

**STATE HUMAN RIGHTS COMMITTEE  
MEETING MINUTES**

Southside Virginia Training Center  
26317 W. Washington Street  
Building 1, Conference Room B  
Petersburg, Virginia 23803  
Friday, March 5, 2004

**ADMINISTRATIVE MEETING**  
**8:00 a.m.**

**COMMITTEE MEMBERS PRESENT**

Joyce Bozeman, Chair  
Michael Marsh, Vice-Chair  
Delores Archer  
Angela Brosnan  
Barbara Jenkins  
Carmen Thompson  
Bobby Tuck  
Davey Zellmer

**HUMAN RIGHTS STAFF PRESENT**

Margaret S. Walsh, State Human Rights Director  
Kli Kinzie, Executive Secretary  
Musa Ansari, Regional Human Rights Advocate, Region II  
Nancy C. Neese, Regional Human Rights Advocate, Region III  
James O. Bowser, Jr., Regional Human Rights Advocate, Region IV  
Reginald T. Daye, Regional Human Rights Advocate, Region V  
Jennifer Bailey, CORE Human Rights Advocate, Region IV & V  
Michael Curseen, Patient Advocate, Central State Hospital  
Anne Stiles, Facility Human Rights Advocate, Piedmont Geriatric Hospital  
Tonya Cunningham, Facility Human Rights Advocate, CSH Forensics  
BJ McKnight, Facility Human Rights Advocate, SWVTC  
Yolanda Smith, Southside Virginia Training Center

## **OTHER STAFF PRESENT**

Julie Stanley, Assistant Commissioner, Administrative and Regulatory Compliance  
Marion Greenfield, Director of Quality Management, DMHMRSAS  
CC Murphy, Director, Virginia Center for Behavioral Rehabilitation (VCBR)  
Mario Dennis, Virginia Center for Behavioral Rehabilitation  
Michelle Herbert, Unit director, Virginia Center for Behavioral Rehabilitation  
Eric Alridge, Director, Quality Assurance, Operations, and Risk Management, VCBR

## **ISSUES:**

Dr. Joyce Bozeman, Chair opened the administrative session of the March 5, 2004 State Human Rights Committee meeting. The SHRC will consider applicants for replacing Mr. Briggs at the April 23 meeting in Lynchburg. At that time, the committee will elect officers for the upcoming term of July 1, 2004 to June 30, 2005.

### VCBR Policy Review

Margaret S. Walsh, State Human Rights Director, introduced Marion Greenfield, Manager of Quality Management. Ms. Greenfield briefed the SHRC on the various levels of rule making for the department and its facilities.

Ms. Greenfield introduced Mr. CC Murphy, Director of the Virginia Center for Behavioral Rehabilitation (VCBR). Mr. Murphy introduced Dr. Mario Dennis, Michelle Herbert, and Eric Alridge, Director of Quality Assurance, Operations, and Risk Management, VCBR.

Mr. Murphy welcomed the committee to the campus and provided an overview of the development of the VCBR facility. Marion Campbell is working with staff to develop the rules manual for the new facility, which is being modeled after the current DMHMRSAS Department Instructions manual. Ms. Campbell stated that she is striving for a single standard of care for consumers of DMHMRSAS services in keeping with the special circumstances for this population. DMHMRSAS is still developing ward rules for this facility.

Staff of VCBR gave the SHRC and staff of the Office of Human Rights a tour of the VCBR facility.

**REGULAR MEETING**  
**10:15 a.m.**

**COMMITTEE MEMBERS PRESENT:**

Joyce Bozeman, Chair  
Michael Marsh, Vice-Chair  
Delores Archer  
Angela Brosnan  
Barbara Jenkins  
Carmen Thompson  
Bobby Tuck  
Davey Zellmer

**STAFF PRESENT:**

Margaret S. Walsh, State Human Rights Director  
Kli Kinzie, Executive Secretary  
Musa Ansari, Regional Human Rights Advocate, Region II  
Nancy C. Neese, Regional Human Rights Advocate, Region III  
James O. Bowser, Jr., Regional Human Rights Advocate, Region IV  
Reginald T. Daye, Regional Human Rights Advocate, Region V  
Jennifer Bailey, CORE Human Rights Advocate, Region IV & V  
Michael Curseen, Patient Advocate, Central State Hospital  
Anne Stiles, Facility Human Rights Advocate, Piedmont Geriatric Hospital  
Tonya Cunningham, Facility Human Rights Advocate, CSH Forensics  
BJ McKnight, Facility Human Rights Advocate, SWVTC  
Yolanda Smith, Southside Virginia Training Center

**OTHERS PRESENT:**

Julie Stanley, Assistant Commissioner, Administrative and Regulatory Compliance  
Dana M. Johnson, Assistant Attorney General  
Dr. John Holland, Director, Southside Virginia Training Center  
Margie Tuck, Henrico CSB LHRC Member

**CALL TO ORDER:**

The March 5, 2004, meeting of the State Human Rights Committee was called to order by Dr. Joyce Bozeman, Chairperson. Dr. Bozeman lead the members in introducing themselves. Advocates and staff of the Office of Human Rights introduced themselves.

Dr. Bozeman passed the floor to Dr. John Holland, who graciously welcomed the SHRC to Southside Virginia Training Center (SVTC). There are four

(4) facilities that share the SVTC campus: Southern Virginia Training Center, Central State Hospital, Hiram W. Davis Medical Center, and Virginia Center for Behavior Rehabilitation. Dr. Holland provided the committee with an overview of the client populations and description of services provided.

## **MINUTES:**

The minutes of the January 23, 2004 SHRC meeting were approved as submitted.

## **Olmstead Update**

Dr. Bozeman introduced Julie Stanley, Assistant Commissioner, Administrative and Regulatory Compliance, DMHMRSAS, and Director of integration for the Olmstead Committee. Ms. Stanley brought the committee up to date on activities of the Olmstead Integration Team and the Governor's support of the Olmstead initiative.

## **Discharge Planning**

Julie Stanley and Dana M. Johnson, Assistant Attorney General, briefed the SHRC on the status of a suit from the Virginia Office for Protection and Advocacy (VOPA) regarding delays in patient discharge from facilities. Ms. Stanley and Ms. Johnson discussed extraordinary barriers as they relate to the Olmstead initiative.

## **SHRC Annual Report**

Dr. Bozeman solicited the committee for feedback on the Draft SHRC Annual Report to the State MHMRSAS Board. SHRC member Barbara Jenkins offered to review the draft closely and make specific recommendations.

## **Timeout Workgroup**

John Barrett, Fidura & Associates, Virginia Network of Private Providers, introduced Juliette Ray and Ginny Travis of District 19 CSB, and Shirley Lyons of Henrico Area CSB. Since the promulgation of the current human rights regulations, there have been many applications for variances to the Time Out procedure. This has been the driving force behind the formation of the study group. Ms. Ginny Travis updated the SHRC on the activities of the study group. Ms. Shirley Lyons reviewed the background and definition of Time Out as it has changed over the past few years. Ms. Juliette Ray summarized the discussions of the Time Out Study Group. SHRC member Bobby Tuck, and Human Rights Regional Advocate Reggie Daye also served on the study group. It was recommended that a better definition of Time Out be developed.

**A motion was made and unanimously passed to accept the report of the Time Out Study Group.**

**A motion was made and passed by a vote of 7 to 1 that the Time Out Study Group is to give guidance to the Office of Human Rights on the interpretation of the Time Out regulations in accordance with the recommendations in the Report of the Time Out Study Group.**

### **Status of SWVTC Case**

Nancy C. Neese, Regional Human Rights Advocate, Region III, and BJ McKnight, Facility Human Rights Advocate, SWVTC, addressed the SHRC regarding a client of Southwestern Virginia Training Center.

**The motion was made and passed that the State Human Rights Committee go into closed session pursuant to Virginia Code § 2.2-3711(A)(15) for the purpose of discussion or consideration of medical and mental records excluded from the Freedom of Information Act.**

Upon reconvening in open session, the State Human Rights Committee unanimously certified that to the best of each member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the Executive Session were discussed in the Executive Session.

**A motion was made and unanimously passed to ask Commissioner Reinhard for specific information on the number of children who are within one year of aging out of the system. Ask for a plan to avoid unready discharge, including options for funding sources.**

**A motion was made and unanimously passed to acknowledge this issue in a letter to appropriate facilities.**

The SHRC commends Nancy C. Neese and BJ McKnight for their succinct dealing with this issue.

**A motion was made and passed by a vote of 7 with 1 abstention to ask Commissioner Reinhard to direct the facilities to report to the SHRC on the discharge process to a community environment.**

## **VARIANCES:**

### **New River Valley CSB / New Life Recovery**

Nancy C. Neese, Regional Human Rights Advocate, Region III, introduced Ms. Kat McClinton of New River Valley (NRV) CSB. Ms. McClinton provided an overview of the substance abuse program and population served by NRV. The program is requesting a variance to 12 VAC 35-115-50 Dignity C7, C8, and E4b & c, and 5.

**A motion was made and unanimously passed to approve for one year the variance to 12 VAC 35-115-50 Dignity C7, C8 and E4b & c, and 5 for New River Valley Community Services Board.**

### **Bethany Hall for a New Beginning**

Nancy C. Neese, Regional Human Rights Advocate, Region III, introduced Mary Ann Chamberlain and Denise Yah of Bethany Hall for a New Beginning (BHNB). Ms. Chamberlain and Ms. Yah provided an overview of the program's services and the population served. BHNB is a residential treatment center for women that is affiliated with Blue Ridge Behavioral Healthcare. The program is requesting a variance to 12 VAC 35-115-50 Dignity C8 and E5.

**A motion was made and passed by a vote of 7 to 1 to approve for one year the variance to 12 VAC 35-115-50 Dignity C8 and E5 as requested.**

## **BYLAWS:**

### **Health Planning Region V Local Human Rights Committee**

Mr. Reginald T. Daye, Regional Advocate, Region V, presented on behalf of the Health Planning Region V LHRC, a request to amend their bylaws in order to comply with the changes in the Human Rights Regulations.

**A motion was made and unanimously passed to approve the Health Planning Region V Local Human Rights Committee Bylaws as submitted.**

### **Hampton Roads Regional Local Human Rights Committee**

Mr. Reginald T. Daye, Regional Advocate, Region V, presented on behalf of the Hampton Roads Regional LHRC, a request to amend their bylaws in order to comply with the changes in the Human Rights Regulations.

**A motion was made and unanimously passed to approve the Hampton Roads Regional Local Human Rights Committee Bylaws as submitted.**

Peninsula RTC Local Human Rights Committee

Mr. Reginald T. Daye, Regional Advocate, Region V, presented on behalf of the Peninsula RTC LHRC, a request to amend their bylaws in order to comply with the changes in the Human Rights Regulations.

The local human rights committee also made a request to change its name from "Peninsula RTC Local Human Rights Committee" to "Peninsula Regional Local Human Rights Committee".

**A motion was made and unanimously passed to approve the Peninsula RTC LHRC Bylaws as submitted as well as their request to change the committee's name to "Peninsula Regional Local Human Rights Committee".**

Arlington CSB

Musa Ansari, Regional Human Rights Advocate, Region II, presented the Bylaws modification request for Arlington CSB LHRC on behalf of Ophelia Okafor, Human Rights Advocate. The bylaws were submitted to the SHRC in September of 2003 but were not approved.

During the September 2003 SHRC meeting, the SHRC recommended the following changes, which have now been incorporated in the modification request:

1. Article II, Section 1, D. – Change *Director* to "appropriate affiliate Director."
2. Article II, Section 1, G. - Change *When requested the LHRC Chair has the authority* to "To give the LHRC Chair the authority."
3. Article II, Section 1, I. – Delete (see Appendix A)
4. Article III, Section 1 – Clarity exactly how many members required.
5. Article IX, - Recommended that parliamentary authority be changed from Robert's Rules of Order.

The following additional change is requested by the Arlington LHRC:

Article VI – Quorum – Changed "total membership" to "total appointed members currently serving." The committee decided to change the definition of a quorum to insure that if they don't have the maximum membership of 9 they would be able to continue to conduct business.

**A motion was made and passed by a vote of 7 to 1 to approve the Arlington CSB LHRC Bylaws modification request.**

Fairfax-Falls Church CSB

Musa Ansari, Regional Human Rights Advocate, Region II, presented a Bylaws modification request for the Fairfax-Falls Church CSB LHRC. The Fairfax-Falls Church CSB reviewed their Bylaws during the November 2003 LHRC meeting and voted to recommend the adoption of the modification.

**A motion was made and unanimously passed to approve the Bylaws modification request as amended for Fairfax-Falls Church CSB LHRC as amended.**

Poplar Springs Hospital

Jennifer Bailey, CORE Human Rights Advocate, Region IV & V, presented a request to modify the Bylaws of Poplar Springs Hospital LHRC, and a request to change the name of "Poplar Springs Hospital LHRC" to "Petersburg Regional LHRC". Ms. Bailey also submitted the LHRC's proposed affiliation agreement.

**A motion was made and unanimously passed to approve the revision to the Bylaws, including the requested name change from "Poplar Springs Hospital LHRC" to "Petersburg Regional LHRC", and acceptance of the affiliation agreement.**

LHRC MEMBERSHIP:

**The motion was made and passed that the State Human Rights Committee go into closed session pursuant to Virginia Code § 2.2-3711 for the purpose of considering appointments to, and removals from, Local Human Rights Committees.**

Upon reconvening in open session, the State Human Rights Committee unanimously certified that to the best of each member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the Executive Session were discussed in the Executive Session.

**The motion was made and unanimously passed to appoint the following applicants to the respective Local Human Rights Committees.**

Southwest Regional

Appoint:  
Robyn Anderson

Region Ten CSB

Appoint:

Elizabeth Bruns

Paul Patrick

Valley CSB

Appoint:

Sandra L. Russell

Fredericksburg Area

Appoint:

Marguerite Roche

Hampton Roads Regional

Reappoint:

Wanda Yvette Ward

Williamsburg Community Hospital

Reappoint:

Stanley P. Lewis

Frances R. Hall

Hampton/Newport News CSB

Appoint:

Timothy W. Dorsey

Richmond Behavioral Health Authority

Appoint:

Linda Patterson

Karen B. Tompkins

Central State Hospital

Appoint:

Eurgentine Jackson-Hanson

Cleveland Rodgers

Mr. Reginald T. Daye, Regional Advocate, Region V, presented a request on behalf of the Middle Peninsula/Northern Neck Local Human Rights Committee to remove Mr. J. C. as a member of the committee due to his lack of attendance at the regularly scheduled meetings.

**A motion was made and unanimously passed to remove Mr. J. C. from the Middle Peninsula/Northern Neck Local Human Rights Committee.**

### **Reports of the Human Rights Director and the SHRC Chair**

The SHRC discussed the LHRC Application process. Ms. Walsh has sent a reminder to advocates regarding the proofing of work and completion of documents before submission to the SHRC.

Committee members noted that policies and procedures for behavior plans should also be proofed before submission.

Margaret Walsh, Human Rights Director, reported that registrations for the March 30 and 31, 2004 LHRC Seminar are coming in. She was pleased to announce that Richard Bonnie has accepted to be the keynote speaker and Commissioner Reinhard will provide the welcome.

**Having no further business to discuss, the motion was made and passed to adjourn the meeting.**

Respectfully submitted,

Joyce Bozeman, Chairperson  
State Human Rights Committee