

VALLEY COMMUNITY SERVICES BOARD LOCAL HUMAN RIGHTS COMMITTEE
MEETING MINUTES
January 09, 2009

Chuck Collins, Regional Advocate

Members Present

Elizabeth Bouldin-Clopton, Chair
Jeffrey Jones, Vice Chair
Donna Logan, Secretary
Bradley Houff
Tammy Johnston

Closed Session

Family Sharing
Community Living Services

Members Absent

Josephine Carpenter

TOPIC	DISCUSSION
Call to Order	<i>Elizabeth Bouldin-Clopton, Chair, called the January LHRC meeting to order and asked that the Board members and guests introduce themselves.</i>
Approval of Minutes	Upon Motion by Bradley Houff and supported by Donna Logan, November minutes were approved.
Public Comment	Ms. Bouldin-Clopton opened the meeting for public comment and invited individuals to come forward and address the committee. <ul style="list-style-type: none"> • No public comments
Affiliate Presentation (handouts filed with minutes)	Ms. Bouldin-Clopton invited presenters to come forward and sit at the table near the microphone. <ul style="list-style-type: none"> • C.C. & Associates, Christy Collins (co-owner) <ul style="list-style-type: none"> ✚ Staff Human Rights Training <ul style="list-style-type: none"> ○ Staff are trained in human rights initially upon hiring. Continue to utilize the video, Credo for Support. Additionally, staff read and review literature supporting the Independent living Model such as the National Center on Outcomes Resources, and the President's Committee on Mental Retardation, With a Little Help from My Friends. Staff also review the Department's "Blue Book" as well as C.C. & Associates' policies on human rights. Staff take a Human Rights test issued by the DMHMRSAS, for the competency based training. Human rights are reviewed and tests administered yearly. ✚ Notification of Rights

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- Individuals first receive a copy of their human rights notification upon choosing C.C. & Associates as their provider. This is done during their initial meeting for an assessment ISP. This notification is also included in C.C. & Associates consumer orientation handbook, which includes a variety of other policies. Human rights notifications are done again after this initial 60 day assessment, and then annually thereafter. Additionally, Human Rights posters are hanging in a prominent location within the office.

✚ Human Rights Complaints

- Two complaints reported.
 - Alleged neglect by staff- Report based on incident where client asked to remain in vehicle while staff entered building to pick up other participants. Client had a coughing spell and opened the door of vehicle and fell out on hands and knees. No reported injury to client. Unfounded by APS and DMHMRSAS.
 - Alleged neglect by staff- Report based on incident where client was left at Wal-Mart. Client asked to ride in another staff vehicle. Staff A agreed to let client ride with Staff B. Client exited vehicle A but did not get in vehicle B. Staff A drove away without confirming that client was in vehicle. Both staff vehicle drove away from store. Staff A phoned Staff B to see if client was with them. Staff A returned to store and found client at Customer Service. Client gave Customer Service their emergency card and they had called his primary physician, who called the grandmother/guardian/residential provider. The client reported that the incident “scared him”. C.C. & Associates Directors reviewed incident and found that staff were neglectful. All staff were informed that clients were not to switch vehicles unless transporting home or in case of emergency. Report faxed to Chuck Collins and client’s case manager. Client and legal guardian was notified of solution and were satisfied with action taken.

✚ Human Rights Complaint Process

- If the complaint is made to the Director of C.C. & Associates, the Human Rights Advocate is notified. Additionally, the complaint process is explained to the individual and if applicable, the individual’s Authorized Representative. The individual is given the choice to pursue the complaint either through the formal or informal process. If the individual chooses the informal complaint process, C.C. & Associates would attempt to resolve the complaint immediately. If the complaint is resolved to the satisfaction of the individual and his/her Authorized Representative if applicable, the complaint will be considered resolved. If the complaint cannot be resolved within five working days, C.C. & Associates would refer the complaint to the formal process.
- If the individual chooses the formal complaint process, C.C. & Associate’s Director(s) will try to resolve the complaint by meeting with the individual, any representative the individual chooses, the human rights advocate and others as appropriate within 24 hours of receipt of the complaint or the next business day. The Director(s) will investigate the complaint, if necessary. The Director(s) will give the

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individual and his chosen representative a written preliminary decision and where appropriate an action plan for resolving the complaint within 10 working days of receiving the complaint. If the individual disagrees with the decision made by C.C. & Associates or our action plan, he can respond to the Director(s) in writing within five working days after receiving C.C. & Associates preliminary decision and action plan. C.C. & Associates forwards a written copy of this final decision and action plan to the individual, his chosen representative and the human rights advocate within five working days after C.C. & Associates receives the individual's written response. If the individual disagrees with C.C. & Associates final decision or action plan, the individual may file a petition for a hearing with the Local Human Rights Committee.

✚ Citations from DMHMRSAS Licensure

- Received a human right's review by Mark Seymour and did not receive any citations.

✚ Staff Qualifications

- Program Coordinators with C.C. & Associates require an Associates degree or at least two years of continual service with C.C. & Associates. For the program specialist positions, C.C. & Associates requires at least a high school diploma or a high school equivalency certificate and the desire to work with individuals with developmental disabilities in accordance with the philosophy of C.C. & Associates. For both program coordinators and program specialist positions, the individual must agree to obtain at our expense CPR/first aid training, have an acceptable background check that is performed by DMHMRSAS and have acceptable driving record as defined by C.C. & Associates' policy. Currently, Andrew Collins, C.C. & Associates Director, has a Masters of Special Education, with over 13 years experience. Christy Collins, C.C. & Associates Director, has a Bachelors of Science degree with over 15 years experience. Currently, on staff there are four program coordinators, three full-time program specialists and eight part-time program specialists.

✚ Culture of Human Rights

- C.C. & Associates promotes human rights in daily interactions with individuals served. Staff are trained to view themselves as the reasonable accommodations for individuals with developmental disabilities to live and if they choose to work in the community. We feel strongly that all individuals need to have as much control over their lives as possible. We feel that this is best accomplished with continuing to serve individuals with small staff to consumer ratios. We provide in-home services on a 1:1 basis, unless training requires parallel intervention. Our community-based day support is completely provided in non-segregated settings with a maximum of 1:4 but more commonly a 1:3 ratio.
- ❖ C.C. & Associates is strictly a community based day support program. The program is closed on inclement weather days. Ms. Collins reported that "gas prices" have caused the biggest economy impact. Centralized pickups have helped with this. Participates are taken on trips to locations such as YMCA, Booker T. Washington, Library, Bowling, Shopping, and Local Galleries and Museums. The program operates five days a week from the hours of 9:00 am -1:00 pm. Mr. Houff asked where human rights are posted for the

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participates since there is no home office. Ms. Collins stated that all participates are given the information and also the group homes have the information. The suggestion was made to post the information in the vehicles and/or handout information monthly.

- Family Sharing, Debi Jo Brinkley (co-owner)
 - ✚ Staff Human Rights Training
 - Family Sharing, Inc. Employees are trained by the Owner/Consultants during orientation and within 15 days of their first date of employment and annually thereafter. The training includes a page by page review of the Family Sharing, Inc. Human Rights Policies and Procedures Manual with the DMHMRSAS Human Rights regulations for reference. During the training there are question and answer sessions in which staff have the opportunity to ask questions and address concerns they may have, including providing scenarios and examples for discussion. Each employee is given a comprehensive written test to assure their basic understanding of how to preserve and protect the rights of the individuals we serve, and each must be passed with an 85%. All of the annual trainings are conducted in the same format. Each employee is expected to carry and refer to the Family Sharing, Inc. Human Rights Policies and Procedures Manual at all times along with emergency contact numbers for reporting suspicion of abuse, neglect, and/or exploitation. Residential Consultants are responsible for assuring that the mentor families provide services to the individual, treating him or her with dignity and respect.

Mentor families are trained in Human Rights during their initial orientation and annually thereafter by the Owner/Consultants. The training is identical to the training given to the employees: a page-by-page review of the Family Sharing, Inc. Human Rights Policies and Procedures Manual; question and answer sessions; and scenarios and examples for discussion. Like employees, mentors are tested and must pass with 85% or higher in order to contract with Family Sharing, Inc. The Human Rights portion of Orientation is given to all adult members of the household, even those not on contract, and offered to other extended family members or close support that will be involved with the individual. Those not on contract, however, do not have to take the test. Family Sharing, Inc. believes that the entire family, children included, should have an understanding of their roles in protecting the rights and dignities of the men and women they are inviting into their homes; and that the family is a team and each member has an impact on the individual's life. Each mentor's home has a copy of the Family Sharing, Inc. Human Rights Policies and Procedures Manual, emergency contact numbers for reporting suspicion of abuse, neglect, and/or exploitation, and are trained to reference them frequently during the provision of services.

- ✚ Notification of Rights
 - Each individual receiving services from Family Sharing, Inc. is given an orientation folder. This folder

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contains: Mission Statement, Admission Statement, Confidentiality, Program Description, Service Guidelines/Participation in Treatment, Transfer/Discharge Policy, Access to Records, Human Rights Reviewed, Human Rights and How to Report Violations, The Grievance Procedure, Location of Support Staff, Hours and Days of Operation, Availability after Hours, Physical Building/Office /Home Layout, Fire Safety and Emergency Procedures (Review Fire Plan with Sponsor). This folder is reviewed face to face by the Owner/Consultant with the individual and contains a combination of written information and pictures. Each section is reviewed and explained to the individual in a way that he or she is best able to understand it. This orientation folder is also reviewed with the AR or Guardian and both the AR or Guardian and the individual sign a form indicating that it was reviewed with them. Each individual may keep his or her folder and may post his or her rights poster at the individual's choice.

- Family Sharing and its staff have at each of its locations, in which services are being provided, a display of the picture poster of the rights of the individuals, including the name and contact information of the Human Rights Advocate. The Mentor is responsible for reviewing the rights and contact information poster with the individual in order to encourage the individual to be familiar with his rights and his regional advocate and the process if he feels like his rights have been violated. Copies of the State DMHMRSAS Human Rights Regulations in there entirety are available on the web site and hard copies are given upon request of the individual or the authorized representative or the mentor.

 Human Rights Complaints

- Family Sharing, Inc. has handled 2 Human Rights complaints this year.
 - An individual's counselor reported that the mentor was providing a negative environment for the individual and talking negatively about the other client being served. Investigation was performed and report was "unfounded". A follow-up was done with the mentor and also an on-site visit.
 - Complaint against a mentor. Report that mentor was being verbally abusive and manipulative toward individual and discouraging the individual against choosing to purchase items. Also reported the mentor was not maintaining the individual's file as contracted. A complaint was made by a pharmaceutical provider concerning an outstanding bill. Investigation followed and Chuck Collins and Rhonda Angel were notified. Complaints were founded and mentor was placed on probation and given a criteria for plan of correction. At this date, mentor has completed probationary terms to satisfaction and is providing services in the home. The mentor provides Family Sharing with bank statements and copies of checks as follow up for individual living in this home.

 Human Rights Complaint Process

- All complaints made to Family Sharing, Inc. are forwarded to Owner/Consultants and are investigated immediately. Family Sharing follows the guidelines set forth in the Human Rights Regulations:

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Attempt to resolve the complaint as soon as it is made, then, if the complainant is not satisfied, the informal and formal complaint processes are explained. All complaints are reported, even if resolved, to the human rights advocate and to the LHRC and to the department.

✚ Citations from DMHMRSAS Licensure

- Family Sharing, Inc. was inspected as part of the renewal of our license on December 4, 2008. Approved for renewal for three years with no citations.

✚ Staff Qualifications

- Owner/Consultants Meneika Keith and Deborah Brinkley have extensive experience working with adults with mental retardation. Meneika is a QMRP, has seven years experience in business administration, marketing, graphic design, and advertising. Meneika has been working in MR sponsored residential services for nine years and is fluent in Spanish. Deborah Brinkley holds a bachelor's degree in social work, is a QMRP, and has worked in the human services field for 16 years serving in the Tidewater area and here in the Shenandoah Valley. Debi holds a level one certification in American Sign Language.

Jennifer Moore is celebrating one year as a Residential Consultant for Family Sharing, Inc. and has a bachelors in social work and is a QMHP. She has been working with adults with mental retardation and mental health dual diagnosis for over nine years as a case manager.

Preferred qualifications for Mentors includes previous experience working with adults or children with mental retardation or disabilities, with specific experience providing training in areas of personal development and direct assistance with self-care. Such experience can be through parenting or related work experiences in the human services field. Other qualifications for Mentors include good oral and written communication skills, time management skills, the ability to work independently, strong computer and administrative skills, stable family life, stable home environment, adequate social and community support, good driving record, and clean criminal history. Standard of Conduct expectations for mentors include the following: Since Sponsored Residential Services is subject to public scrutiny and Mentors are responsible for the mental, emotional, and physical care of dependent persons, Family Sharing, Inc. expects all Mentors and their household to demonstrate the highest degree of professionalism, morality, personal ethics, respectability, self-discipline, and self-control in their home and in the community. Actions including the use of profane or vulgar language, excessive or abusive use of alcohol or prescription drugs, the use of illicit drugs, participation in immoral activities, abusive or exploitative behavior, or evidences of emotional or mental disturbances which have the potential to compromise the administration of Mentor's duties or the health and safety of an Individual will result in counseling from supervisors and possible termination of Mentor Contract.

✚ Culture of Human Rights

- At Family Sharing, Inc., we work for the Individual. Preserving the individual's right to choose, to be treated with dignity, and to participate in his environment is Family Sharing's #1 commitment.

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Presented on W.E Request to continue usage of bedrails.

Board approved. Approval to continue usage of above restraints for one year.

Presented on A.M. Request to disallow smoking. Restriction from smoking due to health issues, smoking hazards. Doctor's orders for this restriction/technique/device. Request is to continue restriction.

Board approved.

- Community Living Services (Affiliate Presentation during closed session)
 - ✚ Staff Human Rights Training
 - CLS has a mandatory comprehensive competency based staff orientation that includes a detailed Human Rights program. The minimum score for the competency portion of the training is 80% CLS has a number of trainers who received their training by Mr. Collins and/or Mr. Urgo.
 - ✚ Notification of Rights
 - When an individual is admitted to CLS there is an initial Individual Service Plan meeting with the individual, family/care provider, guardian, LAR, friend(s) and the case manager; Human Rights information is presented. CLS covers all the information outlined on the Human Rights poster employing but not limited to additional supports i.e. pictures, written material and sign language to assist the individual and the other significant people who participate in the individual's meeting. Additionally, CLS reviews the individuals Human Rights at all quarterly ISPs.
 - ✚ Human Rights Complaints
 - Several allegations. Details discussed in closed session.
 - ✚ Human Rights Complaint Process
 - Anyone who believes that CLS has violated an individual's rights under the Human Rights regulations may report the alleged violation to the director or the director's designee. The director or his designee shall attempt to resolve the complaint immediately. If the complaint is resolved to the individual's, guardians or legally authorized representative's satisfaction, no further action is required. The director or his designee shall refer any complaint that is not resolved to the individual's legally authorized representative's or guardians satisfaction within five working days to the human rights advocate. If the individual or his legally authorized representative, as applicable, is not satisfied with the resolution then the director or the director's designee shall immediately notify the human rights advocate. The individual, their legally authorized representative or guardian, as applicable, may contact the human rights advocate at any time to pursue a formal complaint. The human rights advocate shall have access to information regarding all informal complaints upon request. Complaints made under this section will not be reported to the department.
 - ✚ Citations from DMHMRSAS Licensure
 - Two for inappropriate T.O.V.A. holds. It was felt that the holds should have been conducted in open areas. Holds are no longer conducted in private areas, no matter what the situation, and debriefings are required.
 - ✚ Staff Qualifications

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	<ul style="list-style-type: none"> ○ CLS requires one year of comparable experience (i.e. nursing home, private duty, etc.). In addition to the experience, the new staff person must pass all pre-service training and required background checks. ✚ Culture of Human Rights <ul style="list-style-type: none"> ○ CLS MISSION STATEMENT: <u>COMMUNITY LIVING SERVICES (CLS) IS COMMITTED TO PROVIDING THE HIGHEST LEVEL OF SERVICES TO ITS CONSUMERS. OUR GOAL IS TO AFFORD THE CONSUMER THE OPPORTUNITY TO DEVELOP THEIR SKILLS IN A SAFE AND SECURE ATMOSPHERE THAT IS FREE OF INTIMIDATION, FEAR AND UNDUE STRESS.</u> <p>UNDER THE VIRGINIA FREEDOM OF INFORMATION ACT §2.2-3700 ET. SQ. CODE OF VIRGINIA The LHRC Committee reconvened in Open Session.</p> <p>Upon reconvening in open session, each member of the LHRC certified that only appropriate client related business was discussed. All committee members and advocate attested, stating, I so certify.</p>
Adjournment	The January LHRC Meeting was Adjourned.

NEXT MEETING OF THE LHRC is March 6th at 9:00 a.m.

March Presenting Affiliates:

Wall Residences, LLC
Heart Havens
Presbyterian Homes