

Hampton Roads Regional LHRC Meeting

August 26, 2009

I. CALL TO ORDER:

The meeting was called to order by Doris Peterkin at 9:05AM.

II. INTRODUCTIONS:

Quorum present: Doris Peterkin, Robbin Belfield, and Pamela Stover.

Quorum absent: Sara Flippens

Human Rights Regional Advocate, DMHMRSAS, present: Reginald Daye

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

Guest: Dr. Beverly Withers

III. PUBLIC COMMENTS

None

IV. REVIEW AND APPROVAL OF MINUTES:

The minutes for the meeting held 05/27/2009 were reviewed. With one correction, the minutes were approved. The approved minutes will be forwarded to Margaret Walsh, State Human Rights Director for posting.

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

V. REGIONAL ADVOCATE REPORT

Reginald Daye welcomed the two new LHRC committee members: Pamela Stover and Robbin Belfield. There is one additional applicant that is expected to attend the meeting today and interview for the remaining seat on this committee. Mr. Daye reported that human rights training would be provided to the committee members on 09/23/2009. The site of the training had not yet been confirmed, but would either be held at Eastern State Hospital or the SEVTC. He also stated that there would be no Human Rights Conference this year due to budget constraints.

Mr. Daye informed the group that Ms. Leslie Anderson was retiring from the Department. Her replacement has already been assigned to the position.

Mr. Daye stated that there were a large number of service providers in the local region, all requiring affiliation with a LHRC. In order to accommodate these large numbers, committees may be asked to take on more affiliates.

VI. OLD BUSINESS:

Mr. Daye again informed attendees that as of 07/01/2009, the name of the Department of Mental Health, Mental Retardation and Substance Abuse Services was changed to the Department of Behavioral Health and Developmental Services. The former email address may still be used for one year.

Mr. Daye reminded providers of the reimbursement paid to committee members for the cost of travel to/from LHRC meetings, as well as the cost of human rights conferences and training. In regards to the funds available for this committee, he said we had a sufficient amount in our bank account. The providers' agreement for next year may be presented to the LHRC with a request to reduce the annual fee. The treasurer for the HRRLHRC, Joan Whitted, reported that the affiliates' account balance is currently \$3,539.97

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.dmhmrzas.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:

Mr. Daye explained that a new process had been put in place for affiliated programs requesting the addition of a new service. The provider is to call the regional Office of Human Rights to request the new certification form. In completing this form, the provider is certifying that they have human rights policies in place that properly complies with the regulations in regards to the new service. The provider is also certifying that they understand the following additional requirements: LHRC affiliation and support, reporting (abuse, complaints, peer-to-peer, restraints, seclusions, deaths, etc...), and providing annual human rights staff training. Once the certification form is signed by program director/owner, etc... it should be sent to the State Human Rights Director's Office (Margaret Walsh), in Richmond. Mr. Daye emphasized that this procedure is for providers that are already licensed and affiliated. New providers seeking licensure will be informed by the Office of Licensure (once their application is accepted) as to when to contact his office.

VIII. NEW PROGRAMS REQUESTING AFFILIATION:

Emerson Place, Inc. requested continued temporary affiliation for a new group home at 1806 Lansing Avenue in Portsmouth, VA 23704. The LHRC approved a 90-day continued temporary affiliation for the new group home.

Family Redirection Institute, Inc. requested, and received approval for, continued 90-day temporary affiliation for their residential group home, Children's Place, for 12-17 year olds, located in Hampton.

Northwestern Human Services, Inc. requested continued temporary affiliation for their day support program. The Committee approved the 90-day temporary affiliation for the day support program.

G.R.A.C.E. Inc. requested permanent affiliation for their supported in-home services program. The Committee approved permanent affiliation for this program.

Didlake, Inc. requested, and received approval for, permanent affiliation for supported employment services.

EVOLVE, LLC. requested, and received approval for, continued 90-day temporary affiliation for their after-school program for New Hope Church and Woodrow Wilson High School, both in Portsmouth.

The James Bentley Treatment Program requested temporary affiliation for their intensive in-home services program for children 12-17 years of age. The Committee approved this request for 90-day temporary affiliation.

IX. PROGRAM REPORTS:

Community Services of Virginia, Inc. – 77 consumers (21 are receiving in-home services, 24 in day support programs, and 32 are group home residents). There were no complaints, seclusion, or restraints to be reported. However, there had been one allegation of abuse.

Didlake, Inc. – 26 consumers are in day support. No complaints, abuse, seclusion or restraints were reported. However, a follow-up report in closed session would be required for a previous allegation of abuse.

Emerson Place, Inc. – 4 residential consumers. No complaints, abuse, seclusion, or restraints were reported.

Evolve, LLC – 72 consumers are receiving intensive in-home services. There was one allegation/complaint currently under investigation, to be reported upon at the next meeting. No other complaints, abuse, seclusion, or restraints were reported.

Family Redirection Institute, Inc. – 186 in-home counseling consumers (77 in Chesapeake, with 36 in day treatment and 109 in Newport News, with 22 in day treatment) and 18 in a summer camp program. There was one allegation still under investigation to be reported at the next meeting. There was one allegation of abuse; no other complaints, seclusion, or restraints were reported.

G.R.A.C.E., Inc. – 11 residential consumers and 3 supported in-home consumers. There was one allegation of abuse and one allegation of neglect. No other complaints, seclusion or restraints were reported.

James Bentley Treatment Program – 3 residential consumers. No complaints, abuse, seclusion, or restraints were reported.

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

Seeds of Change – No report because they are not serving any consumers at this time.

Sentara Behavioral Health Services – 26 inpatients. There were no complaints or incidents of abuse reported. There were 11 incidents of restraint and 2 incidents of seclusion.

Tranquility Manor, LLC – 17 residential consumers, and 19 day support consumers (between the three facilities). No complaints, abuse, seclusion, or restraints were reported.

X. EXECUTIVE SESSION:

The Committee voted to go into closed session per Virginia code 2.2-3711A, to interview Dr. Withers as a potential member of the HRRLHRC. Upon reconvening in open session, each member of the LHRC certified that the only thing that took place while in closed session was the interview. The Committee voted to recommend to the State Human Rights Committee (SHRC) the appointment of Dr. Withers as a member of the HRRLHRC. The LHRC requested that Mr. Daye submit her application to the SHRC for appointment.

The Committee voted to go back 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. The Committee had no recommendations for further action.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review the final outcome of the investigation of an allegation of abuse that occurred last quarter at Didlake. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the allegation of abuse. The Committee recommended that the Didlake representative check to see if the consumer involved had an authorized representative, and if that individual had been informed of their right to appeal Didlake's decision.

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 behavior plan. The Committee recommended that Emerson Place, Inc. continue the current behavior plan on Mr. G as written and present an update at the next meeting.

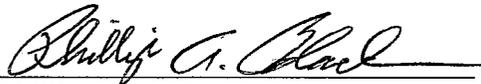
The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review one allegation of abuse and one allegation of neglect at G.R.A.C.E., Inc. Upon reconvening in open session, each member of the LHRC certified that the only things discussed in closed session were the allegation of abuse and the allegation of neglect. The

Committee had no further recommendations for the provider on either allegation. It is also noted that LHRC member Mr. Belfield voluntarily did not engage in the discussion of this incident (recusal) since he had direct knowledge of the incident.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review one allegation of abuse 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 allegation of abuse. The Committee recommended that the program provide training to staff on the difference between physically guiding a consumer versus restraint.

The next meeting of the LHRC has been scheduled for Wednesday, November 18, 2009, at 9:00am sharp at Family Redirection Institute, Inc., 5062 Portsmouth Blvd., Chesapeake, VA 23321.

Respectfully Submitted,



Phillip A. Black
LHRC Program Support Liaison



LHRC Chairman