

**STATE HUMAN RIGHTS COMMITTEE
MEETING MINUTES**

Blue Ridge Behavioral HealthCare
301 Elm Avenue
Roanoke, Virginia 24016
Friday, May 31, 2002

ADMINISTRATIVE MEETING
8:00 a.m.

COMMITTEE MEMBERS PRESENT

Jim Harper, Co-Chairman
Peter McIntosh, Co-Chairman
Joyce Bozeman
Angela Brosnan
Carol Gittman
Michael Marsh
Linda Martin
Loretta Redelman

STAFF PRESENT

Musa Ansari, Assistant State Human Rights Director
Kli Kinzie, Executive Secretary
Charles T. Collins, Regional Human Rights Advocate, Region I
Mary W. Towle, 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
Sherry C. Miles, Regional Human Rights Advocate, Region VI
Michael Curseen, Facility Human Rights Advocate, CSH
Sonia Smith, Facility Human Rights Advocate, Catawba Hospital

OTHERS

Dana M. Johnson, Assistant Attorney General
Betty Bingham, Manager, Office of Consumer Affairs, Blue Ridge Behavioral HealthCare
Betsy Walker, Executive Assistant, Blue Ridge Behavioral HealthCare

Betty Bingham, Manager, Office of Consumer Affairs, and Betsy Walker, Executive

Assistant, welcomed the Committee to Blue Ridge Behavioral HealthCare.

ISSUES:

LHRC Affiliations

James O. Bowser, Jr., Regional Human Rights Advocate, Regional IV, provided the Committee with an example of LHRC affiliation procedures from Richmond Behavioral Health Authority and described the layout of some of the LHRCs in Region IV. Chuck Collins, Regional Human Rights Advocate, Region I, and Mike Curseen, Facility Human Rights Advocate, Central State Hospital, discussed the issue of program and facility administrative support of LHRCs.

A discussion of the heavy workload challenges for facility LHRCs followed. Changes since the implementation of the new regulations have increased community LHRC responsibility so that they are now fast catching up with facility LHRCs in terms of workload.

It was decided that Peter McIntosh would invite all Community Services Boards to the administrative period of the July 12, 2002 SHRC meeting in Lynchburg to openly discuss LHRC issues.

LHRC Appointments

Howard M. Cullum, Executive Director, Hampton-Newport News CSB, requested in writing that the Committee consider a process for expediting appointments of new LHRC Members. During discussion it was determined that even fairly significant changes in the process would make only a few weeks difference. The Committee decided not to change the process at this time.

SHRC Term Expirations

Second terms for Jim Harper and Loretta Redelman will expire on June 30, 2002. Mr. Harper and Ms. Redelman spoke words of farewell to the Committee and to the staff of the Office of Human Rights.

REGULAR MEETING

10:15 a.m.

COMMITTEE MEMBERS PRESENT:

Jim Harper, Co-Chairman
Peter McIntosh, Co-Chairman
Joyce Bozeman
Angela Brosnan
Carol Gittman
Michael Marsh

Linda Martin
Loretta Redelman

STAFF PRESENT:

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Sonia Smith, Facility Human Rights Advocate, Catawba Hospital

OTHERS PRESENT:

Dana M. Johnson, Assistant Attorney General
Betty Bingham, Manager, Office of Consumer Affairs, Blue Ridge Behavioral HealthCare
Betsy Walker, Executive Assistant, Blue Ridge Behavioral HealthCare
James Sikkema, Executive Director, Blue Ridge Behavioral HealthCare
Daniel Herr, Special Assistant to the Director, Central State Hospital
Hunter Widener, Executive Director, Highlands Community Services
Chuck McHugh, Director of Mental Health and Substance Abuse Services, Highlands
Community Services
Don Newroth, Director of the Interchange Program, Highlands Community Services
Jack Wood, Acting Executive Director, Catawba Hospital
Dr. Yad Jabbarpour, Catawba Hospital

CALL TO ORDER:

The May 31, 2002 meeting of the State Human Rights Committee was called to order by Co-Chairman Jim Harper. Mr. Harper lead the members in introducing themselves. Advocates and staff of the Office of Human Rights introduced themselves.

James Sikkema, Executive Director, Blue Ridge Behavioral HealthCare (BRBH), welcomed the SHRC to the Roanoke Valley and to BRBH and wished departing members Jim Harper and Loretta Redelman well. Mr. Sikkema spoke briefly about the history of the system in the Roanoke Valley and recognized Mike Marsh and Nan Neese for their ground-breaking work when the human rights program was developing. He also thanked the SHRC and staff of the Office of Human Rights for their work and welcomed the committee back to BRBH for future meetings.

MINUTES:

The minutes of the April 19, 2002 State Human Rights Committee meeting were unanimously approved as circulated.

OFFICERS:

Jim Harper reported on the recommendations of the sub-committee to elect new officers.

The motion was made and passed with two (2) abstentions to elect Peter McIntosh as the next Chairman and Jim Briggs as the next Vice-Chair for a term of July 1, 2002 to June 30, 2003.

DEPARTING MEMBERS:

Peter McIntosh presented Jim Harper and Loretta Redelman with State MHMRSAS Board approved Resolutions of his own composition (see attachments). Mr. McIntosh also presented Ms. Redelman with a Peace Lily, symbolic of her gentle manner and her commendable compassion for and understanding of the value of the dignity of those covered by the Human Rights Regulations. Mr. McIntosh presented Mr. Harper with a Magnolia sapling in remembrance of his strong and unyielding representation of the interest of consumers of services provided by the Department.

REVIEW:

Relationship of BHAs/CSBs and their LHRCs

Charles T. Collins, Regional Human Rights Advocate, Region I, presented a position paper from Charlotte McNulty, Executive Director, Harrisonburg-Rockingham CSB, regarding the relationship between the Board and its LHRC. The Committee discussed the responsibilities of Behavioral Health Authorities and Community Services Boards relative to their Local Human Rights Committees.

The motion was made and unanimously passed to invite all BHA and CSB Executive Directors to the July 12, 2002 SHRC meeting in Lynchburg for an open discussion during the administrative portion of the meeting.

BYLAWS:

Mary W. Towle, Regional Human Rights Advocate, Region II, presented the proposed By-laws revision for the Northern Virginia Training Center Local Human Rights Committee. The Local committee rewrote their By-laws in accordance with the new human rights regulations.

The motion was made and unanimously passed to approve the Northern Virginia Training Center Local Human Rights Committee's By-Laws with the following modifications:

1. **4.2 APPOINTMENT OF MEMBERS** – delete “information regarding a candidate shall be made available to the director for his information and input.”

2. **6.2 A AND B SUBCOMMITTEES** – add “and shall remain in force until the next scheduled LHRC meeting” to the first sentence. Delete B.
3. **6.3 A SUBCOMMITTEES** - revise to read “may only be appointed”

VARIANCES:

Blue Ridge Behavioral HealthCare (BRBH)

Nancy C. Neese, Regional Human Rights Advocate, Region III, introduced Mrs. Betty Bingham, Manager of the Office of Consumer Affairs, Blue Ridge Behavioral HealthCare. At the April 19, 2002 meeting, BRBH submitted an application for Variance to § 12 VAC 35-115-110, Use of Seclusion, paragraph B 10. The variance would authorize BRBH to use seclusion in a residential setting under limited emergency situations. At that meeting the State Committee granted temporary approval pending the receipt of additional documentation regarding utilization and other information. On behalf of S. James Sikkema, Executive Director, Mrs. Bingham appeared before the Committee on May 31, 2002 to withdraw the application for Variance.

The SHRC accepted the request to withdraw the application.

Highlands Community Services (HCS)

Nancy C. Neese, Regional Human Rights Advocate, Region III, introduced Mr. Hunter Widener, Executive Director, Chuck McHugh, Director of Mental Health and Substance Abuse Services and Don Newroth, Director of the Interchange, a day treatment and educational program for children operated by HCS. The gentlemen introduced the application for Variance to § 12 VAC 35-115-110, Use of Seclusion, paragraph B 10. Mr. Newroth provided a description of the Interchange program and the population served. A discussion, review of the proposed substitute policy and procedure, and question and answer period followed the presentation.

The motion was made and passed by a vote of 5:2 to grant provisional approval of the Variance to § 12 VAC 35-115-110 B10, Use of Seclusion, for a period of time not to exceed the first regularly scheduled meeting of the SHRC for the year 2003.

Central State Hospital

Michael Curseen, Facility Human Rights Advocate, CSH, introduced Daniel Herr, Special Assistant to the Director, Central State Hospital. Mr. Herr presented four (4) requests for Variance to the Regulations on behalf of Larry Latham, Facility Director. After providing a brief overview of the forensic units and programs at CSH, Mr. Herr outlined the requested Variances.

The motion was made and unanimously passed to approve the request for Variance to 12 VAC 35-115-20 A and 12 VAC 35-115-50 C3a to allow pat downs for the civilly committed housed during transition periods.

The motion was made and unanimously passed to approve the request for Variance to § 12 VAC 35-115-50 C7 and 12 VAC 35-115-50 E3 to allow for the opening, but not reading, of mail.

The motion was made and unanimously passed to approve the request for Variance to § 12 VAC 35-115-100 A1c to provide that forensic patients may purchase items in the Canteen but may not carry money.

The motion was made and unanimously passed to approve the request for Variance to § 12 VAC 35-115-20A and 12 VAC 35-115 50C3a to allow physical searches of living areas and of patients. The document is to be revised to reverse items A and F.

LHRC MEMBERSHIP:

The motion was made and passed that the State Human Rights Committee go into closed session pursuant to Virginia Code §2.1-344 A (15) for the purpose of reviewing Local Human Rights Committee nominations.

Upon reconvening in open session, the Committee unanimously passed a motion to appoint the following applicants to their respective Local Human Rights Committees:

Chesapeake Regional

Reappointment:

Sarah L. Holland

Hampton/Newport News Community Services Board

Appointment:

Sandra Malloy

Reappointment:

Patricia Stern

T.W. Neumann & Associates

Reappointment:

Leo G. Ruffing

Holiday House of Portsmouth

Reappointments:

Sandra Ford

Robert C. Woods

Genesis Treatment Center

Reappointments:

Carolyn Y. Givham

Pamela J. Moran

Barry Robinson Center

Appointment:

Joan Rose

Reappointments:

Cynthia C. Pyle

Helen J. Weiss

New Outlook

Appointments:

Doris S. Peterkin
Theresa Parker
DeA'ndra NcNair-Mason
Christopher Loyd-Clark

Woodside Hospital

Reappointment:

Dinah Eitelman

St. Joseph's Villa

Appointment:

Marsha L. Alterescu

Hanover County

Appointment:

Nena Walker

Southside Virginia Training Center

Carrie M. Caine

Hiram W Davis Medical Center

Reappointment:

Ardieth Pierce-Hamilton

Henrico

Reappointment:

Anne Matheson

Fairfax-Falls Church Community Services Board

Reappointments:

Lora Beth Reams
Maureen Schreiner

Loudoun County

Appointment:

Eliot A. Jardines

Alexandria Community Services Board

Reappointments:

Francine Gemmill
Barbara Gilley

Northern Virginia Training Center

Appointment:

Edward Senft

Reappointments:

Jerry Brittain
Glenda Meade

Southside Community Services

Appointment:

Gloria Cumbia Pulliam

Piedmont Community Services

Reappointments:

Gloria Goodman
Robert Hiatt
Patricia Copening
Kay D. Potter

Presbyterian Homes

Reappointment:

Jeanne White

Southern Va Mental Health Institute

Reappointment:

Kirby Wright

Central Virginia Training Center

Appointment:

Juanita Terry

Region Ten Community Services Board

Appointment:

William Phillip Carr

Reappointments:

Barbara S Jenkins
Dwight T Colley

Commonwealth Center for Children and Adolescents

Reappointment:

Michelle Nuckols

Southwestern Virginia Training Center

Reappointment:

Debbie McGraw

Blue Ridge Behavioral HealthCare

Appointment:

Lynn Lawson

New River Valley Community Services Board

Reappointments:

Evelyn Gland
Judy Gwazdauskas

Regional Human Rights Committee

Appointments:

Mary Sue Steffey
Alan Hayden

Reappointment:

Charles Stapleton

Northern Virginia Mental Health Institute LHRC

Appointment:

Jim Merrill

The motion was made and passed to appoint the following individuals to their respective LHRCs. Each of these appointments were made with one abstention:

Hanover County

Appointment:

Albert C Watts

Central State Hospital

Reappointment:

Kia Bentley

Northern Virginia Training Center

Appointment:

Paul Fasser

Valley Community Services Board

Appointment:

L Ginger Quillen

Rockbridge Area Community Services Board

Reappointments:

James McDaniel

Paul Collins

Southwestern Virginia Training Center

Reappointment:

Wanda Robinson

Blue Ridge Behavioral HealthCare

Appointment:

Jimmy Lee Ribble

Reappointment:

Stephen R Hodges

Mount Rogers Community Mental Health and Mental Retardation Services Board

Reappointment:

Deborah Lynne Black

The motion was made and unanimously passed to remove Monalee West from the Southeastern Virginia Training Center LHRC.

The motion was made and unanimously passed to make the following reappointment:

New River Valley Community Services Board

Reappointment:

Donna Knarr

State Human Rights Director's Report:

Musa Ansari, Assistant State Human Rights Director, reported on behalf of Margaret Walsh, Director. Mr. Ansari provided the Committee with an overview of the status of the following issues:

- Training sessions on the new regulations
- Submission of policies and procedures

- September 5 quarterly advocates meeting and September 6 SHRC meeting in Charlottesville.

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

Respectfully submitted,

James H. Harper, Co-Chair

Peter McIntosh, Co-Chair
State Human Rights Committee

RESOLUTION

Whereas, Loretta Redelman has served with distinction on the State Human Rights Committee from July of 1996 through June of 2002; and

Whereas, Loretta brought to her service on the State Human Rights Committee a broad and deep understanding of the needs of the mentally challenged consumers, especially those suffering from mental retardation based on her years of experience providing services to such individuals;

Whereas, Loretta provided invaluable assistance to the State Human Rights Committee with her keen eye to reviewing Human Rights Plans, variances and related documents;

Whereas, Loretta substantially increased the quality of the work of the State Human Rights Committee because of her laudable attention to detail and her gentle manner of pointing out the potential improvements in documents, presentations and positions of others; and

Whereas, Loretta consistently argued for clear and documentable reporting requirements and time frames for incidents of the use of restraint for hospitalized patients; and

Whereas, Loretta throughout her tenure on the State Human Rights Committee demonstrated a commendable compassion for and understanding of the value of the dignity of those covered by the Human Rights Regulations.

Now Therefore, Be It Resolved that colleagues on the State Human Rights Committee, within the Department of Mental Health, Mental Retardation and Substance Abuse Services, and on the appointive body, the State Mental Health, Mental Retardation and Substance Abuse Services Board, do hereby express their gratitude for the excellence of service.

Prepared and presented at Roanoke, Virginia, this 31st day of May in the year 2002.

RESOLUTION

Whereas, James Harper has served with distinction on the State Human Rights Committee from July of 1996 through June of 2002; and

Whereas, Jim's service on the State Human Rights Committee represented the highest ideal of courageous and outspoken representation of the interest of consumers of services provided by the Department; and

Whereas, Jim provided admirable leadership on the Committee through his unique abilities to communicate simply, effectively, and persuasively; and

Whereas, Jim helped create a more balanced and effective Committee by his willingness and ability to disagree while at the same time honoring and respecting the views of others; and

Whereas, Jim provided invaluable guidance on a personal and emotional level to other Committee members regarding the rights and dignities of consumers by his staunch and assertive advocacy on their behalf; and

Whereas Jim spearheaded the reorganization of the Committee's meetings to enable it to more efficiently discharge its myriad responsibilities.

Now Therefore, Be It Resolved that colleagues on the State Human Rights Committee, within the Department of Mental Health, Mental Retardation and Substance Abuse Services, and on the appointive body, the State Mental Health, Mental Retardation and Substance Abuse Services Board, do hereby express their gratitude for the excellence of service.

Prepared and presented at Roanoke, Virginia, this 31st day of May in the year 2002.