

**State Human Rights Committee  
Meeting Minutes**

Central Virginia Training Center, A/V Room-Nagler Building  
521 Colony Road  
Madison Heights, VA 24572  
March 6, 2009

**ADMINISTRATIVE MEETING**

**8:30 a.m.**

**COMMITTEE MEMBERS PRESENT**

Kirby Wright, Chair  
Christina Delzingaro, Vice-Chair  
Angela Brosnan  
Delores Archer  
Carolyn M. DeVilbiss  
Joseph Lynch  
Donald Lyons  
Randy Johnsey  
Jannie Robinson

**NOT PRESENT**

None

**HUMAN RIGHTS STAFF PRESENT**

Margaret Walsh, State Human Rights Director  
Deb Lochart, Regional Human Rights Advocate  
Michael Curseen, Human Rights Advocate, Central State Hospital  
Beverly W. Garnes, Human Rights Advocate, Southside Virginia Training Center  
Roanna Deal, Human Rights Advocate, Southern Virginia Mental Health Institute  
Adrien Monti, Human Rights Advocate, Catawba Hospital  
Randy Urgo, Human Rights Advocate, Central Virginia Training Center  
Mark Seymour, Human Rights Advocate, Commonwealth Center for Children &  
Adolescents  
Sherry Miles, Regional Human Rights Advocate

**OTHER STAFF PRESENT**

Karen Walters, DMHMRSAS Special Counsel

**OTHERS PRESENT**

Michael Gray, Virginia Office of Protection & Advocacy  
Brenda Coleman, Virginia Office of Protection & Advocacy  
Dana Traynham, Virginia Office of Protection & Advocacy  
Dan Karnes, Chair, DMHMRSAS State Board

Mr. Kirby Wright, Chair, opened the administrative session of the State Human Rights Committee meeting. Chairman Wright asked if there were questions concerning the SHRC goals.

The Membership Committee reported that it had not met since the last meeting. Ms. Archer reported that she believes Frank Royal, Jr. MD completed an application forwarded it to Kli Kinzie, Secretary. Dr. Royal is a psychiatrist and may attend the SHRC meeting at WSH. SHRC needs to follow up with Kli to determine if the application has been forwarded to her.

The Membership Committee reported having Dr. Royal's resume but not his application. Ms. DeVilbiss reported the Committee met yesterday and is working on a slate of applicants for the next meeting. The SHRC discussed the interview process and determined the application deadline is the May, 2009 meeting. Dr. Brosnan reported possibly having another interested candidate. The SHRC discussed the formation of questions for interviews and will contact Kli to determine if sample questions are available.

The Committee discussed the February 10, 2009 memorandum from Chairman Wright concerning the need for provider LHRC affiliations. The response to the memo has been positive especially in the Richmond and Tidewater areas. SSVTC LHRC which has Hiram Davis as an affiliate has taken on 5 additional affiliations which is a first for this Committee

Region V staff via conference call provided a summary of their annual report.

**9:00 a.m. Break**

**REGULAR MEETING**

**9:15 a.m.**

**COMMITTEE MEMBERS PRESENT**

Kirby Wright, Chair  
Christina Delzingaro, Vice-Chair  
Angela Brosnan

Delores Archer  
Carolyn M. DeVilbiss  
Joseph Lynch  
Donald Lyons  
Randy Johnsey  
Jannie Robinson

**NOT PRESENT**

None

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Dan Karnes, Chair, DMHMRSAS State Board

**PRESENT VIA CONFERENCE CALL**

*Nathan J.D. Veldhuis, Tremblay & Smith, LLP, Representing CC and family*  
*Jack Barber, Director, Western State Hospital*  
*Gail Burford, WSH Director's Liaison to the WSH LHRC*

**Welcome / Call to Order**

The March 6, 2009 meeting of the State Human Rights Committee was called to order by Mr. Kirby Wright, Chairperson. Mr. Wright asked committee members and human rights staff to introduce themselves for those present.

The SHRC recognized Judy Crews for her years of service on behalf of consumers of the Commonwealth. Ms. Crews is retiring from state service effective June 24, 2009.

## **Minutes**

The minutes of the January 23, 2009 State Human Rights Committee meeting were approved by unanimous vote with one change on page 2, paragraph 2—change me to Mr.

## **Training/Review**

Karen Walters with the Attorney General's office provided training on Substitute Decision Making.

## **Request for Guidance**

Adrien Monti, Human Rights Advocate Senior for Catawba Hospital, requested guidance from the State Human Rights Committee concerning a LHRC member providing professional services to consumers. The Committee, by unanimous vote determined the LHRC member to have a employment relationship with the CSB and other providers.

## **Public Comment Period 10:30 TO 10:45**

The record notes that there were no individuals who wished to make public comments.

Randall Urgo, Human Rights Advocate Senior at Central Virginia Training Center (CVTC) discussed the CVTC LHRC's progress with accepting new members. Mr. Wright attended the Committee's January meeting and Randall will continue training with the Committee.

## **Appeals**

### **SVMHI – JW v David Lyons**

**The motion was made and passed to go into Executive Session pursuant to Virginia Code, 2.2-3711 A (4& 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 motion was made and unanimously passed that the SHRC is supportive of the Commissioner's action plan, recognizing that not all of JW's concerns were

addressed but increased efforts on both parts to develop and create this plan. The Committee would like SVMHI to report back in six months to report on progress with the implementation of written policies and procedures. As well, the Committee will send an invitation to the Virginia Office of Protection and Advocacy (VOPA) inviting them to provide comment on how the human rights system is working at state facilities.

## **Variances**

### **WSH: Variance Reporting**

Kirby Wright announced that the review of Western State Hospital's Variance reporting for CC would be held in closed session.

**Upon a motion made by Christine Delzingaro the State Human Rights Committee convened in Closed Session pursuant to Virginia Code, 2.2-3711(15), for the purpose of discussion or consideration of medical and mental records excluded from the Virginia Freedom of Information Act.**

Present for review of the variance report were SHRC members Kirby Wright, Angela Brosnan, Delores Archer, Carolyn DeVilbiss, Joseph Lynch, Randy Johnsey, Delores Archer, and Donald Lyons. Also present were Margaret Walsh, Director of Human Rights, and Sherry C. Miles, Regional Advocate-Region VI serving as Committee secretary. Nathan J.D. Veldhuis, Tremblay & Smith, LLP, was present via telecom to represent CC and family. Jack Barber, Director, Western State Hospital, and Gail Burford, WSH Director's Liaison to the WSH LHRC, were present via telecom to represent the facility. Karen Walters, DMHMRSAS Special Council, was present to represent the facility.

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.

**Chairman Wright thanked all involved for their efforts on behalf of this consumer**

## **Bylaws**

The Committee by unanimous vote approved the by-laws for the Central Area LHRC with a correction to Page 2 section H—change bi-monthly to quarterly.

## **LHRC Membership**

**A motion was made and passed to go into closed session pursuant to Virginia Code §2.2-3711(1) for the purpose of discussion and consideration of 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.

The SHRC acknowledged the resignation of Mr. Johnny Vartanian from Petersburg LHRC.

**The SHRC unanimously appointed the following applicants to the specified local human rights committees:**

### Region I

Rappahannock Area CSB LHRC

Reappoint: Ms. Deborah Lincoln

### Region II

Fairfax-Falls Church LHRC

Reappoint: Ms. Judith Regner

### Region III

Catawba LHRC

Appt: Ms. Dianna Parrish

Roanoke LHRC

Appt: Mr. Vincent Dabney

Appt: Ms. Alicia Hamed-Moore

Appt: Ms. Rebecca Downs

Appt: Ms. Ann Patterson

Appt: Ms. Renu Musslewhite

### Region IV

Chesterfield LHRC

Appt: Ms. Roxanna Ronquillo

Central State Hospital

Appt: Mr. Hannibal Tuck

Southside Virginia Training Center LHRC

Appt: Ms. Rosezelia Roy

Crater LHRC

Appt: Mr. Edward William Barlow, Jr.

Hanover LHRC  
Appt: Ms. Angelique M. Nettleton

Region V

Atlantic Regional LHRC  
Appt: Ms. Maryland Copeland  
Portsmouth Regional LHRC  
Appt: Ms. Janiell Harper-Youngblood -  
Chesapeake Regional LHRC  
Appt. Ms. Sabrina Porter  
Eastern Virginia LHRC  
Reappt: Ms. Marcia Kennedy

Region VI

Danville-Pittsylvania County LHRC  
Appt: Ms. Vicki Gammon  
Southern Virginia Mental Health Institute LHRC  
Appt: Ms. Mary Ann Boyd

**Break for Lunch**

The Nominating Committee presented the slate of officers for 2009-2010 to include Mr. Kirby Wright as Chair and Ms. Christina Delzingaro as Vice Chair. This action will be put to vote at the May meeting.

Ms. Walsh discussed various budgetary issues and the possible effect on consumers.

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

Respectfully submitted,

Kirby Wright, Chair