

**DRAFT**

***Hampton Roads Regional LHRC Meeting***

**November 18, 2009**

**I. CALL TO ORDER:**

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

**II. INTRODUCTIONS:**

Quorum present: Doris Peterkin (Chair), Sara Flippins, and Dr. Beverly Withers.

Quorum absent: Pamela Stover and Robbin Belfield

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.; Lakoya Lanier, EVOLVE, LLC; Jeffrey Moore and Elizabeth Doggette, Family Redirection Institute, Inc.; Michael Zalud, G.R.A.C.E., Inc.; Carla Foster, James Bentley Treatment Program; Aaron Russell, Seeds of Change, LLC; Cheryl Chambers, Sentara Behavioral Health Services; and Arlethea Evans, Tranquility Manor, LLC.

**III. PUBLIC COMMENTS**

None

**IV. REVIEW AND APPROVAL OF MINUTES:**

The minutes for the meeting held 08/26/2009 were reviewed. The Committee approved the minutes, as written. 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 reported that the Office of Human Rights has implemented the following procedure for policy verification. This was present at the August meeting. If you are planning to add a similar service, but at another site, the provider is to contact Mr. Daye to obtain a Human Rights Policy Verification Form. By signing this form, the provider verifies that they have human rights policies and procedures in place for the added service. The form is to be returned to Mr. Daye, who will review the form and notify the provider if it is acceptable. The provider is then ready to seek affiliation from the LHRC for the added service.

To add a new service, the provider is to submit a modification request to Licensure and contact Mr. Daye for a Human Rights Policy Verification Form. In this case, the completed form is to be submitted to Margaret Walsh, State Human Rights Director. After confirming the provider's status with Licensure, she will send a letter back to the provider accepting the verification form. The provider is then ready to seek affiliation from the LHRC for the added new service.

The following information must be sent to the LHRC for their review prior to the affiliation request: The provider is to submit a program description, copy of the acceptance letter from Ms. Walsh or Mr. Daye and a copy of the approved Verification Form to each of the LHRC members. You should also forward a copy of the aforementioned to Mr. Daye's office.

The request for affiliation will then be considered at the next LHRC meeting. A representative of the Office of Human Rights will complete a site review six months after the first consumer is enrolled in the new service; the human rights policy and procedure will be reviewed at that time.

## **VI. OLD BUSINESS:**

A follow-up question was presented to Mr. Daye regarding the training of new members to the LHRC. He stated that formal training had not been scheduled as of today. Plans for training members of a newly formed LHRC is in the works and any members of this LHRC who has not been trained will be invited.

Also due to budget constraints the state will not hold a human rights conference again this year.

Joan Whitted, Treasurer of the HRRLHRC, submitted a report showing the current balance in our account to be \$3,839.97. Mr. Daye reminded providers that the members serving on the LHRC were volunteers and should not incur expenses as a result of serving on the Committee. The funds in our account were to be available to reimburse the members for any LHRC related expenses.

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](mailto: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:**

The providers presented a revised Providers Agreement to the Committee in preparation for operations in 2010. As the providers' account has sufficient funds to meet reimbursement expenses for the next year, it was recommended that existing programs not be required to pay an annual fee for 2010. However, new providers that may become affiliated during 2010 would be charged \$60 for the year (pro-rated for partial year). The Committee approved the revised version of the Agreement for 2010.

#### **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.

Family Redirection Institute, Inc. also requested approval to use cameras at their main office and at Children's Place. The cameras would be used to monitor only common areas for safety and verification of events. Clients and authorized representatives would be informed; signed consents would be obtained and placed in client files. The audio-video

recordings would be destroyed after 90 days. Mr. Daye and the Committee had some concerns with the written request and recommended changes be made in the narrative and that the request be submitted again at the next meeting. The LHRC only approved the use of the audio-video recordings at the main office location with the recommended changes. The program withdrew the request for the audio-video recordings at the Children's Place. The program will make revisions and resubmit.

Northwestern Human Services, Inc. did not have a representative at the meeting, as required, so the Committee voted to reduced the organization to a 90-day temporary affiliation. A representative will be required to attend the next meeting and explain the reason for the absence, as well as request consideration for returning to permanent affiliation. The Committee voted to take no action on the continued temporary affiliation of the day support program, so the temporary affiliation was allowed to expire effective this date.

EVOLVE, LLC. reported that they are no longer seeking affiliation for their after-school program for New Hope Church and Woodrow Wilson High School, both in Portsmouth.

The James Bentley Treatment Program requested permanent affiliation for their intensive in-home services program for children 12-17 years of age. The Committee approved their request and granted permanent affiliation.

Seeds of Change requested a 90-day temporary affiliation for their intensive in-home services. However, they had not submitted the Human Rights Verification Form required for affiliation. The Committee voted to deny temporary affiliation at this time.

Tranquility Manor requested a 90-day temporary affiliation for their intensive in-home program. As they had not submitted a completed a Human Rights Verification Form, the Committee voted to deny temporary affiliation at this time.

## **IX. PROGRAM REPORTS:**

Community Services of Virginia, Inc. – 77 consumers (21 are receiving in-home services, 25 in day support programs, and 31 are group home residents). There were no complaints, seclusion, or restraints to be reported. However, there had been one allegation of abuse and one incident of peer on peer aggression..

Didlake, Inc. – 26 consumers are in day support. No complaints or incidents of abuse, seclusion or restraint were reported.

Emerson Place, Inc. – 4 residential consumers. No complaints, abuse, seclusion, or restraints were reported. A review of a behavior plan would be required.

Evolve, LLC – 66 consumers are receiving intensive in-home services. There were no complaints, abuse, seclusion, or restraints to be reported. However, the results of an investigation previously reported will be presented in closed session.

Family Redirection Institute, Inc. – 176 in-home counseling consumers (73 in Chesapeake, with 36 in day treatment and 103 in Newport News, with 22 in day treatment). There was one allegation of abuse and one incident of restraint. No seclusion or other complaints to report.

G.R.A.C.E., Inc. – 10 residential consumers and 5 supported in-home consumers. No complaints, abuse, seclusion or restraints were reported.

James Bentley Treatment Program – 6 residential and 8 intensive in-home consumers. No complaints or incidents of abuse, seclusion, or restraint were reported.

Northwestern Human Services, Inc. – 17 individuals are in residential services. No complaints or incidents of abuse, seclusion, or restraint were reported.

Seeds of Change – Serving 1 residential client. No report of complaints, abuse, seclusion or restraint.

Sentara Behavioral Health Services – 22 inpatients. There had been 1 allegation of abuse, but it was recanted. There were 2 incidents of restraint, 1 seclusion and 6 reportable events.

Tranquility Manor, LLC – 18 residential consumers, and 20 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 pursuant to Virginia code 2.2-3711A to review an allegation of abuse and an incident of peer on peer aggression at Community Services of Virginia. 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 incident of peer on peer aggression. 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 that occurred last quarter at EVOLVE. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the allegation. 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 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. have Mr. G tested for diabetes and bring the results to the next meeting. The program should also acquire a vest with a quick release mechanism to be used as an emergency restraint while the client is being transported. Pictures of the vest and quick release are to be brought to the next meeting, along with a copy of the doctor's orders for the vest and a copy of the authorized representative's approval. The plan is to be rewritten to include use of the vest and quick release mechanism. The provider asked for a special meeting to be set in the near future to seek LHRC review and approval of actions taken.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review one allegation of abuse and one incident of restraint at Family Redirection Institute. 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 restraint. The Committee had no further recommendations.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review two incidents of restraint, one of seclusion, and six reportable events at Sentara Behavioral Health Services. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session were the incidents above. The Committee had no further recommendations.

The Committee set the schedule for the four LHRC meetings to be held in 2010. The meetings will be held at Family Redirection Institute, Inc.,

5062 Portsmouth Blvd., Chesapeake, VA 23321 on 02/16/2010,  
05/18/2010, 08/17/2010, and 11/16/2010; all starting at 9:00am.

Respectfully Submitted,

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Doris Peterkin  
LHRC Chairperson

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Phillip A. Black  
LHRC Program Support Liaison