

DRAFT

**State Human Rights Committee
Meeting Minutes**

Department of Behavioral Health and Developmental Services (BHDS)
January 22, 2010
Commissioner's Board Room
1220 Bank Street
Jefferson Building, 13th Floor
Richmond, VA 23219

Administrative Meeting

Committee Members Present Kirby Wright, Chairperson; Christina Delzingaro, Vice-Chairperson, Delores Archer, Carolyn M. DeVilbiss, Donald Lyons, Frank Royal

Committee Members Present via Telecom Randy Johnsey

Members Not Present Joseph Lynch, Jannie Robinson

Human Rights Staff Margaret Walsh, State Human Rights Director
Kli Kinzie, Executive Secretary
Charles T. Collins, Regional Human Rights Advocate
Michael Curseen, Human Rights Manager, Central State Hospital
Carrie Flowers, Human Rights Advocate, CSH Forensics, and Hiram Davis Medical Center
Beverly W. Garnes, Human Rights Manager, Southside Virginia Training Center
M. Ansley Perkins, Human Rights Advocate, Central State Hospital

Other Staff Karen DeSousa, DBHDS Special Counsel

Others John Barrett, Williamsburg Regional LHRC
Zachary S. DeVore, Staff Attorney, Virginia Office for Protection and Advocacy
Erin Haw, Disability Rights Advocate, Virginia Office for Protection and Advocacy

Call to Order At 8:35 a.m. Kirby Wright, Chairperson, opened the administrative session of the State Human Rights Committee meeting.

Margaret Walsh reported that James S. Reinhart's last day as Commissioner for the Department was Saturday, January 16, 2010. James W. Stewart, III, has been appointed Interim Commissioner.

Margaret Walsh provided a general update on department activities and budget issues.

SHRC Workplan

At 8:49 members confirmed that the committee is up to date with Workplan goals. Margaret Walsh asked that committee members begin developing goals and revising the SHRC Workplan for next year. Ms. Walsh will begin working on the draft Annual Report.

Subcommittee Reports

At 8:50 Christina Delzingaro provided an update on the activities of the Membership Subcommittee. Ms. Delzingaro introduced John Barrett, a member of the Williamsburg Regional LHRC who is interested in serving on the SHRC. Mr. Barrett thanked the Committee for the opportunity to meet them and briefly described his background and experience. Christina Delzingaro thanked Mr. Barrett for coming and reported that there are a few possible candidates from other areas in Virginia, including an individual from Danville. The Membership Subcommittee plans to invite applicants to the March 5, 2010 SHRC meeting.

The SHRC considered whether a member of an LHRC must resign from the local committee upon appointment to the SHRC because of the SHRC's oversight responsibility to the LHRCs. This point is not discussed in the human rights regulation but the Committee has made a practice of asking LHRC members to resign from their local committees.

Upon a motion by Delores Archer and seconded by Randy Johnsey and Carolyn DeVilbiss the SHRC determined unanimously that LHRC members who are appointed to the SHRC must resign from the local committee(s) before serving on the SHRC.

Committee members discussed issues pertaining to accommodations for members and what qualifications should be sought to fill upcoming vacancies.

Break

At 9:00 a.m. Chairman Wright called for a ten minute break.

Regular Meeting

Committee Members Present Kirby Wright, Chairperson; Christina Delzingaro, Vice-Chairperson, Delores Archer, Carolyn M. DeVilbiss, Donald Lyons, Frank Royal

Committee Members Present via Telecom Randy Johnsey

Members Not Present Joseph Lynch, Jannie Robinson

Human Rights Staff Margaret Walsh, State Human Rights Director
Kli Kinzie, Executive Secretary
Charles T. Collins, Regional Human Rights Advocate
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Carrie Flowers, Human Rights Advocate, CSH Forensics, and Hiram Davis Medical Center
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M. Ansley Perkins, Human Rights Advocate, Central State Hospital

Other Staff Karen DeSousa, DMHMRSAS Special Counsel
Brenda Buenvenida, Director of Nursing, Hiram W. Davis Medical Center
Heidi Dix, Deputy Commissioner
Bill Hawkins, Director, Hiram W. Davis Medical Center and Southside Virginia Training Center
Dr. Tu Nguyen, Medical Director, Hiram W. Davis Medical Center and Southside Virginia Training Center
Dr. Jim Morris, Director, Forensic Facility Services
John Pezzoli, Acting Inspector General

Others John Barrett, Williamsburg Regional LHRC
Zachary S. DeVore, Staff Attorney, Virginia Office for Protection and Advocacy
Erin Haw, Disability Rights Advocate, Virginia Office for Protection and Advocacy
Kim Lindblad, Director of QA/Staff Development, Specialized Youth Services of Virginia

Call to Order and Welcome At 9:20 a.m. Kirby Wright called the meeting to order. A call for introductions took place prior to proceeding.
Minutes At 9:25 the committee reviewed the minutes of the October 23, 2010, SHRC meeting.

Upon a motion the SHRC unanimously approved the minutes as amended for the October 23, 2010 SHRC meeting.

2010 Meeting Schedule At 9:26 the SHRC reviewed the proposed meeting dates for 2010.

Upon a motion by Delores Archer and seconded by Carolyn DeVilbiss the SHRC unanimously approved the SHRC meeting dates for 2010.

Election of Officers At 9:28 the SHRC discussed the election of officers for the next term of July 1, 2010 to June 30, 2011. The Election Subcommittee will present a slate of officers for action during the March 5, 2010 SHRC meeting.

Report on Dental/ Medical Issues At 9:30 Margaret Walsh introduced Heidi Dix . Chairman Wright called for introductions from the committee and staff. Ms. Dix reported on medical and dental issues at the state facilities, including standards of care.

At 9:45 Heidi Dix turned the floor over to Bill Hawkins who provided an update on medical and dental issues specific to Southside Virginia Training Center and Hiram W. Davis Medical Center. Dr. Tu Nguyen and Brenda Buenvenida reported on issues pertaining medical screenings and provided input regarding regular medical care of clients.

Kirby Wright thanked all for attending the meeting to talk about these important issues. Bill Hawkins offered to come before the committee in 6 months to provide an update on medical and dental issues.

Report from the Office of Forensic Services At 10:15 Dr. Jim Morris, Director of Forensic Facility Services reported in the forensic review panel process and the relationship between Forensics services and Human Rights.

Kirby Wright thanked Dr. Morris for speaking with the Committee on these issues.

Public Comment At 11:00 a.m. Kirby Wright called for public comments.

There were no public comments.

Variance Report for Poplar Springs Hospital At 11:25 Carrie Flowers reported on the temporary variance granted to Poplar Springs Hospital for the use of surveillance cameras. The hospital was granted a temporary variance through March 31, 2010, which permits the use of surveillance cameras for monitoring clients, including the use of cameras in bedrooms. Upon expiration of the temporary variance Poplar Springs Hospital must either discontinue use of the variance or they must have pursued and been granted a variance through the regular process as stated in 12 VAC 35-115-220.

Variance Renewal for Specialized Youth Services of Virginia Carrie Flowers introduced Kim Lindblad of Specialized Youth Services of Virginia. Ms. Lindblad provided an overview of the program's services and the population served. The program is seeking renewal of a variance to 12 VAC 35-115-110, B13, which allows the use of Time Out Therapeutic Separation at Blandford Manor.

Upon a motion by Delores Archer and seconded by Randy Johnsey and Carolyn DeVilbiss the SHRC unanimously approved the renewal request

for a variance to 12 VAC 35-115-110, B13, Time Out, for Specialized Youth Services of Virginia, Blandford Manor. The variance is approved for a period of 2 years with an annual written report to be submitted on the anniversary of the variance approval date.

The SHRC thanks the program for their clear and thorough report.

Bylaws for Metropolitan LHRC

At 11:40 Michael Curseen presented on behalf of the Metropolitan LHRC a request to approve its bylaws.

Upon a motion by Carolyn DeVilbiss and seconded by Delores Archer the SHRC unanimously approved the bylaws for Metropolitan Local Human Rights Committee as submitted.

LHRC Membership

Upon a motion by Christina Delzingaro the SHRC convened in 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.

- *Upon a motion by Delores Archer and seconded by Frank Royal the SHRC unanimously voted to remove Mr. Elliott Cox from Metro Richmond LHRC due to lack of attendance at regularly scheduled meetings.*

Upon a motion made by Delores and seconded by Frank the SHRC unanimously appointed the following applicants to the specified local human rights committees.

- Region 1

Western State Hospital LHRC

Appoint:

Mr. Mahlon Webb

University of Virginia LHRC

Appoint:

Ms. Beth Green

Region Ten CSB LHRC

Reappoint:

Ms. Joan Farries-Gray

- Region 2

Alexandria LHRC

Appoint:

Ms. Gwen Carpenter, Ms. Karol Anderson

- Fairfax-Falls Church LHRC
 - Appoint: Mr. Davis Mattoon
- Northern Va Hospitals LHRC
 - Appoint: Ms. Cindy Greenspan
- Region 3
 - Blue Ridge Regional HRC
 - Appoint: Mrs. Joann S. Baker
- Southwestern Va Mental Health Institute
 - Appoint: Mr. Mark Fendig
- Region 4
 - Richmond Tri-Cities LHRC
 - Appoint: Ms. Simone Mitchell
- New Creation LHRC
 - Appoint: Ms. Charisma Dixon
- Petersburg Regional LHRC
 - Appoint: Ms. Marie Parker
- Chesterfield LHRC
 - Appoint: Mr. Linwood Alford, Mr. Craig Gross, Ms. Susan Foster
- Region 5
 - Ocean View Regional LHRC
 - Appoint: Mr. Michael Vann
- Hampton Regional LHRC
 - Appoint: Ms. Shelia Stamps
- Region 6
 - Southside CSB LHRC
 - Appoint: Ms. Willis A. Woodall

Adjournment *There being no further business, the meeting adjourned at 12:10 p.m.
The next meeting will be held on Friday March 5, 2010.*

Respectfully Submitted:

Kirby Wright, Chair

Kli Kinzie, Secretary