

**MIDDLE PENINSULA-NORTHERN NECK
LOCAL HUMAN RIGHTS COMMITTEE
MINUTES OF APRIL 25, 2011**

Chairman Carl Gerster called the regular meeting of the Middle Peninsula-Northern Neck Local Human Rights Committee to order at 1:00 p.m. on April 25, 2011, at The ARC of the Virginia Peninsula, Lewis B. Puller Center, located in Gloucester, Virginia. Board members in attendance were: Carl Gerster, Judith Link, Alice Coates, and Bill Reisner. Agency representatives included: Joy Henderson – Puller Center, Catherine St. Ours – Blue Ridge Residential Services, Brian Clemmons – Bridges Inpatient Program, Athena Neblitt – Bridges Outpatient Program, David Banks - Brothers' Keeper, Mary Hayden and Kristie McDowell – Heart Havens, Chuck Walsh and Joanne Brown – Middle Peninsula Northern Neck Community Services Board, Stephanie Nesbitt and Louisa Vandenberg – SOLA, Inc., Richard Briggs and Stacy Hardcastle – The Brambles, Pam Golas – Wall Residences, Anne Allen – New Day Counseling, and Michael Simon – Empowering Youth. Gail Slaughter, LHRC Administrative Support and Reginald Daye, Regional Human Rights Advocate were also in attendance.

Open Forum

Mr. Gerster said that a major topic will be the By Laws and Cooperative Agreement. Mr. Daye said that the only input needed from the affiliates is the number of meetings they feel should be held each year. The members will need to vote on the number of meetings to be held each year and the number of members needed for the Committee (for the By Laws). They will need to vote on the number of meetings affiliates will need to attend yearly (for the Cooperative Agreement).

Approval of Minutes

Ms. Coates moved that the minutes from the January 24, 2011 meeting be approved. Mr. Reisner seconded the motion which passed unanimously.

Program Presentation

Ms. Henderson explained that the Puller Center had recently been renovated. She said that The ARC is the only work center in the ten county area of the Middle Peninsula and Northern Neck. They have over 450 people with disabilities employed. They provide transportation for seven individuals. They have many governmental contracts, and are currently hiring individuals to load non medical items on ships and subs at the Norfolk Naval Ship Yard. They currently serve 38 people in their Day Support program.

New Business

Blue Ridge Residential Services is requesting to discontinue affiliation for a site in Gloucester, Virginia, and is also requesting to change affiliation from this LHRC to Portsmouth Regional LHRC. Ms. Coates moved approval of this request. Ms. Link seconded the motion which passed unanimously.

The Middle Peninsula Northern Neck Community Services Board is seeking affiliation for a new location for their Youth and Family Services office providing intensive in-home services, outpatient services, case management, supportive residential and therapeutic day treatment. This represents a move from Hartfield where they are operating a licensed site to 129 Bowden Street, Saluda, Virginia. This location will be operating under the existing Human Rights Policies and Procedures (including policies related to behavior management), and Program Rules of Conduct previously submitted to and approved by the Middle Peninsula Northern Neck Local Human Rights Committee.

The Middle Peninsula Northern Neck Community Services Board is requesting affiliation for an additional service location for Mental Health Case Management at 5342 Old Virginia Street, Urbanna, Virginia 23175.

Ms. Coates moved approval of both requests. Mr. Reisner seconded the motion which passed unanimously.

The Brambles is requesting affiliation for two, four bedroom homes to be built on their current property. Current policies and procedures would be followed. Mr. Daye said that he had not received the appropriate paperwork for this request. He noted that there was a process that needed to be followed. (This process was spelled out in previous minutes.) He recommended that this request not be approved at this time. The Brambles could present this request when/if a called meeting was held for the interviewing of potential candidates to fill the vacancies on the LHRC, if Brambles had submitted the appropriate paperwork to all parties.

LHRC Vacancies – Mr. Reisner’s term on the Committee expires at the end of June. He is not eligible for reappointment. Mr. Jewell has informed the Committee that it was necessary for him to resign. Ms. Link said that she would remain on the Committee until the vacancies were filled. The two vacancies need to be filled by one consumer and one individual with a general interest or knowledge in the mental health, intellectual disability, or substance use field.

Election of Officers – Mr. Reisner moved that Mr. Gerster remain the Chair of the Committee and he nominated Ms. Coates as Vice Chair. The office of Secretary will be vacant. Ms. Link seconded the motion which passed unanimously.

Meeting Locations for 2011-2012 – Mr. Gerster will ask each affiliate their preference as to the number of meetings the Committee should hold each year, prior to determining meeting locations.

Event Report Statistics

Bridges Inpatient – Mr. Clemmons reported that there were no abuse or neglect allegations, no complaints, no identified systemic human rights issues, no deaths or serious injuries, and no program changes. The average daily census for January was 8.35, for February 7.64, and for March 7.39. There was one medication error and one

restraint. There were 7,136 dosages of medication delivered. The staff to individual ratio was 1:3. There was a Licensing inspection on January 26, 2011.

Mr. Clemmons would prefer four LHRC meetings a year.

Bridges of RGH – Structured Outpatient – Ms. Neblitt reported that there were no abuse or neglect allegations, no complaints, no identified systemic human rights issues, no program changes, no Licensing or Human Rights reviews, no deaths or serious injuries, and no restraints or seclusions. They do not administer medications. The staff to patient ratio for the full staff is 1:3 and for clinical 1:4. The average daily census is 7.9.

Ms. Neblitt would prefer four LHRC meetings a year.

Heart Havens – Ms. McDowell reported that there was no consumer to consumer physical abuse, no staff to consumer physical abuse, no staff to consumer verbal abuse, no allegations of neglect or exploitation, no serious injuries, no deaths, no medication errors, no restraints, and no seclusions. There were 3,503 dosages of medication administered in Rappahannock House, and 1,526 dosages of medication delivered in Colonial Beach House. The staff to individuals served ratio was 2:5 to 1:5 in Rappahannock House and 2:4 to 1:4 in Colonial Beach House.

Ms. McDowell would prefer four LHRC meetings a year.

ARC of the VA Peninsula – Puller Center – Ms. Henderson reported that there were no abuse or neglect allegations, no complaints, no identified systemic human rights issues, no licensing or human rights reviews, no deaths, and no restraints or seclusions. The number of individuals served was 38. There was one medication error. There were 196 dosages of medication administered. The staff to individual ratio in the Waiver program was 2:18. In the Industrial Services program the ratio was 3:21.

Ms. Henderson noted that in June, she will ask to affiliate with the Southeastern Alliance Local Human Rights Committee.

Ms. Henderson would prefer four meetings a year.

Middle Peninsula Northern Neck Community Services Board – Mr. Walsh reported that there were three allegations of abuse or neglect. Two allegations were unfounded. One allegation was founded. There were two complaints this quarter. One was founded and one was unfounded. There were no identified systemic human rights issues. There were no program changes. There were 1,320 individuals served in the MHSA division. There were 606 individuals served in the Community Options and RISP divisions. There were no Licensing or Human Rights reviews. There were two serious injuries in the Community Options division. There were three deaths – two in the MHSA division and one in the Community Options division. There was one medication error. There were 40,540 dosages of medication administered. There were no restraints or seclusions. The

staff to individual ratio in the Community Options Day Support program was 1:1 to 1:7 depending on the individual's needs. The staff to individual ratio in the Residential program was 1:2 to 1:5 depending on the severity of individual's needs. In the RISP division, the ratio was 1:1.

Mr. Walsh preferred four LHRC meetings a year.

SOLA, Inc. – Ms. Nesbitt reported that there were no allegations of abuse or neglect. There was one complaint, which was unfounded. There were no identified systemic human rights issues. The Valley Home is serving seven individuals. There are no individuals in the Zorzan home. There were no Licensing or Human Rights reviews. There were no deaths or serious injuries and no medication errors. There were approximately 7,430 dosages of medication administered. There were no restraints or seclusions. The staff to individuals served ratio was 1:5 and 2:7.

Ms. Nesbitt preferred two LHRC meetings a year.

The Brambles – Ms. Hardcastle reported that there were no abuse or neglect allegations. There were no complaints. There were no identified systemic human rights issues, no Licensing or Human Rights reviews, and no deaths or serious injuries. There was a daily average of 18-19 individuals served in the Day Support program. There were 19 individuals served in the residential program. There was one medication error. There were 16,897 dosages of medication administered. The staff to individuals served ratio was 1:1 to 1:6. There was one unfounded allegation of seclusion.

Ms. Hardcastle preferred four LHRC meetings a year.

Blue Ridge Residential Services – Ms. St. Ours reported that there were no abuse or neglect allegations, no complaints, no identified systemic human rights issues, no deaths or serious injuries, no medication errors and no restraints or seclusions. There were no Licensing reviews. There were 1,203 dosages of medication administered. The staff to individuals served ratio was 1:1 or 2:1. Program changes include requesting to discontinue a site and requesting to change affiliation to Portsmouth LHRC.

Blue Ridge would prefer four LHRC meetings a year.

Wall Residences - Ms. Golas reported that there were no allegations of abuse or neglect, no complaints, no identified systemic human rights issues, no Licensing or Human Rights reviews, no deaths or serious injuries, no restraints or seclusions and no medication errors. There were 1,807 dosages of medication administered. The staff to individuals served ratio was 1:1 to 2:1. A new program manager was hired.

Ms. Golas would prefer two LHRC meetings a year.

Brothers' Keeper – Mr. Banks reported that there were no allegations of neglect or abuse, no complaints, no identified systemic human rights issues, no Licensing or Human

Rights reviews, no deaths or serious injuries, no medication errors, and no restraints or seclusions. The staff to individuals served ratio was 1:3.3.

Mr. Banks said that he would be sending Mr. Daye the appropriate paperwork for a location change. He will present his request at the next meeting.

Mr. Banks would prefer two LHRC meetings a year.

New Day Counseling – Ms. Allen reported that the Intensive In-Home program is serving one individual. There were no restraints and no Human Rights complaints. There were no medication errors, as this program does not administer or manage medications. The staff to individuals served ratio was 1:1.

Ms. Allen would prefer three LHRC meetings a year.

Empowering Youth for Positive Change – Mr. Simon noted that the program was not open yet, therefore, there were no allegations of abuse or neglect, no complaints, no identified system Human Rights issues, no Licensing or Human Rights reviews, no deaths or serious injuries, no medication errors, and no restraints or seclusions.

Mr. Simon would prefer four LHRC meetings a year.

Committee members asked Ms Slaughter to send Heart Havens and New Day Counseling the appropriate reporting form.

Old Business

Empowering Youth for Positive Change is requesting affiliation. Mr. Reisner moved approval of this request. Ms. Link seconded the motion which passed unanimously.

The Middle Peninsula Northern Neck Community Services Board is requesting 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. The location of this center is Jackson Square, King William County. Ms. Coates moved approval of this request. Mr. Reisner seconded the motion which passed unanimously.

The Middle Peninsula Northern Neck Community Services Board is requesting affiliation for two, five bed licensed group homes to serve adults with intellectual disabilities and/or intellectual disabilities/mental illness. These homes are located in King William County. Ms. Coates moved approval of this request. Ms. Link seconded the motion which passed unanimously.

The Middle Peninsula Northern Neck Community Services Board is seeking affiliation for an additional location for Case Management services in the Community Options Division (providing supports for those with intellectual disabilities). The Case

Management office location is 1413 Teakwood Blvd., Suite C, Tappahannock, Virginia. Ms. Coates moved approval of this request. Ms. Link seconded the motion which passed unanimously.

The Middle Peninsula Northern Neck Community Services Board is seeking affiliation for an additional location for an office for supportive residential services which will be located at 376 Main Street, Suite 102, Warsaw, Virginia. Ms. Coates moved approval of this request. Ms. Link seconded the motion which passed unanimously.

Public Comment – There were no comments from the public. (This item will be added to all future agendas.)

By-Laws and Cooperative Agreement– Mr. Daye reported that this past Friday, the State Human Rights Committee approved sixteen sets of Cooperative Agreements and By-Laws. All but two LHRCs maintained holding four meetings per year. He said that the By-Laws are generated from regulations. The Committee will need to vote on the number of members on the Committee, and how many meetings are conducted yearly. The Cooperative Agreement is generated by the State Human Rights Committee. The new agreement removes issuing sanctions and dropping or lowering a provider's affiliation. It also removes affiliation fees. The affiliates will need to decide who will provide the clerical support to the Committee, and the amount, if any, of the cost to provide the clerical support. Each affiliate will need to name the liaison(s) who will attend meetings. Also, quarterly reports will need to be submitted. Mr. Daye said that he can ask LHRC members to look at any concerns with any affiliate. Affiliates must provide an annual report. Ms. Margaret Walsh is developing an annual reporting form.

Ms. Coates said that she would like to see the affiliates attend meetings quarterly in order for the Committee members to have the information needed to make good decisions.

Mr. Daye noted that the current quarterly reporting form that is completed by the affiliates is still acceptable, however, it needs to be reviewed to determine if it contains the required information.

Mr. Walsh said that he had sent an email to all the affiliates, asking if they would prefer to rotate providing the clerical support to the Committee or if they wanted the CSB to continue to provide the support. While Mr. Walsh did not hear from all affiliates, the majority wanted the CSB to continue to provide the support. They were also in agreement to \$200 per affiliate for providing this support.

Ms. Coates moved that the By-Laws be adopted. The By-Laws will state that the Middle Peninsula-Northern Neck Local Human Rights Committee shall hold four meetings a year, and that the Local Human Rights Committee shall consist of five members. Mr. Reisner seconded the motion which passed unanimously.

Ms. Coates moved that the Cooperative Agreement be adopted and that the providers will attend four meetings a year. Ms. Link seconded the motion which passed unanimously.

Executive Session

On the motion of Mr. Reisner, seconded by Ms. Link, the LHRC voted to go into executive session per VA Code Section 2.2-371 (A) for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing about a medication error and a restraint from Bridges Inpatient, a medication error from The ARC of the Virginia Peninsula, three allegations of abuse/neglect, two complaints, two serious injuries, three deaths, and one medication error from the Middle Peninsula Northern Neck Community Services Board, one medication error and one seclusion from the Brambles, and one complaint from SOLA, Inc. Ms. Link seconded the motion which passed unanimously.

Mr. Reisner 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.

The July 25, 2011 meeting of the Local Human Rights Committee will be held at the Middle Peninsula Northern Neck Community Services Board Community Options office.

Ms. Slaughter will email all the affiliates a copy of the Cooperative Agreement with instructions to have the Director or appropriate person from their agency sign it and to complete who is authorized to attend LHRC meetings. (They can list more than one person.) Each affiliate should bring the completed and signed agreement to the July meeting.

Ms. Slaughter will contact the potential candidate who was interested in filling one of the vacancies on the LHRC to see if she is still interested in being interviewed by the Committee. There are currently vacancies on the Committee for a consumer and for a person with a general interest or knowledge in the mental health, intellectual disability or substance use field.

Adjourn – There being no further business, Ms. Coates moved that the meeting adjourn. Mr. Reisner seconded the motion which passed unanimously.

Respectfully Submitted,
Gail Slaughter
LHRC Administrative Support Liaison