State Human Rights Committee
Meeting Minutes
The Burrell Center
Blue Ridge Behavioral Healthcare
Training Room
611 McDowell Avenue
Roanoke, VA, 24016
Friday, June 9, 2006

ADMINISTRATIVE MEETING
8:00 a.m.

COMMITTEE MEMBERS PRESENT
Joyce Bozeman, Chairperson
Michael Marsh, Vice-Chairperson
Delores Archer
Angela Brosnan
Carmen Thompson
Bobby Tuck
Kirby Wright
Davey Zellmer

HUMAN RIGHTS STAFF PRESENT
Margaret Walsh, State Human Rights Director
Kli Kinzie, Executive Secretary
Charles T. Collins, Regional Human Rights Advocate, Region I
Nancy C. Neese, Regional Human Rights Advocate, Region III
Sherry C. Miles, Regional Human Rights Advocate, Region VI
BJ McKnight, Facility Human Rights Advocate, SWVTC
Sonia Smith, Human Rights Advocate, Catawba Hospital and the Roanoke Valley

OTHER STAFF PRESENT
Karen Walters, DMHMRSAS Special Counsel

OTHERS PRESENT
Margie Tuck, Henrico CSB LHRC Member
Dr. Joyce Bozeman, Chairperson, opened the administrative session of the June 9, 2006, State Human Rights Committee.

Margaret Walsh, State Human Rights Director, presented her draft of the SHRC annual report for review. Committee members made recommendations for additions and modifications to the draft. Ms. Walsh will re-submit the report for approval at the July 14 SHRC meeting in Fredericksburg. Dr. Michael Marsh, Vice-Chairperson, volunteered to present the annual report to the State MHMRSAS Board during its August meeting.

Ms. Walsh informed the SHRC that the human rights seminar scheduled for September of 2006 is postponed until the Spring of 2007. It is hoped that the new human rights regulations will be promulgated by that time.

The SHRC reviewed the SHRC Goals Worksheet and discussed the status of open items.

Officer Nominating Sub-Committee

Davey Zellmer discussed officer candidates for next year. A motion will be made during the regular session.

SHRC Reappointments

The committee unanimously agreed to request that the State MHMRSAS Board reappoint Dr. Angela Brosnan to the SHRC. Bobby Tuck surprised the committee by not pursuing his reappointment. The committee tried unsuccessfully to convince him to continue for another term. Mr. Tuck’s departure leaves two vacancies on the committee. The committee is seeking applicants from all regions of the state except the metro Richmond area. Margaret Walsh asked staff and members of the SHRC to contact potential applicants as soon as possible.

SHRC Newsletter

Davey Zellmer discussed the next issue of Human Writes. Margaret Walsh will provide information on staff issues, an update on the seminar, the status of the new regulations, and a continuation of FOIA information. Davey Zellmer will contact Dr. James Evans, Director of the Office of Health and Quality Care, regarding the submission of an article on smoking in state facilities. Ms. Zellmer will contact James O. Bowser, Jr., Regional Human Rights Advocate, Region IV, regarding his bio for the next Meet the Advocate article. Davey Zellmer reported that she and Deb Lochart, NVTC Advocate, have discussed the possibility of writing an article that profiles Loretta Redelman, Fairfax – Falls Church LHRC Chairperson. Margaret Walsh may ask Commissioner Reinhard to submit something on the department’s mission and how it relates to human rights for the Fall issue. The deadline for submissions for the Summer issue is June 23.
Dr. Angela Brosnan reported that she attended a meeting of the Chesterfield LHRC. Dr. Brosnan was very impressed by the committee’s diligence and their dedication to protecting the rights of the consumers they serve.

Other

Margaret Walsh reported that Eastern State Hospital broke ground for the new Hancock unit, a center for the elderly.

The committee discussed a follow-up of SHRC appeal case 04-06, Virginia Beach Psychiatric Center.

10:00 a.m. Break

REGULAR MEETING
10:15 a.m.

COMMITTEE MEMBERS PRESENT
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OTHER STAFF PRESENT
Karen Walters, DMHMRSAS Special Counsel

OTHERS PRESENT
John Plichta, Director of Administrative Services for Blue Ridge Behavioral Healthcare

PRESENT VIA TELECONFERENCE
Welcome / Call to Order

The June 9, 2006, meeting of the State Human Rights Committee was called to order by Dr. Joyce E. Bozeman, Ph.D., Chairperson. Dr. Bozeman gave the floor to Nancy C. Neese, Regional Human Rights Advocate for Region III, who introduced John Plichta, Director of Administrative Services for Blue Ridge Behavioral Healthcare. Mr. Plichta welcomed the SHRC to The Burrell Center on behalf of the Board of Directors and Mr. James Sikkema, Director of Blue Ridge Behavioral Healthcare.

Minutes

The minutes of the April 21, 2006, State Human Rights Committee meeting were unanimously approved as amended.

Reappointments

The committee unanimously agreed to recommend the reappointment of Dr. Angela Brosnan. Bobby Tuck has decided not to serve a second term.

Election of Officers

A motion was made and unanimously passed to elect Dr. Michael Marsh as Chairperson, and Dr. Angela Brosnan as Vice-Chairperson for the upcoming year.

Bylaws

Ms. Sherry Miles, Regional Advocate, Region VI, presented on behalf of the Universal Family Local Human Rights Committee, a request to amend their bylaws in order to increase its membership from five to seven.

A motion was made and unanimously passed to approve the Universal Family Local Human Rights Committee bylaws subject to the following modifications:

Article III – Membership; section 1, sentence 1, to read: “The LHRC shall consist of a minimum of seven (7) members appointed by the SHRC, and who are residents of the Commonwealth of Virginia.”
Article III – Membership; section 1, sentence 6, to read: “The initial appointment shall be staggered with three members to be appointed for a term of three years, and two members for a term of two years, and two members for a term of one year.”

Public Comment Period 10:30 TO 10:45

Dr. Joyce Bozeman announced the public comment period and invited individuals to come forward to address the committee. There being no individuals from the public who wished to speak, the committee proceeded with regular business.

Variance Reports

The Committee reviewed the annual report from New Life Recovery, a residential substance abuse program of New River Community Services, relative to the approved Variance for restriction of access to telephone and visitors and the substitution of certified clinical staff for a physician or psychologist. Nancy C. Neese, Regional Advocate, reported that the documents omitted part of the citations of the Regulations affected by the Variance. The correct citation is 12 VAC 35-115-50, C7 and 8 and E4, b &c and 5. (telephone and visitors).

The SHRC received variance reports for the following programs.

Bethany Hall
- 12 VAC 35-115-50 Dignity C8 and E5 (limitation of visitation)
- 12 VAC 35-115-50 Dignity C7 and E4c (limitation of telephone use)

Blue Ridge Behavioral Healthcare - Hegira House and Shenandoah Recovery Center
- 12 VAC 35-115-50 Dignity C7 and C8 and paragraphs E4b&c, and 5 (telephone and visitation)

Cumberland Mountain CSB - The Laurels
- 12 VAC 35-115-50 Dignity C7 and paragraph E4c (telephone)
- 12 VAC 35-115-50 Dignity C8 and paragraph E5 (visitation)

New Life Recovery
- 12 VAC 35-115-50 Dignity C7, C8 and E4b&c and 5 (use of telephone and visitation).

Policies

Virginia Center for Behavioral Rehabilitation

Anne Stiles, Facility Human Rights Advocate, Eric Alridge, Director of Operations, and Cheryl Crawford, Administrative Services Coordinator, Virginia Center for Behavioral Rehabilitation (VCBR), were present via teleconference to answer questions regarding the VCBR policies on Resident Property, Contact with the Media, Visitation, and the Resident Handbook.
Mr. Bobby Tuck marked edits on his copy of the documents, which will be mailed to VCBR. Davey Zellmer complemented Mr. Alridge and Ms. Crawford on the simple and straightforward language of the policies.

A motion was made and unanimously passed to accept the policies with recommended edits.

**Appeal**

T.K. vs Colonial Community Services Board LHRC

The SHRC heard the appeal of a decision rendered by Colonial Community Services Board Local Human Rights Committee in the case of T.K., a former consumer of Colonial Community Services Board. Reginald T. Daye, Regional Human Rights Advocate for Region V, Stewart Prost, Human Rights Advocate, Southeastern Virginia Training Center, and Stan Rockwell, Colonial CSB, were present via polycom. At the request of the consumer, Stewart Prost represented T.K.

The motion was made and passed to go into Executive Session pursuant to Virginia Code, 2.2-3711 (15), for the purpose of discussion of information excluded from the Freedom of Information Act.

Upon reconvening in public session, the State Human Rights Committee unanimously certified that to the best of each State Human Rights Committee 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 SHRC unanimously concluded that there was insufficient evidence to declare the Colonial Community Services Board Local Human Rights Committee findings of fact clearly wrong. Therefore, the SHRC upholds all findings and agrees with all recommendations made by the Local Human Rights Committee in its decision.

Further, the SHRC offers praise to the LHRC on their recommendations. The documentation on the decision was very well presented.

The SHRC would like to schedule the October 27, 2006 meeting at Virginia Beach Psychiatric Center.

**LHRC Membership**

A motion was made and passed to 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 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 closed session were discussed in closed session.

Ms. Sherry Miles, Regional Advocate, Region VI, presented on behalf of the Southeastern Virginia Training Center Local Human Rights Committee, a request to remove Mr. Daryl Wiggins, 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. Wiggins from membership on the Southeastern Virginia Training Center Local Human Rights Committee.**

**A motion was made and passed with one abstention to make the following appointment:**

Henrico LHRC  
Reappoint:  
Ms. Margie Tuck

A letter of resignation from NOVA Regional LHRC from Ms. Ivenia May was received for the file.

The SHRC notes that Mr. John T. Thios is not seeking reappointment to the Hiram Davis Medical Center LHRC.

**A motion was made and unanimously passed to make the following appointments and reappointments:**

Region I  
Commonwealth Center for Children and Adolescents LHRC  
Appoint:  
Ms. Macy Fox
Fredericksburg Area LHRC  
Reappoint:  
Ms. Heike Mothershed
Northwestern CSB LHRC  
Reappoint:  
Ms. Gretta Doering
Rappahannock Area CSB LHRC  
Reappoint:  
Mr. Michael Washington  
Mrs. Diane Bachman
Region Ten CSB LHRC  
Reappoint:  
Ms. Sylvia Milner
Rockbridge Area CSB LHRC
   Appoint:
      Mr. Paul Collins
      Mr. James McDaniel

University of Virginia LHRC
   Reappoint:
      Dr. Elizabeth Bruns
      Ms. Hunter Croson

Western State Hospital LHRC
   Appoint:
      Mr. David Reed
      Ms. Linda Thumma

Region II
Alexandria LHRC
   Reappoint:
      Ms. Naomi C. Cooper

Northern Virginia Regional LHRC
   Appoint:
      Ms. Suzanne Schuler

Northern Virginia Training Center LHRC
   Appoint:
      Ms. Tracy Ormes

Region III
Blue Ridge Regional HRC
   Reappoint:
      Ms. Lynn Lawson

Catawba Hospital LHRC
   Appoint:
      Ms. Millie Rhodes
      Mr. Ken Rush

New River Valley LHRC
   Reappoint:
      Dr. William FitzPatrick
      Ms. Jacqueline Fagan Myal
      Dr. Pamela Tessnear

Southwestern Virginia Mental Health Institute LHRC
   Reappoint:
      Mrs. Deidra Mathena
      Mrs. Claudia Duffy
      Mr. Phillip Moser
   Appoint:
      Mrs. Peggie Roland

Region IV
Chesterfield LHRC
   Reappoint:
      Ms. Trish Angle

Southside Virginia Training Center LHRC
Reappoint:
  Dr. LeAnn Binger
  Ms. Gloria Cooper
Region V
Eastern State Hospital LHRC
  Reappoint:
  Ms. Robin Bristow
Genesis LHRC
  Reappoint:
  Ms. Jeanette Ralph
  Appoint:
  Ms. Arva C. Davidson
Hampton Roads Regional LHRC
  Reappoint:
  Ms. Marylin Copeland
  Dr. Roderick S. Hawthorne
Health Planning Region V LHRC
  Appoint:
  Ms. Jean Swanick
  Mr. Carlton B. Hunt
Middle Peninsula/Northern Neck LHRC
  Reappoint:
  Mr. Frank Jewell
Peninsula Regional LHRC
  Appoint:
  Ms. Mary K. Hall
Portsmouth Regional LHRC
  Appoint:
  Ms. Janiell Harper-Youngblood
Southeastern Virginia Training Center LHRC
  Appoint:
  Ms. Stefanie Ward
Southside Regional LHRC
  Reappoint:
  Ms. Mary Ann Jackson
Universal Family LHRC
  Reappoint:
  Mr. Shelton Stevens
  Appoint:
  Mr. Melvin Jones
  Ms. Laverne Johnson
Region VI
Danville-Pittsylvania County Regional LHRC
  Appoint:
  Ms. Janet Weeks
Southern Virginia Mental Health Institute LHRC
  Reappoint:
Mr. JD Scott
Southside Community Services LHRC
Reappoint:
Mrs. Mona Rainey

The State Human Rights Committee thanks LHRC Members for comments they provided on their LHRC re-application forms.

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

Respectfully submitted,

[Signature]
Joyce E. Bozeman, Ph.D.
SHRC Chairperson