

MIDDLE PENINSULA-NORTHERN NECK
LOCAL HUMAN RIGHTS COMMITTEE
MINUTES OF JULY 26, 2010

Chairman Carl Gerster called the regular meeting of the Middle Peninsula-Northern Neck Local Human Rights Committee to order at 1:05 p.m. on July 26, 2010, at the Rappahannock General Hospital Training Center located in Kilmarnock, Virginia. Board members in attendance were: Carl Gerster, Judith Link, Bill Reisner, and Frank Jewell. Agency representatives included: Shannan Rose – Puller Center, Paige O’Brien and Susannah Hill – Blue Ridge Residential Services, Brian Clemmons – Bridges Inpatient Program, Athena Neblitt – Bridges Outpatient Program, Mary Hayden and Kristie McDowell – Heart Havens, Chuck Walsh, Joanne Brown, and Rocky Kirkland – MPNN CSB, Patrizia Nesbitt, Kimberly Turner, and Stephanie Nesbitt – Sola, Inc., Clyde Forrest, Stacy Hardcastle, and Rick Briggs - The Brambles, Kim Kwiatkowski – Wall Residences, Towanda Hickman – Empowering Youth for Positive Change, Anne Allen – New Day Counseling, and Sue Mayer and Dawn Wadiak – Attachment and Trauma Institute. Gail Slaughter, LHRC Administrative Support, and Reginald Daye, Regional Human Rights Advocate, were also in attendance.

Open Forum

There were no comments.

Approval of Minutes

Ms Link moved that the minutes from the April 26, 2010 meeting be approved. Mr. Clemmons requested that the highlighted areas of the minutes, as he distributed to Committee members, be redacted in the permanent minutes. Mr. Reisner moved that the minutes be approved as amended. Ms. Link seconded the motion which passed unanimously

Program Presentation

Mr. Clemmons said that Ms. Athena Neblitt is the Director of the Structured Outpatient Program. An average of 10 – 12 individuals are served in this program daily. Most individuals participate in the program three days a week, however, the program is offered five days a week for maximum flexibility. The Inpatient Program was started five years ago. They have ten beds, and do serve individuals with intellectual disabilities, as long as they have a co-occurring mental health issue. The average length of stay for an individual is eight days. They accept many insurances. They received a certificate of need to expand to 16 beds.

Event Report Statistics

Bridges of RGH – Structured Outpatient – Ms. Neblitt reported that the total enrolled was 28. The program census (daily average) was 9.2 The staff to patient ratio for the full team is 1:2 and for Clinical 1:4. There were no allegations of human rights abuse, no human rights complaints, and no restraints/seclusions used this quarter.

Bridges Inpatient – Mr. Clemmons reported that there were nine human rights complaints of a general nature. There was a three month average of 6.8 clients in the program. The staff to client ratio was 1:3. There was one program change – a no smoking policy was implemented effective July 1, 2010. There were no serious injuries or deaths. There were no restraints. There were two seclusions. They were last visited by Licensure in March 2009. They did have a Joint Commission Inspection April 27 – 30, 2010. There were 6,421 dosages of medication provided. There were two medication errors that were investigated as potential abuse or neglect. There were no findings of abuse/neglect in either case.

Bridges Inpatient Program Smoking Policy – Mr. Clemmons reported that the smoking policy went into effect July 1, 2010. Mr. Daye asked Mr. Clemmons to stress with administration that these type of policies need to come to the Office of Human Rights and the LHRC Committee before being implemented. After discussion, Ms. Link moved approval of the policy as presented. Mr. Reisner seconded the motion which passed unanimously.

Heart Havens – Ms. McDowell reported that the ratio was 2:5 and 1:5. There were no restraints or seclusions and no medication errors. In the Colonial Beach House, 2,073 medications were given. In Rappahannock House, 3,879 medications were given. There are five individuals in Rappahannock House and four individuals in Colonial Beach House.

ARC of VA Peninsula – Puller Center – Ms. Rose reported that the staff to individual ratio in the Waiver program was 2 staff to 17 individuals, and in the Industrial program 2 staff to 19 individuals. There were no program changes, no seclusions or restraints and no medication errors. There were no reportable incidents or human rights complaints this quarter. Committee members asked Ms. Rose to report on the number of medications administered in the future. Ms. Rose said that she would get the current number of medications administered for committee members. (NOTE: Ms. Rose later reported that 118 dosages of medication were administered this quarter.)

Middle Peninsula Northern Neck Community Services Board – Ms. Brown reported that in the Mental Health and Substance Abuse Services Division, 1,206 individuals were served in the fourth quarter of FY 10. One hundred ninety four staff provided services across the mental health and substance abuse services program areas. There was one allegation that a staff person had an attitude. It was determined that there was not a preponderance of evidence to substantiate this allegation. There was one allegation that “they control all of my meds”. It was determined that there was not a preponderance of evidence to substantiate this allegation. There was one allegation that an individual felt threatened at a treatment team meeting and therefore, did not want additional treatment team meetings. It was determined that there was not a preponderance of evidence to substantiate this allegation.

There were 616 individuals served through the Community Options and RISP division. 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 two person to person incidents this quarter. It was determined that staff followed

proper procedures and policy in each instance. There were no incidents of restraint and no program changes.

Ms. Brown reported that there were 44,218 dosages of medication administered with no medication errors.

Sola, Inc. – Ms. Turner reported that Sola, Inc. had no human rights complaints this quarter. There are eight persons currently receiving residential services. There were no program changes. There were approximately 8,508 dosages of medication administered. There were no wrong medications administered and no missed dosages. There was one report of death. There were no incident reports and no restraints/seclusion incidents. There was one general complaint.

The Brambles – Ms. Hardcastle reported that during this quarter, there was one medication error. There were no adverse effects and neglect was unfounded. There was one reportable incident of client on client abuse. Staff followed the policies and procedures of The Brambles and Therapeutic Options. Neglect was unfounded. The Brambles residential program had 19 clients this quarter. The staff/client ratio is one to five. The staff/client ratio at Day Support is also one to five. They currently have 19 clients four days per week, and 18 one day a week. There were no incidents of restraint or seclusion. There were approximately 15,200 doses of medication.

Blue Ridge Residential Services – Ms. O'Brien reported that there had been no changes. Blue Ridge has two locations in the Middle Peninsula Northern Neck LHRC area. One location is currently serving one individual, and one is not serving any individuals. There were no complaints and no human rights issues. There were no deaths or serious injury. There was one serious incident. There were no medication errors. Staff administered 1,060 dosages of medication this quarter.

Wall Residences – Ms. Kwiatkowski reported that Wall Residences serves one person. There were no allegations of abuse or neglect. There were no seclusions or restraints, and no medication errors.

Brothers' Keeper – Brothers' Keepers' temporary affiliation with this LHRC expires today, as they are not in attendance. Mr. Daye said that he would notify Licensure. They can attend the next meeting to explain their absence and to request to become affiliated again. Mr. Gerster will inform Brothers' Keeper.

New Business

Ms. Hardcastle reported that The Brambles will be adding a fifth bedroom, a bathroom, and possibly office space, to a four bedroom house. Construction will take four to five months. It will not interfere with the residents. Committee members asked for an update on this project at the next meeting.

The Attachment and Trauma Institute – Dr. Wadiak reported that she was withdrawing her request for temporary affiliation with this LHRC. They are located closer to the Tidewater area LHRC.

Old Business

Ms. Brown reported that the Middle Peninsula Northern Neck Community Services Board is requesting the following: continued temporary affiliation for the Therapeutic Day Treatment program in Mathews County Public Schools; continued temporary affiliation for an additional mental health and substance abuse outpatient services center for children, adolescents, and adults, including crisis stabilization services, substance abuse, intensive outpatient, and case management services, to be located in Jackson Square in King William County; and continued temporary affiliation for two five bed licensed group homes to serve adults with intellectual disabilities and/or intellectual disabilities and mental illness, to be located in King William County. Ms. Link moved approval of these requests. Mr. Reisner seconded the motion which passed unanimously.

Ms. Kwiatkowski said that Wall Residences is requesting temporary affiliation for a new sponsored residential home in Topping and a new sponsored residential home in Colonial Beach. Ms. Link moved approval of these requests. Mr. Reisner seconded the motion which passed unanimously.

Ms. Hickman said that Empowering Youth for Positive Change is requesting approval of their Program Rules and Behavior Management Policy and Procedures, and is requesting continued temporary affiliation. Ms. Hickman said that she is currently waiting on Licensure. Mr. Jewell moved approval of these requests. Mr. Reisner seconded the motion which passed unanimously.

Mr. Reisner asked Mr. Daye if his office was seeing more inquiries from private providers. Mr. Daye said that the applications for intensive in home have slowed a little. He noted that the credentialing requirements for some staff providing services had changed. The rate of reimbursement has also decreased, which has impacted providers continuing the process.

Ms. Anne Allen of New Day Counseling Services is requesting permanent affiliation, and approval of the Program Rules and Behavior Management Policies. She said that Mr. Daye had reviewed her policies and procedures, and made one change. She said that she had made the change by selecting TOVA as the restraint training that her employees go through. Her license has been issued and she had received her Medicaid number. Mr. Jewell moved approval of these requests. Mr. Reisner seconded the motion which passed unanimously.

Brothers' Keeper Temporary Change in Venue – This item could not be discussed because Brothers' Keeper was not in attendance.

Affiliation Agreement and Fees Paid – Mr. Gerster reviewed the list of which affiliates had paid their fees and signed the agreement. Mr. Daye said that the Committee could change the status of the affiliates with permanent affiliation to a 90 day temporary affiliation, if they had not signed the agreement or paid the fees. If an Affiliate has temporary affiliation, that status could be revoked. After discussion, Ms. Link moved that Bridges status be changed from permanent to temporary. Mr. Reisner seconded the motion which passed unanimously. Mr. Clemmons noted that the agreement for Bridges had been signed and a check cut, but neither were accessible to him at the moment. He will get them to Ms. Slaughter as soon as possible.

Executive Session

On the motion of Mr. Reisner, 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 motion passed unanimously. The affiliates to be heard from are Bridges Inpatient, MPNN CSB, The Brambles, and Sola, Inc.

Mr. Reisner moved the Committee return to public session. Mr. Jewell 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, EXCEPT for the statement regarding BP.

Ms. Link moved approval of appointing the Next Friend requested by the Middle Peninsula Northern Neck Community Services Board to act as the authorized representative for the identified individual. Mr. Jewell seconded the motion which passed unanimously.

A general discussion was held on the memo Committee members received from the State.

The next meeting is scheduled for October 25, 2010, 1:00 p.m. at Sola, Inc. in Gloucester, VA.

There being no further business, the meeting adjourned at 4:30 p.m.

Respectfully Submitted,
Gail Slaughter
LHRC Administrative Support Liaison