

MIDDLE PENINSULA-NORTHERN NECK  
LOCAL HUMAN RIGHTS COMMITTEE  
MINUTES OF APRIL 27, 2009

Vice Chairman Bill Reisner called the regular meeting of the Middle Peninsula-Northern Neck Local Human Rights Committee to order at 1:07 p.m. on April 27, 2009, at the MP-NN CSB Community Options Administrative Offices in Saluda, Virginia. Board members in attendance were: Alice Coates, Carl Gerster, and Bill Reisner. Agency representatives included: Shannan Rose – Arc of VA Lewis B. Puller Center, Maureen Cholewka – Blue Ridge Residential Services, Felicia Tyler – Bridges In-Patient Program, Athena Neblitt – Bridges Outpatient Program, Mary Hayden and K. McDowell – Heart Havens, Joanne Brown and Chuck Walsh – MP-NN Community Services Board, Patrizia Nesbitt - Sola, Inc., and Stacy Hardcastle – The Brambles. Karen Stark - LHRC Administrative Support, Willie Barnes and Brian Whitley - Human Rights Advocates, were also in attendance.

Ms. Barnes introduced Mr. Brian Whitley who is a new advocate in Region V.

Approval of Minutes

Discussion of minutes from last meeting. Mr. Reisner asked if all affiliates received the information and knew how to report medication errors. All agreed that they did. There was also further discussion about whether the Advocate found out if a new agency in the region is affiliated. Ms. Barnes advised that she could not research this without a name which had not been provided. If a name is provided, she can then research if the provider is licensed by the DMHMRSAS, and if so, whether they are affiliated with an LHRC. Mr. Gerster moved that the minutes from the January 26, 2009 meeting be approved as written. Ms. Coates seconded the motion, which passed unanimously.

Program Presentation

Mr. Walsh welcomed everyone to the Community Options site. He gave the following statistics: the MP-NN CSB serves 10 counties – the most in the state – covering 2,200 square miles; there is a representative from each county on the CSB Board; the CSB employs 475 staff – 300 full time, and the rest part-time or P.R.N.

The new Consumer Operated program is really expanding – some of the areas where consumers are employed include: courier/mail route as drivers; DIT; Administration; Peer Specialists – where they provide training; and recently added janitorial services for facilities.

The CSB has some new grants. They were 1 of 13 Boards invited to apply, and 1 of 10 awarded the Jail Diversion Grant in January. This grant will be used to help divert people from incarceration; if jailed, improve and enhance current jail services; and upon release, link with better services including housing. The Board received a Consumer Operated Grant in the amount of \$172,000. This is helping to open the new peer resource center “84 Main St.” located in Warsaw. This center has computers and a Recovery Works Specialist and is scheduled to open in mid-May or June. There was a regional effort to get a Wounded Warrior Grant. This would enable outreach focused on returning vets, as well as veterans of other conflicts. Of the \$1M available, the region was awarded \$620,000. due to the high density of veterans in this area.

The CSB is on the cutting edge of person centered thinking. The Community Options program is doing person centered planning and 2 of their staff are certified trainers.

SEVTC is not going to close, but will be downsized to a 75 bed facility. \$8.4M is coming to local communities to build 12 ICFMR and 6 MR Waiver homes. At this time Mr. Walsh is unsure if any funding will be coming to his board. The CSB has 8 residents at SEVTC all with good opportunities to move out to the community.

Autism has been moved under the DMHMRSAS. The CSB is looking for how to best serve these individuals. They have sent Ms. McCrobie the CO Director to school to be certified.

Discovery Place II is scheduled to open June 1<sup>st</sup>.

### Event Report Statistics

**Blue Ridge Residential Services** – Ms. Cholewka reported that there were no program changes. They have 2 locations in the MP-NN LHRC area; one is serving a client and the other is not. There have been no human rights complaints. There were no medication errors. Due to the nature of the services they provide, they do not administer medications. However, they do provide training to the caregiver and do site monitoring. Mr. Reisner asked that they provide a program presentation at the next quarterly meeting.

**The Brambles** – Ms. Hardcastle reported the residential program has 19 clients. The staff to client ratio was 1:5. The staff to client ratio at Day Support is 1:5. There are currently 15 clients three days per week, and 14 clients two days per week. There was one reportable allegation of abuse reported to the OHR. There was one reported incident to APS. The Brambles followed the appropriate actions according to their P&P manual. There was one medication error – that being an error of commission. Physician's orders and the P&P were followed. There were no incidents of restraint or seclusion. She further reported that they now have found a new Medication Administration trainer.

**Sola, Inc.** – Ms. Nesbitt reported that there are 6 persons receiving residential services at Sola, Inc. The staff to resident ratio was 1:3 or 2:4. There were no human rights complaints, no incidents of seclusion or restraint, and there were no program changes. Also, no medication errors. She states that two of her staff are Registered Nurses. One of those is a trainer.

**Middle Peninsula-Northern Neck CSB** – Mr. Walsh reported that 543 individuals were served in the Community Options and the RISP divisions. The staff to client ratio was 1:1 to 1:7 in the Community Options Day Support programs, 1:2 to 1:5 in the residential programs (both depending on an individual's needs), and 1:1 in the RISP program. There were 3 person to person abuse incidents this quarter. It was determined that staff followed policy and proper procedures in each instance. There was one complaint of neglect filed. There was not a preponderance of evidence to support this allegation. There were no incidents of restraint; and no program changes.

There were approximately 2,866 individuals served in the MH/SA division - though this is not an unduplicated count. There were no incidents of abuse or neglect and no complaints this quarter. He further reported that 38,553 dosages of medication were administered with 14 medication errors: 3 wrong dosage due to pharmacy error; 3 missed dosage; 6 provided out of the prescribed time frame and 2 wrong dosage due to staff error.

**Arc of VA – Puller Center** – Ms. Rose reported they currently serve 15 individuals in the Medicaid Waiver Day Support Program. The staff to consumer ratio is 2:15 in the waiver program; 2:16 in industrial services. Changes to program – the Puller Center has three new contracts which include: Colony Hearing Aid Services, LLC - mailing services, Rich Earth - bottling liquid minerals, and packaging and labeling worm fertilizer materials. There were no human rights complaints filed this quarter. There were no incidents of restraint or seclusion. No medication errors.

**Heart Havens** – Ms. Hayden reported that 9 clients were served (5 in Kilmarnock and 4 in Colonial Beach). The staff to client ratio was 2:5 and 1:5. There were no human rights complaints of a general nature. There were no restraints and no seclusions. There was one fall due to a mini stroke resulting in hospitalization. There was one medication error – a missed dose. A recertification class was given.

**Bridges of RGH – Structured Outpatient Unit** – Ms. Neblitt reported that there were no human rights complaints of a general nature. There was a daily average of 6.5 clients in the Bridges program. The staff to client ratio was 1:2. No restraints were used this quarter. They do not administer medications.

**Bridges of RGH Inpatient Unit** – Ms. Tyler reported that there were no human rights complaints of a general nature. There was a daily average of 6.97 clients. The staff to client ratio was 1:3. There were no restraints and one seclusion on 3/11 and 3/12/09. There were no changes to the program. There was one serious injury or death in a licensed program. Licensure visited the site on March 9, 2009. There were no medication errors.

**Special note – it was requested that all affiliates bring 6 copies of their reports to the meetings – one for the liaison, and one for each of the Members.**

### New Business

Mr. Walsh requested temporary affiliation for MP-NN CSB Therapeutic Day Treatment in Middlesex County Public Schools. The policies and procedures used will be those previously reviewed by the MP-NN LHRC. Mr. Gerster moved approval of granting temporary affiliation for the Therapeutic Day Treatment in Middlesex County Public Schools. Ms. Coates seconded the motion which passed unanimously.

Mr. Walsh reported a program change in Therapeutic Day Treatment regarding the age range of the population served. Currently the program serves children ages 5-18. The CSB wants to change the age to match the Medicaid guidelines allowing them to provide those services that may be needed at an earlier age. They would be using the following language: Preschool age and/or those involved in the early intervention program who meets the Therapeutic Day Treatment program criteria through age 18.

Mr. Gerster moved to accept the change in the age of the children who can receive Therapeutic Day Treatment services. Ms. Coates seconded the motion which passed unanimously.

Mr. Reisner expressed concern regarding protecting clients in the MPNN LHRC area from financial exploitation. He requested specific information regarding managing client funds including direct deposit, check cashing and who audits. Ms. Hayden of Heart Havens reports they have a financial person outside of their agency that oversees client funds. They obtain receipts when funds are spent for a client. Ms. Nesbitt of Sola reports most of their clients have legal representatives who have control of the money; one client is capable of managing their own money including signing their own checks. Stacy Hardcastle of The Brambles reports that they are the representative payee for all of their clients. They maintain separate accounts and by their P&P require 2 signatures on all client checks. Clients get monthly spending money. The agency owners are the auditors. The CSB has fiscal auditors who oversee all accounts and money management. They report that there is more vulnerability for clients living in private homes than at agency supervised or supported locations. The CSB continues to look at ways to reduce the risk to those clients.

Member reappointments - Mr. Gerster and Ms. Link have each been reappointed to serve another 3 year term on the MPNN LHRC expiring on June 30, 2012. Mr. Jewell has submitted his reappointment request packet which will be reviewed at the June meeting.

The meeting dates and locations for 2009-2010 have been selected as follows: July 27, 2009 SOLA new day program; October 26, 2009 ARC of VA Peninsula – Puller Center; January 25, 2010 MP-NN CSB RISP Program; April 26, 2010 at The Brambles.

### Old Business

Ms. Nesbitt of SOLA presented a letter from the DMHMRSAS confirming the issuance of a conditional license for their Day Program effective February 2, 2009 through August 1, 2009. The letter also stated

that license #475-01-001 is modified to include the location at 9952 Friendship Rd. Gloucester, VA. The licensed service is a mental retardation community/center based day support service for adults.

All affiliates were reminded that in the future they should present either a letter or a copy of an e-mail confirming licensing approval.

Mr. Walsh requested continued temporary affiliation for Discovery Place II. With the plan to open June 1, 2009, he expects to request permanent affiliation at the July meeting. Mr. Reisner moved approval of granting continued temporary affiliation for Discovery Place II. Ms. Coates seconded the motion which passed unanimously.

Mr. Walsh requested continued temporary affiliation for Therapeutic Day Treatment in the Gloucester County Public Schools. Ms. Coates moved approval of granting continued temporary affiliation for Therapeutic Day Treatment in the Gloucester County Public Schools. Mr. Gerster seconded the motion which passed unanimously.

### Executive Session

On the motion of Mr. Gerster, seconded by Ms. Coates, the LHRC voted to go into executive session per VA Code Section 2.2-3711A(4) for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of [hearing of authorized representatives, hearing of behavior modifications and/or conducting a hearing] pursuant to the regulations. The affiliates to be heard from are The Brambles, Heart Havens, and MP-NN CSB.

Upon returning to public session, each member of the Committee 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.

*Election of Officers for the next year* – After some discussion Mr. Gerster nominated Mr. Reisner as Chairman, Ms. Coates seconded the nomination which was approved unanimously. Ms. Coates nominated Mr. Gerster as Vice Chairman. Mr. Reisner seconded the nomination which was approved unanimously. Ms. Coates nominated Ms. Link as Secretary. Mr. Reisner seconded the nomination which was approved unanimously.

*Annual Training* – Ms. Barnes provided the required annual Freedom Of Information Act training to the Members and the Liaison.

The next LHRC meeting is scheduled for July 27, 2009 at 1 p.m. at Sola Day Program.

There being no further business, Mr. Gerster motioned that the meeting adjourned. Ms. Coates seconded the motion which was approved and the meeting adjourned at 3:35 p.m.

Respectfully Submitted,

Karen Stark ☺  
LHRC Administrative Support Liaison