

**TIDEWATER REGIONAL
LOCAL HUMAN RIGHTS COMMITTEE
May 1, 2012 – 8:30 a.m.
MINUTES**

Members Present

Delinda Patterson-Swanston, LHRC Vice Chairperson
James A. Overton, LHRC Chairperson
Janet Martin, LHRC Member

Others Present

Dana Gillentine, Risk Manager, Kempsville Center for Behavioral Health
Fran Neaves, Director of Performance Improvement and Risk Manager, VBPC
Jacqueline Abbott, Risk Manager, Harbor Point and Brighton Behavioral Health Center
Kathy Gwaltney, Day Treatment Supervisor
Kenya Ratliff, Day Treatment Supervisor
Lisa Sedjat, First Home Care
Marie Henrich, Office Manager, Harbor Point Behavioral Health Center
Matt Ours, Chief Executive Officer, Kempsville Center for Behavioral Health
Paula Harr, Director of QMS, First Home Care
Reginald T. Daye, Regional Advocate, DBHDS

Members Absent

Felicia Sawyer, LHRC Member

Others Absent

Kawanna Ward, Virginia Clinical Director of Mental Health, First Home Care
Kerry Knott, CEO, Harbor Point Behavioral Health Center

I. CALL TO ORDER

The Local Human Rights Committee meeting was called to order at 8:45 a.m. by James A. Overton, LHRC Chairperson.

II. REVIEW OF MINUTES

The minutes from the meeting held on January 24, 2012 were not approved and accepted until 9:00 a.m. when Ms. Martin arrived. Upon her arrival the committee was able to have a quorum. Ms. Martin made a motion to approve the January 24, 2012 minutes. Ms. Patterson-Swanston seconded the motion and all members present voted to accept.

III. PUBLIC COMMENTS:

There was no one from the general public who wish to speak.

IV. UNFINISHED BUSINESS

There was no unfinished business to report.

V. NEW BUSINESS

- A. Policy Review (Kempsville) – Personal Searches, Restraint/Seclusions, Handle With Care and Level system revisions – Reginald Daye requested that the Level System Revisions be deferred. The Level system information was not mailed to the LHRC members two weeks prior to this meeting which resulted in insufficient time to review the material. The Level System information will be presented at a LHRC Subcommittee scheduled for May 17, 2012 at 9:00 a.m. The members of the LHRC and Reginald Daye will be conducting two interviews for potential membership to the LHRC prior to the meeting at 8:30 a.m.

Matt Ours presented the Personal Searches policy to the committee and briefly went over the content. Reginald Daye asked that a revision be made to the policy stating the Office of Human Rights will be notified within 24 hours if a strip search is conducted (#6 on policy). Janet Martin recommended adding oral search to the policy and to provide the LHRC with a quarterly report.

Motion: Delinda Patterson-Swanston made a motion to approve the Personal Searches policy with the recommended changes.

Action: Janet Martin seconded the motion. The LHRC voted to approve the motion.

Matt Ours presented the Pet Therapy policy to the committee and briefly went over the content. Janet Martin asked if certified pet handlers would be responsible for the pets or if the staff at Kempsville would be responsible. Matt Ours informed her that staff would be responsible for the pets. The staff member is a certified therapeutic recreation specialist and has received pet handler's certification.

Motion: Janet Martin made a motion to approve the Pet Therapy policy.

Action: Delinda Patterson-Swanston seconded the motion. The LHRC voted to approve the motion.

Matt Ours presented the Restraint/Seclusion policy to the committee and briefly went over the content. Reginald Daye asked for clarification on "time-out" and "time-away". Matt Ours explained that this would be occurring on the milieu and a resident would be allowed to go into their bedroom for quiet time. On page three #2 Matt Ours indicated staff were being listed by the regulations (LMFT, etc). Reginald Daye stated this list should only reflect actual staff members who are allowed to implement restraint/seclusion. "Physicians Assistant" and "LMFT" are to be deleted from this list and policy. On page eight (time frames for restraint) Reginald Daye recommended changing the time frame limit for holds from 4 hours (JCAHO standard) to something more realistic for the current population. Matt Ours stated he did not foresee a resident having to be held for four hours. Matt Ours recommended deleting section 5.2.1 stating this was more seclusion/mechanical restraint information; 5.2.3 is physical hold information. Reginald Daye recommended creating and submitting a separate policy for seclusion for the acute population. On page nine under #10 Reginald Daye recommended adding notification to the Office of Human Rights and Licensure under "notifications" section (sections 10.1-10.61). On page eleven #11.2 Reginald Daye stated the application of incorrect

procedure was reportable to the Office of Human Rights as well and Office of Licensing. Under 11.3.1 remove the word “seclusion” (include this in separate policy).

Motion: Delinda Patterson-Swanston made a motion to approve the Restraint/Seclusion policy with the recommended changes.

Action: Janet Martin seconded the motion. The LHRC voted to approve the motion. The committee will receive copies of all revised policies.

- B. Policy Review (Harbor Point BHC) – Matrix and Behavior Management – Jackie Abbot presented the Matrix and Behavior Management Level System to the committee and briefly went over the content. A copy is also due to the State Human Rights Committee.
No action on the part of the LHRC is needed. This was only a quarterly update to the LHRC.

VI. STANDING REPORTS

- A. General Information – Paula Harr announced several personnel changes at First Home Care. Kawanna Ward is on extended medical leave and has indefinite return date. Ms. Ward’s position is being kept open; there are no plans to fill her position. There are three licensed staff members, Mimi Sedjat, Lisa Dewy (covering marketing and in the interim will be responsible for mental health support and day treatment), and Amy Dagan. Paula Harr remains the LHRC liaison. Reginald Daye asked that she resubmit FHC’s Cooperative Agreement. Paula also informed the committee that their day support program has been approved for center-based and non-center-based treatment.

Reginald Daye announced that due to a family emergency in Jacqueline Blackett’s family she was unable to attend today’s interview for membership to the Local Human Rights Committee.

- B. Quarterly/Annual Reports – Harbor Point Behavioral Health Center, Kempsville Center for Behavioral Health, First Home Care and Virginia Beach Psychiatric Center.

Location	Jan	Feb	March	Avg. Daily Census	Number of individuals served
FHC- Oyster Point Academy	7	5	10		
FHC- Day Support	0	0	1		
FHC – John Tyler	0	0	1		
FHC – Brighton Elementary	0	1	0		
Kempsville CBH	38	32	34	23/28/34=28	

Harbor Point BHC	23	25	21	44	
VBPC	2-alleged physical 1-informal complaint-service related	1-alleged physical 1-alleged verbal 1-informal complaints-service related	2-informal complaints-service related	82	1134

Seclusion and Restraint Reports

(S= Seclusion) (MR= Mechanical) (PR = Physical) (CR= Chemical)

Location	Jan	Feb	March
FHC- Oyster Point Academy	15 PR	27 PR	43 PR
Kempsville CBH	PR=56	PR=27	PR=66
Harbor Point BHC	PR- 67 S-0	PR- 119 S- 0	PR- 124 S- 4
VBPC	2-S 5-MR 5-PR	0-S 1-MR 2-PR	2-S 4-MR 2-PR

ALLEGATIONS REPORTS – CLOSED SESSION

Motion: Delinda Patterson-Swanston made a motion that the committee go into Executive Session, pursuant to Virginia code 2-2-3711A (4) for the protection of the privacy of individuals in personal matters not related to public business, namely to review patient information from First Home Care, Brighton Behavioral Health Center, Harbor Point Behavioral Health Center, Kempsville Center for Behavioral Health, Virginia Beach Psychiatric Center, pursuant to the regulations.

Action: Second was made by Janet Martin. All members present voted in favor of the motion.

Reconvene in Open Session: Upon reconvening in Open Session, Mr. Overton, Ms. Patterson-Swanston and Ms. Martin of the Tidewater Regional LHRC certified to the best of their knowledge that only public matters exempt from statutory open meeting requirements and only public business matters identified in the motion to convene the Executive Session, as referenced above, were discussed in accordance to Virginia Code 2-2-3711A (4).

VII. NEXT SCHEDULED MEETING

The next regular LHRC meeting is scheduled for Tuesday, August 7, 2012 in the Executive Board Room of Harbor Point Behavioral Health Center.

VIII. ADJOURNMENT

There being no further business to discuss, Delinda Patterson-Swanston made the motion to adjourn. Janet Martin seconded the motion. The meeting was adjourned at 11:20 a.m.

RESPECTFULLY SUBMITTED:

Marie Henrich, Office Manager
Recording Secretary

James A. Overton, LHRC Chairperson