum absent: None

Human Rights Regional Advocate, DMHMRSAS, present: Reginald Daye

Affiliate Representatives: Gilbert Hernandez, Jr., Community Services of Virginia, Inc.; Phillip Black, Didlake, Inc.; Joan Whitted, Emerson Place, Inc.; Rodney Hawkins, EVOLVE, LLC; Jeffrey Moore Juanita Austin and Vanessa Futrell, Family Redirection Institute, Inc.; Michael Zalud, G.R.A.C.E., Inc.; Sandra Pinnock, James Bentley Treatment Program; Kimberly Davis, Northwestern Human Services, Inc.; Aaron Russell, Seeds of Change, LLC; Paula Herndon and Mary Haywood, Sentara Behavioral Health Services; and Arlethea Evans, Tranquility Manor, LLC.

The Committee approved revision of the Agenda to include Public Comments and Regional Advocate Report.

III. PUBLIC COMMENTS

None

IV. REVIEW AND APPROVAL OF MINUTES:

The minutes for the meeting held 11/26/2008 were reviewed, approved as written and forwarded to Margaret Walsh, State Human Rights Director.

A hard copy of the minutes will be mailed to Reginald Daye, Regional Advocate.

V. REGIONAL ADVOCATE REPORT

Reginald Daye reported that Gianna Mitchell had relocated out of the area and resigned her position as Human Rights Advocate. Mr. Daye will serve as the Advocate at this meeting until a replacement for Ms. Mitchell is in place.

Mr. Daye reminded providers that they must submit a letter to the Office of Human Rights whenever they want to add an additional service. If this is an existing service, the provider should state if the additional service will operate under their existing Human Rights Policy. If this is a new service not currently being provided, a Human Rights Policy must be submitted for the new service. The LHRC requested that providers bring all new and add-on services before the Committee to seek affiliation.

Mr. Daye informed the providers that the Committee was already down one member and the term of two members will expire on 06/30/2009. At that time, the Committee will lack a quorum and all affiliated providers and all of their programs will be out of compliance with state regulations. He strongly encouraged all providers to actively recruit for committee members. One is to be a health care provider, such as a physician, nurse or social worker. Two members are to be consumers of mental health, mental retardation or substance abuse services at some point over the past five years. Candidates for the LHRC must be able to competently participate in committee functions, but may not be staff members or Board members of providers affiliated with this committee.

Mr. Daye reported that Unique Friends is no longer licensed to operate in the state of Virginia.

VI. OLD BUSINESS:

In response to a question about electronic filing of complaints and other reports, Mr. Daye stated that the web-based system is still in development and he had no date for completion.

Bill Miller is no longer available to serve as Treasurer for the LHRC. Joan Whitted has signature authority for the account and collected the annual dues from providers. Kimberly Davis volunteered to assist Ms. Whitted with the account. Phil Black is to contact Mr. Miller to acquire the financial records, which will then be forwarded to Ms. Whitted and Ms. Davis.

The minutes approved at the current meeting will be forwarded to Margaret Walsh, State Human Rights Director, to be posted on the state website (margaret.walsh@co.dmhmrsas.virginia.gov) within three (3) business days. A draft of the current minutes will be forwarded to Margaret Walsh for posting on the website within ten (10) business days of the Committee meeting. The "Freedom of Information Act" mandates that all service providers post at each of their sites the date, time, and location of all scheduled LHRC meetings. This posting will include a list of all meetings scheduled for the remainder of the year.

VII. NEW BUSINESS:

Family Redirection Institute is moving to a new location as of 02/27/2009. They will be located at 5062 Portsmouth Blvd., Chesapeake, VA 23321. Our next LHRC meeting will be held at the new location.

VIII. NEW PROGRAMS REQUESTING AFFILIATION:

Emerson Place, Inc. requested permanent affiliation for their in-home services. The Committee voted and approved permanent affiliation for the in-home program. Emerson Place, Inc. also requested temporary affiliation for a new group home at 1806 Lansing Avenue in Portsmouth, VA 23704; a letter was also submitted to the Office of Human Rights. The LHRC approved a temporary 90-day affiliation for the new group home.

Family Redirection Institute, Inc. requested permanent affiliation for a school-based, day treatment program; the Committee voted upon and approved this request. The provider also requested continued temporary affiliation for their residential group home, Children's Place, for 12-17 year olds. The Committee voted and approved to continue the temporary affiliation for the residential group home.

The James Bentley Treatment Program requested permanent affiliation for their intensive in-home program; they already had submitted the Human Rights Policy. The request for permanent affiliation was approved.

Northwestern Human Services, Inc. requested continued temporary affiliation for their day support program and an additional group home to be established in Norfolk. The Committee approved the temporary affiliation for the day support program. However, since no site has been established for the additional group home, the 90-day temporary affiliation was allowed to expire. The provider is to send a letter to the

Office of Human Rights and each committee member if a location is identified for either program.

Seeds of Change, LLC, requested permanent affiliation for Solomon's Place, a 24-hour residential program in Portsmouth for male sex offenders 12-17 years old. The Committee voted and approved the permanent affiliation. Mr. Daye explained the need to get clarification on consequences for infractions. The consequences must be consistent and in compliance with the Human Rights Policy. The provider must submit, to the Committee and the Office of Human Rights, the program rules and an explanation of their "level system", both of which must be approved by the Committee.

IX. PROGRAM REPORTS:

Community Services of Virginia, Inc. – 78 consumers (21 are receiving in-home services, 24 in day support programs, and 33 are group home residents). No complaints, seclusion, or restraints were reported, but there was one allegation of abuse. The provider stated their annual seclusion and restraints report had been submitted.

Didlake, Inc. – 26 consumers are in day support. No complaints, abuse, seclusion or restraints were reported. The provider stated their annual seclusion and restraints report had been submitted.

Emerson Place, Inc. – 4 residential consumers. No complaints, seclusion, or restraints were reported, but there had been one allegation of abuse. The provider stated their annual seclusion and restraints report had been submitted.

Evolve, LLC – 45 consumers are receiving intensive in-home services. No complaints, abuse, seclusion, or restraints were reported. The provider stated their annual seclusion and restraints report had been submitted.

Family Redirection Institute, Inc. – 157 in-home counseling consumers (60 in Portsmouth and 97 in Newport News). No complaints, abuse, or seclusion, were reported, but there was one incident of restraint. The provider stated their annual seclusion and restraints report had been submitted.

G.R.A.C.E., Inc. – 11 residential consumers. No complaints, abuse, seclusion or restraints were reported. The provider stated their annual seclusion and restraints report had been submitted.

James Bentley Treatment Program – 3 residential consumers. No complaints, abuse, seclusion, or restraints were reported. The provider stated their annual seclusion and restraints report had been submitted.

Northwestern Human Services, Inc. – 19 individuals are in residential support, and 0 are receiving in-home services. No complaints, seclusion, or restraints were reported. However there was one allegation of abuse,

one incident of peer-to-peer aggression, one serious injury and one hospitalization. The provider stated their annual seclusion and restraints report had been submitted.

Sentara Behavioral Health Services – 29 inpatients. No complaints, abuse, seclusion, or restraints were reported. The provider stated their annual seclusion and restraints report had been submitted.

Tranquility Manor, LLC – 16 residential consumers, and 19 day support consumers (between the three facilities). No complaints, abuse, seclusion, or restraints were reported. The provider stated their annual seclusion and restraints report had been completed and will be mailed to the State Office of Licensure.

X. EXECUTIVE SESSION:

The Committee voted to go into closed session pursuant to Virginia code 2.2-3711A to review an allegation of abuse at Community Services of Virginia. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the allegation of abuse. It was suggested that the provider contact Adult Protective Services. The Committee had no further recommendations for Community Services of Virginia.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review a behavior plan submitted by Emerson Place, Inc. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the allegation of abuse and the behavior plan. The Committee recommended they get a second medical opinion on the medication for the consumer and follow-up on the eye exam. The Committee recommended that Emerson Place, Inc. continue the current behavior plan as written.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review one incident of restraint at Family Redirection Institute. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the incident of restraint. The Committee had no further recommendations for Family Redirection Institute.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review one allegation of neglect, one incident of peer-to-peer aggression, one serious injury, and one hospitalization. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed sessions were the reported incidents. The

Committee stated the provider should continue to support the Human Rights Policy and state regulations for reporting and investigation such incidents. The Committee had no further recommendations for Northwestern Human Services, Inc.

Mr. Daye met with the members of the Committee to review the requirements of the Freedom of Information Act.

The next LHRC meeting is scheduled for Wednesday, May 27, 2009, 9:30 AM sharp at Family Redirection Institute, Inc., 5062 Portsmouth Blvd., Chesapeake, VA 23321.

Respectfully Submitted,

Phillip A. Black
LHRC Program Support Liaison

Dr. Roderick Hawthorne
LHRC Chairman