

MIDDLE PENINSULA-NORTHERN NECK
LOCAL HUMAN RIGHTS COMMITTEE
MINUTES OF JANUARY 25, 2010

Chairman Bill Reisner called the regular meeting of the Middle Peninsula-Northern Neck Local Human Rights Committee to order at 1:00 p.m. on January 25, 2010, at the Rural Infant Services Program of the Middle Peninsula Northern Neck Community Services Board in Urbanna, Virginia. Board members in attendance were: Alice Coates, Carl Gerster, Judith Link, and Bill Reisner. Agency representatives included: Shannan Rose – ARC of VA Peninsula – Puller Center, Maureen Cholewka – Blue Ridge Residential Services, Brian Clemmons – Bridges In-Patient Program, Athena Neblitt – Bridges Outpatient Program, Mary Hayden and Kristie McDowell – Heart Havens, Joanne Brown and Chuck Walsh – MPNN Community Services Board, Patrizia Nesbitt and Warren Nesbitt – Sola, Inc., Stacy Hardcastle and Clyde Forrest –The Brambles, Pam Golas and Kim Kwiatkowski – Wall Residences, David Banks and Darryl Hamilton – Brothers’ Keeper, and Towanda Hickman – Empowering Youth for Positive Change. Gail Slaughter – LHRC Administrative Support, and Willie Barnes – Human Rights Advocate, were also in attendance.

Approval of Minutes

Mr. Gerster moved that the minutes from the October 26, 2009 meeting be approved as written. Ms. Coates seconded the motion which passed unanimously.

Program Presentation

Ms. Phillips, Director of the Rural Infant Services Program (RISP), welcomed everyone. She explained they provide two childhood programs – RISP and Healthy Families. RISP is an early intervention program under Part C. This program serves children from birth through age three. This past year, RISP served over 300 infants and toddlers with disabilities. She said that the majority of infants served are premature. Referrals come from newborn intensive care units and pediatricians. The child is served with the caregiver present and participating. Ms. Phillips said that the purpose of the Healthy Families program is to prevent poor outcomes in children. The Healthy Families program begins when the mother is pregnant. She said that both RISP and Healthy Families are home based programs.

Event Report Statistics

Bridges of RGH – Structured Outpatient Unit – Ms. Neblitt reported that the program census (daily average) was 8.5. The staff to patient ratio was 1:2. They do not use restraints in their program. There were no human rights complaints.

Bridges of RGH Inpatient Unit – Mr. Clemmons reported that there were no human rights complaints. The average daily census was 6.89. The staff to client ratio was 1:3. There were no changes to the program, and no serious injuries or deaths. There were no restraints. There were three seclusions – one in each month of the reporting period. There was one medication error in

October. Due to a transcription error, a patient was given a dose one day longer than indicated. There were no adverse effects to the patient. There was also one medication error in December. Due to a transcription error, an incorrect dose of hypertension medication was given one time. There were no adverse effects to the patient.

Heart Havens – Ms. McDowell reported that there were no medication errors. The ratio was 2:5 and 1:5. There were no restraints or seclusions. There were five individuals in Rappahannock House and four in Colonial Beach House.

ARC of VA Peninsula – Puller Center – Ms. Rose reported that the staff to individual ratio was 2:16 in the waiver program, and 2:19 in industrial services. There were no changes to the program. There were no reportable incidents this quarter. There were no human rights complaints. There were no incidents of seclusion or restraint. There were no medication errors.

Middle Peninsula-Northern Neck Community Services Board – Mr. Walsh reported that in the Mental Health and Substance Abuse Services Division, 1,323 individuals were served in the second quarter of FY 10. One hundred ninety two staff provided services across the mental health and substance abuse areas. There was one allegation of potential neglect involving a medication error. It was determined that neglect did not occur. There were two allegations of human rights violations. There was not a preponderance of evidence to substantiate that any violation of human rights occurred.

There were 528 individuals served through the Community Options and RISP divisions. The staff to individual 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 three person to person incidents this quarter. It was determined that staff followed proper procedures and policy in each instance. There were five allegations of potential neglect involving medication errors. In each instance, it was determined that there was not a preponderance of evidence to support the allegation of neglect. There were no incidents of restraint this quarter, and no program changes.

Mr. Walsh reported that there were 43,964 dosages of medication administered with 10 medication errors: 5 wrong medications given, 2 wrong dosages given, and 3 missed dosages.

Sola, Inc. – Ms. Nesbitt reported that eight persons are currently receiving residential services at Sola, Inc. The staff to resident ratio was 2:8 or 1:4. There were no human rights complaints this quarter. There were no medication errors, and no incidents of seclusion or restraint. There were no program changes.

The Brambles – Ms. Hardcastle reported the residential program had 18 clients this quarter. The staff to client ratio was 1:5. The Day Support program had 18 clients two day per week and 17 clients three days per week. The staff to client ratio at Day support is also 1:5. There were approximately 15,200 doses of medication this quarter, with five errors. Three medications were given outside the window, there was one error of omission, and one error of commission. Physician's orders/standing orders and the policies and procedures of The Brambles were

followed. There were no adverse effects to the individuals. There were no incidents of restraints or seclusion.

Blue Ridge Residential Services – Ms. Cholewka reported that there were no abuse or neglect allegations, no complaints, and no human rights issues. There were no deaths, serious injuries, or medication errors. There were no changes to the services provided. They have two locations in the MP-NN LHRC area. One location is currently serving an individual, and the other location is not.

Wall Residences – Ms. Golas distributed a copy of a newspaper article to Committee members, along with her quarterly report. She said that there were no human rights complaints of a general nature, no restraints or seclusions this quarter. There is one individual served in the Middle Peninsula/Northern Neck area, with a 1:1 ratio. There was one program change – Kim Kwiatkowski was hired as the Program Manager for the Middle Peninsula/Northern Neck area services. There were no Licensure reviews and no medication errors during the reporting period.

Brothers' Keeper – Mr. Banks reported that Brothers' Keeper provides therapeutic day treatment services (school based programs), in King and Queen County Schools. They are currently in Lawson Marriott School, King and Queen Elementary School, and Central High School. There have been no reports of abuse, neglect or exploitation. They currently serve 31 clients. Their program calls for a 5:1 ratio, however, they currently have a 1:3 ratio.

New Business

Ms. Hardcastle requested approval to include the following Therapeutic Options to their policy and procedures manual: body control restraint, arm control restraint, and guide to the floor. She gave Committee members an emailed letter of approval from Tammy Trestrail, Licensing Specialist. Mr. Gerster moved approval of The Brambles new policies as presented. Ms. Link seconded the motion which passed unanimously.

Mr. Reisner noted that in the October 26, 2009 minutes, it stated that Sola, Inc. was to submit a corrected quarterly report to the Liaison and Committee members. Committee members had not received this information. Ms. Nesbitt said that she had submitted the report to Ms. Slaughter. Ms. Slaughter noted that she had not received the information. Committee members requested that Ms. Nesbitt submit the report to Ms. Slaughter again. Ms. Slaughter will forward it to Committee members.

Mr. Reisner said that the Middle Peninsula Northern Neck Community Services Board had been providing secretarial support to the Local Human Rights Committee at no cost for many years. He said that most LHRCs charge their affiliates a fee to cover expenses. Ms. Barnes gave Committee members and the affiliates three examples of agreements used by other LHRCs. She explained that the fee varied, depending on the number of affiliates, and also what the affiliates provide or do not provide. Some agreements are reviewed and updated every year, and some are not. She explained that it would need to be agreed upon between the Committee and affiliates whether or not a refund would be given if an affiliate lost their affiliation. Each affiliate's Executive Director would need to sign the agreement. Ms. Barnes explained that the affiliates

could develop the agreement and present it to the LHRC, or the LHRC could develop it and present it to the affiliates.

Mr. Walsh said that last fiscal year, \$1,209.90 was spent on providing administrative support to the LHRC. This amount also includes mileage reimbursement for two Committee members. It did not include any training expenses. Ms. Barnes said that the Committee may want to include money for training. She also advised that consideration be given as to whether or not Committee members and affiliates wanted refreshments at the meetings, and who would provide them.

After discussion, it was decided that Mr. Gerster would draft an agreement that he would then send to the Committee for review. It will then be sent to Ms. Slaughter, who will forward it to the affiliates. It will be voted on at the April meeting, to become effective July 1st. Mr. Walsh was in agreement to having the fees collected be part of a CSB budget line item.

Ms. Towanda Hickman, Program Director and owner of Empowering Youth for Positive Change, presented information about her intensive in-home program. She explained that her program helps children who have difficulty functioning within their homes and communities. This program serves children in their home, with their parents/caregivers involved. One criteria of the program is that the parents must participate with them and the child in one session per week. She said that she will be working closely with the school systems and social services. They will inform her of children who need these services. Ms. Hickman distributed copies of the Empowering Youth for Positive Change Behavioral Management Policy and Procedures to Committee members. Ms. Barnes noted that Ms. Hickman would need to request affiliation, approval of the Behavioral Management Policy and Procedures, and approval of the Program Rules. Mr. Gerster moved approval of granting temporary affiliation to Empowering Youth for Positive Change. Ms. Link seconded the motion which passed unanimously. At the next LHRC meeting in April, Committee members will be asked to vote on approval of the Program Rules, the Behavior Management Policy and Procedures, and on granting permanent affiliation.

Old Business

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

Mr. Walsh requested continued temporary affiliation for an additional mental health and substance abuse outpatient services center for children, adolescents, and adults in King William County. Mr. Gerster moved approval of this request. Ms. Coates seconded the motion which passed unanimously.

Open Forum

Ms. Barnes gave the affiliates a Community Seclusion and Restraint Reporting Form that they can use to submit information for 2009 to Ms. Marion Greenfield of the Office of Health and Quality Care. She asked that a copy of the report also be forwarded to Mr. Daye.

Executive Session

On the motion of Mr. Gerster, seconded by Ms. Link, 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 MPNN CSB, The Brambles, and Bridges of RGH Inpatient Unit.

Mr. Gerster moved the Committee return to public session. Ms. Link seconded the motion which passed unanimously. 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.

Committee members requested that at the April meeting, The Brambles report in Executive Session on the medication errors reported on today, and that Bridges of RGH Inpatient Unit report in Executive Session on the seclusions and medication errors they reported today.

The next LHRC meeting is scheduled for April 26, 2010, 1:00 p.m. at Brambles in Mathews, VA.

There being no further business, the meeting adjourned.

Respectfully Submitted,
Gail Slaughter
LHRC Administrative Support Liaison