

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

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 October 25, 2010, at SOLA, Inc., located in Gloucester, Virginia. Board members in attendance were: Carl Gerster, Judith Link, Bill Reisner, and Alice Coates. Agency representatives included: Cheryl Shipley – Puller Center, Maureen Cholewka – Blue Ridge Residential Services, Brian Clemmons – Bridges Inpatient Program, Athena Neblitt – Bridges Outpatient Program, David Banks and Stacey Burrell, Brothers’ Keeper, Mary Hayden and Kriste McDowell – Heart Havens, Chuck Walsh and Joanne Brown – Middle Peninsula Northern Neck Community Services Board, Warren Nesbitt, Stephanie Nesbitt, and Kimberly Turner, SOLA, Inc., Stacy Hardcastle – The Brambles, Kim Kwiatkowski – Wall Residences, Towanda Hickman – Empowering Youth for Positive Change, and Anne Allen – New Day Counseling. Gail Slaughter, LHRC Administrative Support, Reginald Daye, Regional Human Rights Advocate, and Patricia Bradby, the new Human Rights Advocate, were also in attendance.

Open Forum

There were no comments.

Approval of Minutes

Mr. Reisner moved that the minutes from the July 26, 2010 meeting be approved. Ms. Link seconded the motion which passed unanimously.

It was the consensus of the Board members present that the draft minutes from each meeting be sent to the Chairman of the Board for review prior to being submitted to Ms. Walsh at the state Human Rights Office.

Program Presentation

Ms. Stephanie Nesbitt said that SOLA, Inc. had been open since 2002. The owners are Warren and Patrizia Nesbit. They provide residential and day support services. All employees are certified in medication management, CPR, and as food handlers. They have eight full time employees and two – three part time staff.

New Business

Mr. Banks apologized for missing the last meeting. He explained that there had been a mix up with the meeting date. He requested that Brothers’ Keeper’s status be reinstated from temporary

to permanent. Ms. Coates moved approval of this request. Ms. Link seconded the motion which passed unanimously.

Mr. Banks explained that they also provide treatment during the summer months. Because of the school budget, they could not provide their program in the school this summer. They provided their services in a local church. This went very well. They are back in the school now.

Mr. Daye asked if the point system used by Brothers' Keeper had been presented and approved by this LHRC. Mr. Banks said that it had not. Mr. Daye requested that Brothers' Keeper submit the point system information to his office and present it to the LHRC at the next meeting for approval.

Mr. Clemmons requested that Bridges of RGH status be reinstated from temporary to permanent. Bridges' status was changed at the last meeting because Mr. Clemmons did not have access to the affiliation dues at the time of the meeting. The dues were paid the next day. Ms. Coates moved approval of this request. Mr. Reisner seconded the motion which passed unanimously.

Board members discussed using the reporting form emailed to them from Ms. Slaughter, so that there would be uniformity in reporting by the affiliates. Board members were in agreement to the following: a statement would be added to the form that if any column had a number, the affiliate must stay to report in closed session; "U" for unfounded, "F" for founded and "#", will be added to the second element on the form – the number of complaints and the number of rights violations founded; and an element will be added so that the ratio of staff to individuals served can be reported. Ms. Coates moved approval of adopting the reporting form as amended. Ms. Link seconded the motion which passed unanimously.

Event Report Statistics

Blue Ridge Residential Services – Ms. Cholewka reported that there had been no abuse or neglect allegations, no complaints, no identified systemic human rights issues, and no program changes. One location is currently serving one individual, and one location is not serving any individuals. There have been no Licensing or Human Rights reviews, no deaths or serious injuries. There were no medication errors. Staff administered 908 dosages of medication through October 7, 2010. There was one serious incident.

Bridges of RGH – Structured Outpatient – Ms. Neblitt reported that the total enrolled was 30. The program census (daily average) is 8.8. The staff to patient ratio for the full team is 1:2 and 1:4 for Clinical. There were no allegations of human rights abuse, no human rights complaints, and no restraints used this quarter.

Bridges Inpatient – Mr. Clemmons reported that there was one human rights complaint of a general nature and two potential abuse or neglect complaints this quarter. The number of clients in the Bridges Program (average daily census) was 6.97 for July, 7.2 for August, and 6.26 for September. There was a three month average of 6.92 clients in the program. The staff to client ratio (shift average) was 1:3. There were no serious injuries or deaths. There was one restraint and two seclusions. There were 6,831 dosages of medication delivered. There were no

medication errors. There was one change to the program – Janet Redmond, MBA, RN, assumed duties on August 15, 2010. Mr. Clemmons said that they still retain a certificate of need for six beds.

Heart Havens – Ms. Hayden reported that the ratio was 2:5 and 1:5. There were no restraints or seclusions. There are five individuals in Rappahannock House, and four in Colonial Beach House. There were no medication errors. In Rappahannock House there were 3,522 medications administered, and in Colonial Beach House, there were 2,124 administered. There were no program changes.

ARC of the VA Peninsula – Puller Center – Ms. Shipley reported that the staff to individual ratio in the Waiver program was 2:18, and 2:19 in the Industrial program. There were no changes to the program. There were no reportable incidents or human rights complaints. There were no seclusions or restraints. There were 136 dosages of medication administered this quarter, with no medication errors.

Middle Peninsula Northern Neck Community Services Board – Mr. Walsh reported that in the Mental Health and Substance Abuse Services Division, 1,206 individuals were served in the first quarter of FY 11. One hundred ninety four staff provided services across the MH/SA program areas. There were two allegations of breach of confidentiality, and one allegation that a staff person misrepresented herself. It was determined that there was not a preponderance of evidence to substantiate that any violation of human rights occurred.

There were 518 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 the severity of the individuals needs being served), and 1:1 in the RISP program. There were no person to person incidents and no incidents of restraint. There were 31 medication errors involving missed dosages, and 10 dosages of medication given to an individual in error. There was one incident involving one individual in which one additional dosage of medication was given in error. In each of these instances, there was not a preponderance of evidence to substantiate neglect. There were no program changes.

Mr. Walsh reported that there were 45,363 dosages of medication administered this quarter. There were six reports of serious injuries, and five reports of death.

SOLA, Inc. - Ms. Turner reported that there were no human rights complaints this quarter. There were eight persons receiving residential services. There were no program changes, no incident reports, no general complaints, and no restraints or seclusions. There were approximately 8,510 dosages of medication administered this quarter. There was one missed dosage. There were no wrong medications administered.

The Brambles – Ms. Hardcastle reported that there was one medication error of omission. No adverse effects were noted. There were 15,250 medications dispensed this quarter. There were two reportable incidents of serious illness. Staff followed the policies and procedures of The Brambles for medical emergency. Neglect was unfounded.

The Brambles residential program had 19 individuals this quarter. The staff/client ratio was 1:1 to 1:6, depending on the need of the individual. The staff/client ratio at the Day Support Program was also 1:1 to 1:6. The Day Support Program had an average of 17 individuals daily. There were no incidents of restraint or seclusion.

Wall Residences – Ms. Kwiatkowski reported that there were no human rights complaints. There was one report of alleged neglect. The results of the investigation are still pending. On October 14, 2010, one service in Topping was closed.

Brothers' Keeper – Mr. Banks reported that there were no allegations of human rights complaints. They do not administer medications. The staff/client ratio was 1:2. There were two program changes this quarter – Allison Carver, LPC is the new Clinical Director, and Trina McInnis, LPC, is the new In-Home Manager.

New Day Counseling Services – Ms. Allen reported that the Intensive In-Home Program is not serving any individuals at this time.

Old Business

Mr. Walsh reported that the Middle Peninsula Northern Neck Community Services Board is requesting the following: permanent affiliation for Therapeutic Day Treatment programs in Mathews County 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. Coates moved approval of these requests. Ms. Link seconded the motion which passed unanimously.

Ms. Kwiatkowski of Wall Residences said that she was retracting her request for permanent affiliation for a sponsored residential home for the Topping location. She did request permanent affiliation for a sponsored residential home in Colonial Beach. Ms. Coates moved approval of this request. Mr. Reisner seconded the motion which passed unanimously.

Mr. Daye announced that Kathryn Ketch, his secretary, would be retiring December 30th. (Her last day of work will be December 20th.) She will be greatly missed. Duties that Ms. Ketch currently performs will need to be streamlined. Serious incidents that occur to an individual that do not involve a violation of the Human Rights Regulations or an injury to the individual need only to be reported to the Licensing Specialist (for example, a seizure that results in a client being taken to the hospital. This does not include, abuse, neglect or complaints). However, in serious incidents wherein an injury has occurred and/or there is a potential violation of the Human Rights Regulations, then the Office of Human Rights and the Licensing Specialist need to be notified. Mr. Daye said that he would not have staff available in his office to forward information for the providers to Licensure. Information should be sent directly to your assigned licensing specialist. He also noted that deaths of individuals while under the charge of a program must be reported to his office and Licensure. He does not need to be informed of deaths of

individuals while not under the charge of a program. This does not include suicides that occur shortly after being seen by a provider.

Mr. Daye introduced Ms. Bradby, who has been hired as the new Human Rights Advocate.

Mr. Daye asked that affiliates not send him any emails with confidential information. This information can be faxed to his office.

Executive Session

On the motion of Mr. Reisner, seconded by Ms. Link, the LHRC voted to go into executive session per VA Code Section 2.2-3711(A) 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. Ms. Link seconded the motion which passed unanimously. The affiliates to be heard from are Bridges of RGH Inpatient, the Middle Peninsula Northern Neck Community Services Board, SOLA, Inc., and The Brambles.

Ms. Coates 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.

There were no recommendations from the Executive Session.

Old Business (continued)

Ms. Hickman of Empowering Youth for Positive Change, requested continued temporary affiliation with this LHRC. Ms. Coates moved approval of this request. Mr. Reisner seconded the motion which passed unanimously.

Freedom of Information Act (FOIA) Training – Mr. Daye provided FOIA training for LHRC members. It is required by law that this training be provided annually.

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

Respectfully Submitted,
Gail Slaughter
LHRC Administrative Support Liaison