

STATE HUMAN RIGHTS  
COMMITTEE

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Chesapeake

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*COMMONWEALTH of VIRGINIA*

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**MINUTES**

**STATE HUMAN RIGHTS COMMITTEE**

Blue Ridge Behavioral Healthcare  
Children and Family Services Center  
3517 Brandon Avenue  
Roanoke, Virginia, 24018  
**Friday, September 9, 2011**

**8:30**

**Administrative Session**

**Members Present**

Christina Delzingaro, **Chair**, Randy Johnsey, **Vice-Chair**, Joseph Lynch,  
T.C. Bullock, Carolyn DeVilbiss, Donald Lyons, Jannie Robinson,

**Members Not Present**

Penny Cameron, Frank Royal

**OHR Staff**

Chuck Collins, Regional HR Advocate, Region 1  
Mike Curseen, Regional HR Advocate, Region 4  
Roanna Deal, Human Rights Advocate, Region 6  
Kli Kinzie, Executive Secretary  
Beth Lee, Human Rights Advocate, Region 6  
Tammy Long, Human Rights Advocate, Region 4  
BJ McKnight, Human Rights Advocate, Region 3  
Nancy C. Neese, Regional HR Advocate, Region 3  
Kevin Paluszak, Regional HR Advocate, Region 6  
Mark Seymour, Human Rights Advocate, Region 1  
Margaret Walsh, State Human Rights Director

**Other DBHDS Staff**

Karen DeSousa, DBHDS Special Counsel

**Others**

Charlotte Barkly, Chairperson, Appalachian Community LHRC  
Betty Bingham, Coordinator, Office of Consumer Affairs, Blue Ridge  
Behavioral Healthcare  
Erin Haw, Disability Rights Advocate, VOPA  
Josephine Johnsey, Interested Person  
Dan Karnes, Chairperson, BHDS State Board

Joseph Kinchloe, Vice-Chairperson, Roanoke Valley LHRC  
Valerie Robinson, Interested Person  
Tim Steller, Executive Director, Blue Ridge Behavioral Healthcare  
Mark Stevens, Disability Rights Advocate, VOPA  
Betsy Walker, Clerical Services Supervisor, Executive Office, Blue Ridge Behavioral Healthcare

**Call to Order and Welcome**

*The September 9, 2011 SHRC meeting convened at 8:30 a.m. A call for introductions took place prior to proceeding.*

At 8:33 Dan Karnes, BHDS State Board Chairperson, welcomed the SHRC to Roanoke and thanked the committee for its work on behalf of those receiving services.

**Information Copies**

At 8:36 the SHRC acknowledged receipt of recent VCBR appeal responses.

At 8:39 Christina Delzingaro acknowledged the Semiannual Report of the Inspector General for BHDS.

**Goals Worksheet Review**

At 8:43 Christina Delzingaro tabled review of the goals worksheet.

**FOIA: Meetings**

At 8:44 Karen DeSousa reviewed the rules for open meeting requirements of the Freedom of Information Act.

**SHRC Bylaws Review**

At 8:52 Margaret Walsh reviewed the SHRC Bylaws relative to the destruction of confidential documentation.

**Discussion of SHRC Newsletter**

At 8:56 Joe Lynch discussed options for drafting and reviewing the SHRC newsletter. Human Rights Advocates provided feedback. Nancy C. Neese and Michael Curseen commented that it is cumbersome to copy and distribute the newsletter to all LHRC members. Carolyn DeVilbiss would like the draft to be available for members to review before issuing in final form. Margaret Walsh asked to be included in the draft reviews.

Ms. DeVilbiss recommended that a reminder go out to the SHRC to prompt members to review the drafts and provide feedback. When ready, advocates could take a few copies to LHRC meetings and inform the LHRCs that the newsletter is available on the department's web site.

**LHRC Vacancy Tracking Sheet**

At 9:06 the SHRC reviewed the LHRC Vacancy Tracking table.

**BREAK**

*At 9:10 Christina Delzingaro called for a break until 9:20.*

**9:15**

**Regular Session**

**Members Present**

Christina Delzingaro, **Chairperson**, Randy Johnsey, **Vice-Chairperson**,

Joseph Lynch, Donald Lyons, T.C. Bullock, , Carolyn DeVilbiss, Jannie Robinson

**Members Not Present** Penny Cameron, Frank Royal

**OHR Staff** Chuck Collins, Regional Human Rights Advocate, Region 1  
Mike Curseen, Regional Human Rights Advocate, Region 4  
Roanna Deal, Human Rights Advocate, Region 6  
Kli Kinzie, Executive Secretary  
Beth Lee, Human Rights Advocate, Region 6  
Tammy Long, Human Rights Advocate, Region 4  
BJ McKnight, Human Rights Advocate, Region 3  
Nancy C. Neese, Regional Human Rights Advocate, Region 3  
Kevin Paluszak, Regional Human Rights Advocate, Region 6  
Mark Seymour, Human Rights Advocate, Region 1  
Margaret Walsh, State Human Rights Director

**Other DBHDS Staff** Jack Barber, Facility Director, Western State Hospital  
Karen DeSousa, DBHDS Special Counsel  
Ellen Harrison, Liaison to WSH Director for the LHRC  
John Pezzoli, Assistant Commissioner, Behavioral Health Services

**Staff via Teleconference** Jason H. Wilson, Healthcare Compliance Manager, VCBR  
Cheryl Young, Quality Assurance and Resident Complaint Coordinator, VCBR

**Others** Charlotte Barkly, Chairperson, Appalachian Community LHRC  
Betty Bingham, Coordinator, Office of Consumer Affairs, Blue Ridge Behavioral Healthcare  
Erin Haw, Disability Rights Advocate, VOPA  
Josephine Johnsey, Interested Person  
Joseph Kinchloe, Vice-Chairperson, Roanoke Valley LHRC  
Valerie Robinson, Interested Person  
Tim Steller, Executive Director, Blue Ridge Behavioral Healthcare  
Mark Stevens, Disability Rights Advocate, VOPA  
Betsy Walker, Clerical Services Supervisor, Executive Office, Blue Ridge Behavioral Healthcare

**Others Present via Teleconference** Vickie V. Hawkins, Director of Clinical Services, Brighton Behavioral Health Center

**Call to Order and Introductions** *At 9:20 Christina Delzingaro called the Regular Session of the September 9, 2011 SHRC meeting to order.* Introductions took place prior to proceeding.

Tim Steller, Executive Director of Blue Ridge Behavioral Healthcare (BRBH), welcomed the SHRC and talked about the area covered by BRBH, the scope of services provided, and the populations served. Mr.

Steller then introduced Joseph Kinchloe, Vice-Chairperson of the Roanoke Valley Local Human Rights Committee, who welcomed all to the area.

Christina Delzingaro introduced Kevin Paluszak, the new DBHDS Regional Advocate for Region Six.

Nan Neese, Regional Advocate, extended an invitation from Dean East, Owner of East Mental Health, LLC, to tour his Center.

**Tour 9:25**

At 9:25 Christina Delzingaro called for a break to tour East Mental Health, LLC, on 3441 Brandon Avenue. Nan Neese introduced Dean East, Owner, and Joann Patterson, Director of Staff. Ms. Patterson welcomed the SHRC and offered a tour of the program. Joann Patterson and Dean East provided the tour.

East Mental Health, LLC, is a Roanoke company licensed to provide mental health support services, outpatient mental health services and crisis stabilization.

**Approval of Draft**

**Minutes:** July 8,  
2011

*At 9:57 the meeting reconvened.*

*Upon a motion by Carolyn DeVilbiss and seconded by Jannie Robinson, the minutes of the July 8, 2011 SHRC meeting were approved. Christina Delzingaro and Joseph Lynch abstained.*

**Fairfax Falls  
Church LHRC  
Chair**

At 9:58 the SHRC reviewed the response from George Braunstein, Executive Director of Fairfax-Falls Church CSB, regarding lack of follow up to a Local Human Rights Committee hearing. Margaret Walsh reported that the LHRC findings and recommendations had been copied to the CSB rather than being addressed directly to the CSB. Thus, the CSB was unclear about what was being asked of them. Margaret Walsh reported that upon review of the current response from Mr. Braunstein it does seem at this time that the CSB has adequately addressed the issues.

**Model ICFMR  
Variance Requests**

At 10:05 the SHRC reviewed Model ICFMR Variance notices for Holiday House and St. Mary's Home for Disabled Children. Margaret Walsh reported that the variance requests for these two programs came directly to the SHRC rather than going through the LHRCs. The guidance issued by Margaret Walsh and Christina Delzingaro for review and acceptance of the Model Variance does not specify that program requests for use of the variance should be considered first by the LHRCs before going to the SHRC for approval.

Christina Delzingaro said she believes this is an oversight and the intent of the guidance issued by Ms. Delzingaro and Ms. Walsh was that the variances be reviewed first by the local Committees.

*Upon a motion by Carolyn DeVilbiss and seconded by TC Bullock the*

*SHRC unanimously voted to amend the guidance for the Model ICFMR Variance to include review by the LHRC before forwarding to the SHRC. The Model ICFMR Variance is accepted for Holiday House and St. Mary's Home for Disabled Children. Letters will be sent to Holiday House and St. Mary's Home for Disable Children, with an explanation that the guidance should have instructed them to send the variance requests to the LHRC for review before sending to the SHRC.*

*The SHRC received letters of intent to use the ICFMR Variance from Central Virginia Training Center and Southside Virginia Training Center.*

## **Report of Special Committee**

At 10:08 the Special Committee for the Appeal of C.S. v. Piedmont Geriatric Hospital (PGH) reported to the full committee. This case came before a subcommittee of the SHRC on August 22, 2011 regarding an appeal of the decision of the PGH LHRC following a fact finding hearing that took place on June 22, 2011.

Christina Delzingaro and Margaret Walsh summarized the issues on appeal of the LHRC's decision. On August 22, 2011 C.S. presented her case with support from Tammy Long, Human Rights Advocate. Brinda Fowkles, Director of Social Work, and Brenda Duffy represented the facility. At the request of C.S., the hearing was held in open session. SHRC members present on August 22 were Christina Delzingaro, T.C. Bullock and Frank Royal.

Christina Delzingaro reported that C.S. petitioned for the appeal in part because she believes the LHRC failed to address all of her concerns in her April 11, 2011 petition. Specifically C.S. contends that the following complaints of violation were not addressed: 1) PGH prohibited her from calling the police to report the crime of perjury; 2) Dr. Herrick failed to protect C.S. from abuse when he did not stop or prevent Dr. Dalvani's incorrect statement and for not reporting this to law enforcement; and 3) the LHRC failed to address the issue of her brother's statements regarding mental status.

The Special Committee recommends that the SHRC uphold the finding and recommendations of the PGH LHRC. Margaret Walsh reported that C.S. has been instrumental in altering the process by which complaints are presented to the LHRC. The new system of separating each complaint to an individual sheet to insure that all complaints are reviewed and completed satisfactorily has benefitted all consumers at PGH.

*Upon a motion by T.C. Bullock and seconded by Donald Lyons the SHRC unanimously commends C.S. for the changes made as a result of her complaints and upholds the decision and all recommendations of the PGH Local Human Rights Committee.*

Carolyn DeVilbiss thanked the special committee for its time and effort in conducting the appeal.

**Goals Plan  
Worksheet**

At 10:21 the SHRC reviewed the SHRC goals worksheet. The update on DOJ is pushed back until at least the January 21, 2012 meeting. The SHRC will invite Russell Payne to attend the October 28, 2011 meeting to provide an update on ready for discharge and flow through.

Christina Delzingaro asked if anyone at the department is taking the lead on guardianship and substitute decision making. Margaret Walsh responded that she has been tasked with revising the departmental instruction on substitute decision making and is working with the Office of Attorney General on it. Karen DeSousa will provide training in the Spring on substitute decision making. This may be reviewed at the April 2012 SHRC meeting.

Joseph Lynch addressed the Communications goal and the use of the department's web site. Mr. Lynch requested the use of analytics for tracking information of how often people go to the newsletter, what information is reviewed most often and what information people are spending time to read. These statistics may help in determining how to further develop the newsletter and in what format the newsletter information should be presented.

**LHRC Vacancy  
Tracking Sheet**

At 10:29 Christina Delzingaro addressed the tracking of vacant mandated positions on local human rights committees. The SHRC may step in and consider how to fill positions or merger and consolidate LHRCs. This role might be fulfilled by a subcommittee of the SHRC. Joseph Lynch noted that there is at least one vacancy that has been open for longer than a year. He suggested the SHRC sift carefully thru the vacancy tracking sheet and address the positions that have been open for more a year.

Margaret Walsh asked if the expanded definition of Healthcare Provider has helped with getting Healthcare Providers appointed to LHRCs. Mark Seymour reported that the applicant for the vacant Loudon County LHRC position which lead to the discussion about revising the definition has moved away, but that the SHRC's work on this issue is appreciated.

Joseph Lynch asked for grand totals on the vacancy tracking sheet.

**Public Comment  
Period 10:40**

*At 10:40 Christina Delzingaro announced that the committee was a few minutes ahead of schedule and asked if there were any public comments at this time. No public comments were offered at this time.*

**Variance: The Pines**

At 10:40 the SHRC initiated a conference call for review of the Variance for the Brighton Behavioral Health Center (formerly known as the Pines

Residential Treatment Center, Brighton Campus) and the Harbor Point Behavioral Health Center (formerly known as the Pines Residential Treatment Center, Crawford Campus). Reginald T. Daye, Regional Advocate for Region 5, introduced Ms. Vickie V. Hawkins, Director of Clinical Services of the Brighton Behavioral Health Center and the Harbor Point Behavioral Health Center. Ms. Hawkins provided a brief overview of the programs and the populations for whom the variance will impact. Harbor Point is a 24/7 residential facility serving males and females ages 13 to 21 with psychiatric disorders. The current census is 14. Brighton Behavioral Center serves males with a history of sexual violence and psychiatric disorders. The current census at Brighton Behavioral is 23. Ms. Hawkins noted that if approved the variance would apply only to the Brighton Behavioral Health Center and the Harbor Point Behavioral Health Center. The Pines Kempsville campus is not included in the variance request.

Mr. Daye indicated that the Pines Residential Treatment Center is seeking a variance to sections 12 VAC 35-115-100, A1g, Restrictions on Freedoms of Every Day Life, and 12 VAC 35-115-10, C16, Use of Seclusion, Restraint and Timeout of the *Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded or Operated by the Department of Behavioral Health and Developmental Services*. Approval of the variance will allow the programs to utilize the Matrix Level System, which is a strength based incentive that reinforces good behavior. The Matrix is designed to empower youth to make choices that have a positive outcome in a way that connects the level system with individual treatment plans. This variance originally came to the SHRC in October of 2009 and was approved for a two year period with a written annual report to be submitted to the SHRC. The SHRC dropped the variance after the program failed to submit its annual report.

*Upon a motion by Joseph Lynch and seconded by Randy Johnsey and Carolyn DeVilbiss, the SHRC unanimously approved the Matrix Level System and variance to 12 VAC 35-115-100, A1g, Restrictions on Freedoms of Every Day Life, and 12 VAC 35-115-10, C16, Use of Seclusion, Restraint and Timeout of the Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded or Operated by the Department of Behavioral Health and Developmental Services for the Brighton Behavioral Health Center and the Harbor Point Behavioral Health Center. The variance is approved for a two-year period with an annual status report to be submitted to the SHRC. The SHRC also requires that the program submit quarterly updates on the use of the variance and Matrix Level System to the Tidewater Regional LHRC.*

Christina Delzingaro thanked Reginald Daye for his diligence in working

with the Pines in fulfilling the requirements of the SHRC's approval.

**Public Comment  
Period**

*At 10:57 Christina Delzingaro offered another opportunity for public comments. No public comments were given.*

At 10:58 Christina Delzingaro lead discussion of an issue with the Eastern State Hospital LHRC. T.C. Bullock and Christina Delzingaro will attend the ESH LHRC meeting and offer help and guidance. Carolyn DeVilbiss suggested that as many SHRC members as possible attend the LHRC meeting to offer support.

**VCBR Facility  
Instructions**

At 11:05 the SHRC initiated a teleconference with Jason H. Wilson, Healthcare Compliance Manager, and Cheryl Young, Quality Assurance and Resident Complaint Coordinator, to review VCBR Facility Instructions.

**Rules for Resident  
Personal Property**

At 11:06 Jason Wilson highlighted changes made to the facility instruction on rules for resident personal property since the last SHRC review. Mr. Wilson reported that this is a routine review. Changes made were to add some items to the "ok" list of personal property items.

Margaret Walsh asked for clarification on what happens when someone has an item that is not on the approved list. Mr. Wilson responded that staff look at new items and consider whether to allow them. Some items are allowed immediately upon review and then officially added to the list when it is up for review again. Residents are given an opportunity to say what the items are and state why they believe they should be allowed to have them.

Joseph Lynch said that the SHRC does not need to see this unless something is taken off the list or the instruction becomes more restrictive.

**Religious Preference**

At 11:17 the SHRC reviewed the instruction on religious preference. Jason Wilson reported that VCBR is proposing a restriction that requires individuals to hold a particular religious preference for at least 6 months. If persons wish to learn about different religions, they would be allowed to attend study groups in the interim.

VCBR has found the need to develop the instruction to minimize the frequent changing of religious preference depending on what activities or meals are offered in observation of religious holidays and rites. It is hoped also that this instruction will help reduce the changing of religious preference in order to be excused from therapeutic group sessions.

In answer to a question from Carolyn DeVilbiss Jason Wilson said VCBR has received positive feedback to this instruction. The SHRC will again review this instruction after the OAG has reviewed it.

At 11:28 Christina Delzingaro proposed that SHRC members review the remaining VCBR Facility Instructions and provide comments to the office of human rights within the next week. Comments will go to Margaret Walsh, who will review and forward them to VCBR. The remaining Facility Instructions and documents are as follows: Searches and Examinations, Behavioral Work Readiness Program Policy, Vocational Work Readiness Evaluation (Quarterly Rpt), Work Readiness Program Recommendation Form, Work Readiness Training Program Application, Work Readiness Behavioral Expectations, Vocation Program Disciplinary Form, Market Store Facility Instruction, Market Plan Behavioral Menu, Market Plan Resident Point Sheet.

Christina Delzingaro thanked Cheryl Young and Jason Wilson for sending the instructions for review.

**Appeal 11:32**  
S.H. v. Western State  
Hospital

At 11:32 the SHRC heard the appeal of S.H. v. Western State Hospital (WSH). This case came before the committee on appeal of the decision of the WSH LHRC following a fact finding hearing that took place on July 25, 2011. S.H. is not satisfied with the final findings of fact and recommendations of the WSH LHRC. Specifically, S.H. does not agree with the finding of no violation of 12 VAC 35-115-50 and 12 VAC 35-115-100 with regard to his right to communicate privately by telephone.

Erin Haw, Disability Rights Advocate, Virginia Office of Protection and Advocacy (VOPA) presented the case on behalf, and in the absence, of S.H. Dr. Jack Barber, WSH Director, represented the facility. At the request of Ms. Haw the hearing was held in closed session. SHRC members present were Christina Delzingaro, Chairperson, Randy Johnsey, Vice-Chairperson, Donald Lyons, Joseph Lynch, Jannie Robinson, Carolyn DeVilbiss and T.C. Bullock. Also present were Karen DeSousa, DBHDS Special Counsel, Margaret Walsh, Human Rights Director, Kli Kinzie, Administrative Support to the SHRC, Mark Stevens, Disability Rights Advocate, VOPA, Ellen Harrison, Liaison to the Director for the WSH LHRC hearing, Chuck Collins, Technical Support for the WSH LHRC.

*Upon a motion by Randy Johnsey 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.*

Upon reconvening in public session, the SHRC unanimously certified that to the best of each SHRC 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 the Closed Session.

*Upon a motion by Randy Johnsey and seconded by T.C. Bullock the State Human Rights Committee convened in Closed Session pursuant to Virginia Code, 2.2-3711(7), for the purpose of consultation with legal counsel*

Upon reconvening in public session, the SHRC unanimously certified that to the best of each SHRC 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 the Closed Session.

*Upon a motion by Joseph Lynch and seconded by Randy Johnsey the SHRC upholds the decision and all recommendations of the Western State Hospital Local Human Rights Committee that there was no violation of S.H.'s right privacy by a vote of 6-1.*

**12:33**

*BREAK FOR LUNCH until 12:55*

**Patient Funds  
Patient Transfers**

12:55 John Pezzoli apologized for the inordinate delay in responding to the SHRC's concerns about patient funds. Mr. Pezzoli has been working with DBHDS facilities on a package draft policy that will be reviewed by the OAG and by the department's internal auditor.

Joseph Lynch asked how the draft policy is different from what the department already has. Mr. Pezzoli responded that it gives an indication of the philosophy and direction that will be taken by the department. He will be monitoring to some degree the facilities' conformity with the policy.

Carolyn DeVilbiss asked how the draft policy is different from the one that was already in place. Joseph Lynch commented that the current practice puts too much control in the hands of the individual facility directors. The SHRC is hoping for something with a lot more structure and cross facility consistency.

Mr. Pezzoli responded that working on this draft policy has already made a change and is a good step forward and one in which the central office has had a good engagement with the facility directors. Mr. Pezzoli asked if the current system constitutes a violation of rights. If so, how and in what way. He commented that it would be a leadership and managerial mistake to be more prescriptive.

Donald Lyons said he does not feel this draft will make any difference. Christina Delzingaro said the current practice raised enough questions for the SHRC to be concerned about a potential violation of rights. The SHRC is trying to address this as a systemic issue.

Ms. Delzingaro asked to hear from DBHDS advocates. Roanna Deal reported that she has not shown the draft policy to the Southern Virginia Mental Health Institute Advocacy Council. The Council was very encouraged that the issue had gone up to the level of John Pezzoli but she feels that if she shows the draft to them, they will be very disappointed. Ms. Deal discussed scenarios and the negative impact the lack of control can have on the individual. It can also impact individuals upon discharge who need money to be able to pay rent and pay expenses. There is a risk in allowing patients to access funds more freely, and the department must protect individuals from loan-sharking, etc., but it is incumbent upon the director to provide person-centered care. John Pezzoli thanked Ms. Deal for giving him a deeper understanding of her concerns.

Mark Stevens commented that the main concerns of the NGRI group is that, when working in the community, they had set up bank accounts, etc. The draft policy does not address this issue. Also, depending on facility bank hours, patients are not allowed to withdraw money before going out on 48-hour passes.

John Pezzoli said this is a good example of why it is not possible to address every concern with a central facility-wide policy. We do have to empower facility directors to provide and exercise good judgment. These are valid details, and if the SHRC can think of ways that are reasonable and not too prescriptive, he will work with the SHRC to encourage facility directors to make changes to the policy.

Mark Stevens commented that Jack Wood, Eastern State Hospital Facility Director, has been very reasonable about the issues brought to his attention. Mr. Stevens does not believe Mr. Wood has seen the draft.

Christina Delzingaro tasked Joseph Lynch, T.C. Bullock and Donald Lyons to make e-mail contact and communicate with John Pezzoli in his ongoing effort to draft the patient funds policy. Margaret Walsh will funnel the communications. Roanna Deal will look at the draft and get back with Ms. Walsh before the draft is forwarded to the SVMHI Patient Council. Ms. Delzingaro asked for something to go out by the first of October.

## **Patient Transfers**

At 1:28 John Pezzoli discussed efforts to reduce waiting lists and wait time for forensic admissions in DBHDS facilities. One part of the problem has been a significant reduction of beds in facilities since 2004, coupled with a lack of approved funding by the Governor and the General Assembly to accommodate needed beds in the community.

There are plans to make changes within the Hancock Center to accommodate the older, medically frail clients. Mr. Pezzoli will send the

plan for the Hancock Center renovation to the SHRC as soon as the plan is available. The plan is designed so that no one will wait longer than the prescribed timeline of court-orders for transfers to appropriate settings. The 8 patients that were brought to the SHRC's attention by Mark Stevens of VOPA have all been transferred appropriately.

Ultimately, the department has a plan to reduce permanently the flow through into waiting lists. At various points programs and initiatives have been established that can intercept and place individuals quickly. The department has made progress in restoring competency and getting people ready to stand trial. There have been 81 restorations of competency resulting in a decrease in length of stay. If the plan is successful, the department will no longer have a waiting list at CSH and ESH.

John Pezzoli asked for an extension of the September 23 deadline to craft a plan to reduce the waiting lists for forensic services in facilities. The SHRC granted the requested extension. Christina Delzingaro asked Mr. Pezzoli to please come back in the Spring of 2012 to provide an update on the implementation and effectiveness of the department's efforts. Mr. Pezzoli agreed to come back by March.

Donald Lyons asked if the department is asking for additional funding. The department is asking for funding for DAP, discharge evaluations and CRTs. There is also a plan to ask for money to increase the number of beds at another one of our facilities for the forensic population.

Joseph Lynch commented that the numbers at VCBR seem to keep growing and asked if there are any projections about this growth in the future. Mr. Pezzoli responded that the General Assembly got real tough on sex offenders and it is not expected that they are going to go lighter. At some point, with the current projections, we will need another facility for sexually violent predators

Christina Delzingaro thanked John Pezzoli for speaking with the SHRC. Mr. Pezzoli thanked the SHRC and said he looks forward to working with the committee.

**Seclusion and  
Restraint Update**

At 1:54 Christina announced that the SHRC will hear the update on seclusion and restraint at the October 28, 2011 meeting.

**SHRC Sub-  
Committee Report  
LHRC Structure**

At 1:55 Christina Delzingaro opened discussion on LHRC Structure and how best to support and facilitate LHRCs in the performance of their duties. The subcommittee is looking at triggers for when the SHRC is to step in and recommend consolidation of LHRCs where there have been vacancies of mandated positions, especially when conducting hearings. The SHRC considered appointing floater Healthcare Provider and Consumer members to participate on multiple LHRCs. Karen DeSousa

said the LHRCs may not be able to share positions as voting members in this way, but that those floaters could be available at hearings to provide assistance and input. Margaret Walsh consulted with staff on the feasibility of piloting this idea in a region.

*Upon a motion by Joseph Lynch and seconded by T.C. Bullock the SHRC unanimously voted to move ahead with the recommendations of the Subcommittee on LHRC Structure.*

At present the Subcommittee is composed of Christina Delzingaro, Joseph Lynch and T.C. Bullock. Christina Delzingaro asked for a volunteer from the SHRC to join the Subcommittee as a fourth member. *Jannie Robinson volunteered to join the LHRC Structure Subcommittee.*

**Attending LHRC Meetings**

Jannie Robinson reported that she attended an LHRC meeting in her region.

**LHRC Membership Appointments:**

At 2:09 the SHRC considered LHRC Membership.

*Upon a motion by Randy Johnsey and seconded by T.C. Bullock the SHRC convened in closed session pursuant to Virginia Code §2.2-3711(1) for the purpose of discussion and consideration of appointments and reappointments to Local Human Rights Committees.*

*Upon reconvening each member 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 Dr. Beverly Withers from the Hampton Roads LHRC.*

*Upon a motion by T.C. Bullock and seconded by Randy Johnsey the SHRC unanimously removed Ms. Kay Weshke from the Central Virginia Training Center LHRC.*

*Upon a motion by T.C. Bullock and seconded by Randy Johnsey the SHRC unanimously made the following appointments and reappointments:*

**Region 1**

Harrisonburg-Rockingham LHRC

Appoint: Mr. William Quarles, Virginia E. Luong

Rappahannock-Rapidan CSB LHRC

Appoint: Ms. Arla Jean Lewis

Valley CSB LHRC

Appoint: Ms. Heidi Campbell

Loudoun County CSB LHRC

Appoint: Ms. Kimberly Higginson

Region 2

Alexandria LHRC

Appoint: Mr. Andrew Campbell

Region 3

Appalachian Community LHRC

Appoint: Mr. Frank Diamond

Catawba LHRC

Appoint: Ms. Valerie K. Robinson

Mount Rogers LHRC

Appoint: Ms. Beverly Mountain, Ms. Patricia G. McClane

Roanoke Valley LHRC

Appoint: Ms. Robina F. Jordan

Region 4

Richmond Tri-Cities LHRC

Appoint: Ms. Janet Olivia Mitchell

Richmond Unified LHRC

Reappoint: Ms. Barbara J. McDougald

Region 5

Eastern State Hospital LHRC

Appoint: Mr. Brandon Washington, Ms. Kathryn Suslik

Middle Peninsula-Northern Neck LHRC

Appoint: Dr. Bill McConahey

Southside Regional LHRC

Appoint: Ms. Dana Wynn Steele

Williamsburg Regional LHRC

Appoint: Ms. Jeannette Olechnowich

Region 6

Central Virginia Training Center LHRC

Reappoint: Ms. Cassandra Taylor

Appoint: Ms. Joan Milnor

Piedmont Community Services LHRC

Appoint: Dr. James Rountree, Mr. T.J. "Jerry" Womack, Ms. Sharon

Hooker, Ms. Linda Payne

**Adjournment**

*At 2:25 the meeting adjourned.* The next SHRC meeting will be held on Friday, October 28, 2011, at Southeastern Virginia Training Center in Chesapeake.

Respectfully Submitted:



Christina DelZingaro, Chairperson



Kli Kinzie, Secretary