

# NEWPORT NEWS REGIONAL LOCAL HUMAN RIGHTS COMMITTEE (LHRC)

October 1, 2008

## MINUTES

### PRESENT:

Joyce O'Brien	LHRC Member, Chairperson
Louise Beveridge	LHRC Member, Vice Chairperson
Dr. Rosanne Walters	LHRC Member
Deborah Elliott	LHRC Member - Applicant
Gianna Mitchell	Office of Human Rights
Carey Chappell	Keystone Newport News
Jill Adrian	Keystone Newport News
Kerry Dryden	Chessen and Associates
Heather Fisher	Family Solutions
Gregory Smith	Residential Living Options
Michael Bains	Brighter Futures
Coston Griffin	Alexander House
Allon Wright	Families In New Directions
Rachel Hysor	Family First of Virginia Beach/Lydia's House
Andrea Davis	Family First of Virginia Beach/Lydia's House

### I. CALL TO ORDER

The meeting was called to order by Joyce O'Brien, Chairperson at 6:26 p.m.

### II. REVIEW OF THE MINUTES

The minutes for the June 10, 2008 meeting were reviewed. A motion was made by Dr. Walters to approve the minutes as written and future minutes will adhere to new formatting suggested by Mr. Daye. Motion was seconded by Ms. Beveridge. Vote was taken, all in favor.

### III. OLD BUSINESS

#### A. Topic: **Residential Living Options is requesting renewal of temporary affiliation for Respite Care**

Discussion: Respite Care currently falls under Resident Living Options approved policies and procedures for their group home. Temporary affiliation was granted at the June 10, 2008 meeting. Residential Living Options is requesting renewal of temporary affiliation due to their pending License.

Action: Resident Living Options requests renewal of temporary affiliation for the addition of Respite Care under their current policies and procedures. A motion was made by Dr. Walters to renew temporary affiliation for Respite Care. Motion was seconded by Ms. O'Brien. Vote was taken, all in favor.

**B. Topic: Family First of Virginia Beach/Lydia's House is requesting renewal of temporary affiliation of new location**

Discussion: Family First of Virginia Beach/Lydia's House requested an additional location for girls ages 12-17 with moderate to serve emotional behavioral problems. Temporary affiliation was granted at the June 10, 2008 meeting. Family First of Virginia Beach/Lydia's House is requesting renewal of temporary affiliation due to their pending License.

Action: Family First of Virginia Beach/Lydia's House requests renewal of temporary affiliation for new location (girls group home). A motion was made by Ms. Beveridge to renew temporary affiliation for new location. Motion was seconded by Ms. O'Brien. Vote was taken, all in favor.

**IV. NEW BUSINESS**

**A. Topic: Vacant LHRC Board Member position**

Discussion: Current LHRC Board members along with Ms. Mitchell, OHR conducted a closed door interview with Ms. Deborah Elliott (Eastern State Hospital) for possible consideration as a new LHRC Board Member. The interview was conducted prior to the main session meeting.

Action: Committee voted to recommend Ms. Elliott for appointment to the Newport News LHRC. Unanimous vote was taken. Application will be submitted to the State Human Rights committee.

**B. Topic: Election of new officers**

Discussion: Per Ms. Mitchell, OHR the election of new officers should be conducted annually, but was an oversight at our June 10, 2008 meeting. The process was to elect a new Chairman and Vice Chairman.

Action: Dr. Walters made a nomination to keep Ms. O'Brien as the LHRC Chairman. Motion was seconded by Ms. Beveridge. Vote was taken, all in favor.

Action: Dr. Walters made a nomination to keep Ms. Beveridge as the LHRC Vice Chairman. Motion was seconded by Ms. O'Brien. Vote was taken, all in favor.

Discussion: Ms. Mitchell stated that the LHRC also requires a Secretary. The responsibilities of the Secretary would be to formulate the Closed Session language as to what the LHRC members would vote on when they came back into Open Session.

Action: Ms. O'Brien made a motion to nominate Dr. Walters to the position of Secretary. Ms. Beveridge seconded the motion for nomination. Vote was taken, all in favor.

**C. Topic: Family First of Virginia Beach/Lydia's House is requesting the addition of two services: In Home Care and Day Treatment Program**

Discussion (Day Treatment Program): Family First of Virginia Beach/Lydia's House is requesting an additional behavioral service of a Day Treatment Program. The location of the school would be in Chesapeake. The Day Treatment Program would have up to 24 school age children with a 1 to 8 staff ratio. The staff would be supervised by a licensed professional. The children would not have to attend the school in order to attend the afternoon Day Treatment Program. Some children have already been identified to attend the program

1<sup>st</sup> Action: Family First of Virginia Beach/Lydia's House is requesting temporary affiliation for Day Treatment Program. A motion was made by Dr. Walters to approve their request for temporary affiliation. Motion was seconded by Ms. Beveridge. Vote was taken, all in favor.

2<sup>nd</sup> Action: A motion was made by Ms. Beveridge to have Family First of Virginia Beach/Lydia's House submit for approval their Behavioral Management Treatment and Program Rules for the Day Treatment Program to the LHRC board members prior to our next LHRC meeting. Motion was seconded by Ms. O'Brien. Vote was taken, all in favor.

Discussion (In Home Care): Family First of Virginia Beach/Lydia's House is requesting In Home Care. The service would provide behavioral services to clients within their homes. Able to serve 20 clients (ages 4-18) male and female. Counselors will spend up to 10 hours per week with a client. The counselors would also be available for crisis calls and case management as needed.

1<sup>st</sup> Action: Family First of Virginia Beach/Lydia's House is requesting temporary affiliation for In Home Care. A motion was made by Dr. Walters to approve their request for temporary affiliation. Motion was seconded by Ms. Beveridge. Vote was taken, all in favor.

2<sup>nd</sup> Action: A motion was made by Ms. Beveridge to have Family First of Virginia Beach/Lydia's House submit for approval their Behavioral Management Treatment and Program Rules for In Home Care to the LHRC board members prior to our next LHRC meeting. Motion was seconded by Ms. O'Brien. Vote was taken, all in favor.

**D. Topic: Keystone Newport News requesting renewal of Structured Living Protocol variance**

Discussion: Keystone Newport News asked for approval of their Structured Living Protocol Variance application. Ms. Mitchell, OHR stated that Keystone Newport News originally asked for a renewal of the variance, but at the last State Human Rights meeting Keystone Newport News had their Structured Living Protocol variance revoked.

Action: Keystone Newport News is requesting approval for their Structured Living Protocol variance application. A motion was made by Ms. Beveridge to approve the Structured Living Protocol variance application. Motion was seconded by Dr. Walters with the suggested changes by Mr. Daye. Vote was taken, all in favor.

**V. STANDING REPORTS**

Topic: **General Information**

Discussion: Affiliates were asked to bring any issues that include resident information to be heard in the closed session.

Action: Reports were received from all affiliate programs in attendance. A summary is attached.

## VI. PUBLIC COMMENT

### **The following comments were made by the Office of Human Rights:**

Ms. Mitchell from the Office of Human Rights re-explained the complaint system focusing on the violation of a person's rights.

#### **Explanation of compliant process from the June 10, 2008 LHRC meeting:**

When the Office of Human Rights receives the report regarding abuse and/or neglect allegations they will be looking for the Provider to make a finding. Providers should always conduct investigations and notify the individual making the complaint the findings of the investigation.

Complaints look at services (i.e., rights violations, inappropriate services at discharge etc.) and the complaint system has two different processes.

Complaint Resolution Processes:

Informal Complaint: Provider will offer resolution and if the individual accepts the offer there is no further action. It is required to notify the Office of Human Rights in writing of the decision. If the complaint is not resolved in 5 day it becomes a formal complaint.

Formal Complaint: A full written decision has to be completed (i.e., did we or not violate the client's rights) and submitted to the Office of Human Rights. The client is notified and they have the right to appeal to the Office of Human Rights.

Annual Human Rights training is required for all staff members to include a comprehensive examination. The examination material should be placed in each employee's personnel file. Providers can purchase Human Rights training material at <http://www.dmhmrzas.virginia.gov/>.

### **The following question was posed to the Ms. Mitchell by Allon Wright (Families in New Direction):**

Is there something updated on the website with regards to the changes in the regulations? Ms. Mitchell stated that there is an overview of the changes on DVD along with a MS PowerPoint presentation.

## VII. MEETING SCHEDULE 2008: December 9, 2008

## VIII. CLOSED SESSION

Motion: Executive Session, pursuant to VA Code 2.2-3711-A (4), for the protection of the privacy of individuals in personal matters not related to public business, namely to review patient information from Alexander House, Residential Living Options, Family First of Virginia Beach/Lydia's House, Family Solutions, and Keystone Newport News pursuant to the regulations.

Ms. O'Brien made a motion to go into closed session at 7:50 p.m. to discuss issues evident in report from Alexander House, Residential Living Options, Family First of Virginia Beach/Lydia's House, Family Solutions, and Keystone Newport News. The motion was seconded by Dr. Walters and unanimously approved.

**IX. RECONVENED IN OPEN SESSION**

Motion: Upon reconvening in Open Session at 9:50 p.m., each member of the LHRC certified to the best of their knowledge, that only public business matters lawfully exempt from statutory open meeting requirements and only private business matters identified in the motion to convene the Executive Session were discussed in accordance to the VA Code 2.2-3711-A (4).

**X. LOCAL HUMAN RIGHTS COMMITTEE RECOMMENDATIONS**

**Alexander House:**

- On page 2 of the Serious Injury Investigation Report, in the outcome section, make an amendment to show the outcome as neglect and resubmit.
- On page 3 of the Serious Injury Investigation Report, in the disciplinary action section, at the next staff meeting review training with this incident as an example.

**Family First of Virginia Beach/Lydia's House:**

- Add "no camera phones" to program rules. Look into possibility of adding searches to human rights policies.

**Residential Living Options:**

- Use of shower chair when showering client, due to the risk of drop seizures.
- Provide a plan and informed consent for protective restraints on client specific during closed session

**Family Solutions:**

- No recommendations

**Keystone Newport News:**

- More details when describing incidents during closed session.

**XI. NEXT SCHEDULED MEETING**

The next regular LHRC meeting is scheduled for Tuesday, December 9, 2008 at 6:00 p.m. at Keystone Newport News.
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**XII. ADJOURNMENT**

Ms. O'Brien adjourned the meeting at 9:55 p.m.

RESPECTFULLY SUBMITTED:

Joyce O'Brien, Chairperson

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