

DRAFT

Virginia Beach Area Local Human Rights Committee Meeting Minutes

- **DATE OF MEETING:** November 14, 2008
- **COMMITTEE MEMBERS PRESENT:**
 - Kevin M. Bowing – LHRC Board Member
 - Shaunna Robey – LHRC Secretary
 - Kimberly Hitchman – LHRC Chairman**Absent:** Mary Meagher
- **OTHERS PRESENT & AFFILIATE NAMES:**
 - Reginald Daye – DMHMRSAS – Regional Advocate – Human Rights
 - Sheila Owens – Eagles Nest, LLC
 - Michelle Hammer – Hope House Foundation
 - Pamela Little – Community Alternatives, Inc., LHRC Program Liaison
 - Danna Hamilton – Community Alternatives, Inc., Program Secretary
 - Amy Karkane – Virginia Beach Department of Human Services
 - Vincent Hamilton – Burke Family Care
 - Melissa Nugent – Burke Family Care
 - Cheryl Davis – Eastern Shore CSB
 - Donna Kellam – Eastern Shore CSB
 - Debra Waters – Chesapeake CSB
 - Melissa Mason – Chesapeake CSB
- **CALL TO ORDER:**

The meeting was called to order by Kimberly Hitchman at 9:25 AM.
- **ADOPTION OF THE AGENDA:**

The agenda was reviewed and approved with changes as follows:

 - Under **OLD BUSINESS:**
 - No. 3 should read:** Continued temporary affiliation: Chesapeake CSB; Eastern Shore CSB, Virginia Beach DHS, Hope House Foundation, Eagles Nest, and Community Alternatives, Inc.
 - No. 4 should read:** Review and approval of Rules of Conduct – Va. Beach DHS (omitting behavioral management policies)
- **APPROVAL OF MINUTES:**

Minutes were approved with corrections as follows:

 - EASTERN SHORE CSB (ESCSB):
 - ESCSB is not city-run. They are an Operational Board.
 - Their license includes, *but is not limited to*, Outpatient Services, a Day Program, Supported Living, and Developmentally Delayed Infants & Toddlers.
 - In the Provider Report, ESCSB has 0 (zero) emergency restraints
 - In the Provider Report, listed were 1-Right to Treatment and 1-Formal Complaint. It was noted that they were one in the same. Therefore, the revised minutes will omit Rights to Treatment and list it as 1 Formal Complaint.
 - In the Provider Report, Number of Informal Complaints was 0 (zero).

DISCUSSION: There was confusion as to how to list the incidents. For the sake of documentation in the minutes, it was decided that the minutes would only reflect Informal Complaints or Formal Complaints. The affiliates should still break it down on their Provider Report form as to the type of incident.

CHESAPEAKE CSB:

- It was reported on page 6 in the minutes that Chesapeake CSB had no numbers to report. Chesapeake CSB did not report due to being affiliated with another LHRC where incidents were reported.

In addition to these changes, the secretary will change 'information' to 'informal' on the tables in the Provider Report section.

This concludes the changes to the minutes. Motion was made and seconded and the minutes were approved with changes. Revised approved minutes for August 1st will be distributed.

- **OLD BUSINESS:**

FINALIZATION AND SIGNING OF AFFILIATION AGREEMENT:

Modifications to the Affiliation Agreement were submitted to Reginald Daye and were incorporated into the agreement. A motion was made to adopt the Affiliation Agreement. Motion was seconded and approved.

DISCUSSION: Questions arose regarding No. 8 regarding the rotation of the Support Treasurer position. Does the bank account change every time? Ms. Mason answered 'no,' you just transfer the signer on the card. Mr. Daye suggested Pam Little touches base with Ms. Mason regarding setting up the account. He also explained that the committee cannot be involved with the account. The Treasurer will present the information in a Treasury Report to this committee at the meetings, but the committee does not take any responsibility for it. It also must not have the LHRC name on the account. You can call it the 'Virginia Beach Area Affiliate Account' but the account is the affiliates' responsibility. Ms. Mason suggested and it was agreed that after the account was set up, Ms. Little would generate a simple bill and then affiliates would submit their checks with the bill.

Motion was made and seconded to approve the Affiliation Agreement. Mr. Daye asked that affiliates sign and date their agreement and send it to his office. The membership fee will be collected once the account is set up.

TEMPORARY AFFILIATION FOR BURKE FAMILY CARE'S SIX SPONSORED HOMES:

Mr. Hamilton reported that one of the six homes was dropped from their program and another home has moved its location. The residence that was dropped was 4008 Monitor Drive. Mr. Hamilton submitted to the board a letter as to why it was dropped. The other residence that moved has been inspected and approved by Burke Family Care. Mr. Daye asked if their residences were checked out prior to a client signing a contract. Mr. Hamilton assured him that will be done. At this time, there are no clients.

A motion was made and seconded to approve a temporary 90-day affiliation of the 5 (five) sponsored homes under Burke Family Care. Mr. Hamilton will email the secretary and committee the change of address of the one home that moved. The change of address is now listed here. The 710 Hemlock Road address has been changed to 846 Weyworth Drive, Hampton, VA 23666. See listing below:

The Five Sponsored Homes under Burke Family Care are:

Vernon & Sharon Davis
37 Santa Barbara Drive
Hampton, VA 23666

Michael Burke
10 Oxford Terrence
Hampton, VA 23661

Dionne Williams
31 Queensbury Way
Hampton, VA 23666

Anna K. Devore
846 Weyworth Drive
Hampton, VA 23666

John & Beulah Crutchfield
11 Evans Street
Hampton, VA 23669

CONTINUED 90-DAY TEMPORARY AFFILIATION: Chesapeake CSB, Eastern Shore CSB, Virginia Beach DHS, Eagles Nest, Hope House Foundation, and Community Alternatives, Inc.

A motion was made to grant continued 90-day temporary affiliation to Chesapeake CSB, Eastern Shore CSB, Virginia Beach DHS, Eagles Nest, Hope House Foundation, and Community Alternatives, Inc. The motion was seconded and approved.

DISCUSSION: Mr. Daye explained that the programs that are not yet licensed will continue to ask for temporary affiliation until they receive their licenses. Once the affiliate is licensed, you submit your signed and dated Affiliation Agreement and ask for permanent affiliation. Programs that are already licensed, once they turn in their signed affiliation agreement, can ask for permanent affiliation.

REVIEW AND APPROVAL OF RULES OF CONDUCT – VIRGINIA BEACH DHS

Eastern Shore CSB came before the committee at this time to explain that they have made the recommended changes to the Rules of Conduct they submitted at the last meeting. They recently gave the board copies of those changes. The documents that changed were:

Residential Rules/Guidelines

Day Support Program Rules

Additionally, the Behavioral Support Plan has been clarified per Mr. Daye's recommendation. Since these documents have not yet been reviewed, review and approval for these changes will be deferred to the next meeting and will be placed on the agenda.

Virginia Beach DHS's MR Division – SkillQuest MR Day Support Services submitted their Rules of Conduct, which were revised November 13, 2008 per recommendations from the committee. They were approved at the August 2nd meeting except for 2 program areas:

- 1) Item No. 4: 'Identified medical problems that are behavioral problems that require resources beyond the scope of the program will be reason for discharge from the program.' After speaking with Mr. Daye, this item was deleted.
- 2) For the Recovery Center. Our old policy had specific times when the TV was turned on. That was removed from the policy. Also, the old policy read: 'Attendance at all group meetings, activities, including AA, NA meetings are highly encouraged unless excused by staff.' They are requesting to change 'highly encouraged' to 'mandatory.'

- 3) Old policy (No. 11) read: 'Visitors are not permitted. Personal belongings may be dropped off at the unit at any time, all items will be searched.' This was changed to: 'Visitors are not permitted during the first level of the program; however, when clients have progressed to the second level of the program, visitors are allowed. Personal belongings can be dropped off at the unit at any time. All items will be searched.'

DISCUSSION: Mr. Daye asked if they have a handbook that is given out that contains this information in more detail? He explained that they have to have a more detailed policy on visitation and phone use in the Level System and how they progress through the levels. Regulation 12VAC 35-115-50, C7c, explains the regulatory requirements concerning restrictions on phone calls and, C8c, t explains the regulatory requirements concerning restrictions on visits. He explained that they need to develop a level system for their policies based on the Human Rights Regulations and then present the level system to this committee for review and approval. Please submit the policy at least two weeks prior to the next meeting, so the LHRC and Mr. Daye will have time to review, prior to the meeting.

A motion was made to approve the Rules of Conduct for the SkillQuest and the Recovery Center Program. The motion was seconded and approved with the Recovery Center's Rules of Conduct omitting #11 and # 12. More information will be provided at the next meeting regarding visitation and phone usage in the Level System policy.

Chesapeake CSB's Rules of Conduct have been revised based on corrections made at the last meeting. A final draft was submitted. It was explained that the appeal was streamlined making sure the client had one contact person at the agency as well as Reginald Daye and is now in compliance.

A motion was made and seconded and approval was given to the Rules of Conduct and Behavioral Management for Chesapeake CSB.

▪ **PROVIDER REPORTS:**

HOPE HOUSE FOUNDATION

5 Abuses
6 Neglect
No Exploitation
No Serious Injury
All cases are closed.

EASTERN SHORE CSB

2 Neglect
1 Formal Complaint
No New Programs
No Emergency Restraints

CHESAPEAKE CSB

2 Abuses
No Exploitation
4 Serious Injuries
4 Deaths
1 Formal Complaint

No Emergency Restraints
No New Programs

VIRGINIA BEACH DHS

4 Abuses
5 Neglect
No Exploitation
15 Serious Injuries
11 Deaths
15 Complaints
1 Emergency Restraint
No new programs

Community Alternatives, Inc.

2 Abuse
2 Neglect
2 Serious Injuries
No Emergency Restraints
No new programs

▪ **REGIONAL ADVOCATE UPDATE:**

If you plan to open any new programs, make sure that you submit notice to my office. Let us know in your notification the following: if it is a additional sponsored home or a new service, the location and description of that service or home, who is going to manage it, how we can contact that individual, and indicate in the letter that it will come under your existing approved human rights policy. It is very important you do this because we pull the policies we have on file to determine if, in fact, new services or home or program are covered under those policies. This is need before I can notify licensing that your program is in compliance with the human rights regulatory requirements. These add on homes, services or programs must also be granted affiliation with this LHRC. This requires a vote by the LHRC. When you send me the letter and notice, you need to copy the members of the LHRC. This gives them a heads up that you'll be presenting that at the next meeting. Without the letter, when licensure sends me a request or is asking if you're in compliance with human rights, I can not confirm your compliance. Without that confirmation, there could be a delay the licensing process.

▪ **PUBLIC COMMENTS:** None

▪ **CLOSED SESSIONS:**

The LHRC voted to go into closed session per VA. Code: 2.2-3711A): to review abuse, complaints, behavioral plans, deaths, serious incidents, restraints at the following programs: VA BEACH DHS, EASTERN SHORE CSB, CHESAPEAKE CSB, Hope House Foundation and CAI.

The LHRC voted to reconvene in open session. Upon entering into open session each member certified that the only thing discussed while in closed session was the above noted.

Action/ Recommendations voted on by the LHRC:

1. CAI: Mr. D. – Present committee with update on possible use of a GPS Tracking System. Submit a policy on the use of the GPS Tracking System. Incorporate its use into Mr. D.'s service plan, if planning to use.

2. Chesapeake CSB: 1) Mr. R. – Follow up with information on the overdose incident.

2) Mr. D. – Follow up with information on the incident

3. Hope House Foundation: Mr. C. - Committee recommends program present to the LHRC details of any incidents which may require the use of his behavioral management plan during the next 90 days.

4. Va. Beach DHS: Mr. D. – Request follow up on the suicide. Provide more details.

▪ **ADJOURNMENT:** The meeting adjourned: 12:25 PM.

Minutes respectfully submitted by: Danna Hamilton
Secretary