

**STATE HUMAN RIGHTS COMMITTEE  
MEETING MINUTES**

Southside Virginia Training Center  
26317 W. Washington Street  
Building 1, Conference Room B  
Petersburg, Virginia, 23803-0030  
Friday, March 10, 2006

**ADMINISTRATIVE MEETING**

8:25 a.m.

**COMMITTEE MEMBERS PRESENT**

Michael Marsh, Vice-Chairperson  
Angela Brosnan  
Carmen Thompson  
Bobby Tuck  
Davey Zellmer

**HUMAN RIGHTS STAFF PRESENT**

Margaret Walsh, State Human Rights Director  
Kli Kinzie, Executive Secretary  
James O. Bowser, Jr., Regional Human Rights Advocate, Region IV  
Reginald T. Daye, Regional Human Rights Advocate, Region V  
Sherry C. Miles, Regional Human Rights Advocate, Region VI  
Michael Curseen, Patient Advocate, Central State Hospital  
Beverly W. Garnes, Patient Advocate, Southside Virginia Training Center  
Tonya Cunningham, Facility Human Rights Advocate, CSH Forensics  
Yolanda Smith, Executive Secretary, Southside Virginia Training Center

**OTHER STAFF PRESENT**

Karen Walters, DMHMRSAS Special Counsel

**OTHERS PRESENT**

David A. Rosenquist, Executive Director, Hiram W. Davis Medical Center

Dr. R. Michael Marsh, Ph.D., opened the administrative session of the March 10, 2006, State Human Rights Committee meeting. Dr. Marsh introduced Mr. David A. Rosenquist, Executive Director of Hiram W. Davis Medical Center, who welcomed the committee and staff of the human rights office to Petersburg and the campuses of Central State Hospital, Southside Virginia Training Center, Hiram W. Davis Medical Center, and Virginia Center for Behavioral Rehabilitation. Mr. Rosenquist gave a brief overview of the facilities and said that the facility directors consider themselves to be advocates for patients and consumers in the DMHMRSAS system.

Margaret Walsh asked for response to the first issue of *Human Writes*. Jim Bowser reported that he has been distributing copies to his LHRC members, and it has been well received with a lot of enthusiasm. Davey Zellmer suggested the next few issues include the information provided in the Questions and Answers section. Ms. Zellmer would like to lighten up the newsletter with humor.

Reginald Daye asked the committee to include information regarding the roles of the advocates and the licensing specialists. Margaret Walsh offered to include information on the Freedom of Information Act, on the posting of LHRC minutes and meeting schedules of the department's web site, and information about electronic meeting restrictions. Jim Bowser suggested including information on training available through the department.

Margaret Walsh reported that Musa Ansari, Regional Advocate, is leaving the department. Ms. Walsh will ask Nan Neese to provide the next Meet the Advocate article for the newsletter. Ms. Walsh will provide a paragraph on the status of the draft revision of the human rights regulation. Jim Bowser suggested adding a section on LHRC member profiles and profiles of LHRCs. Davey Zellmer appointed Mike Marsh and Carmen Thompson to serve on the newsletter sub-committee with her.

The SHRC discussed the development of a recognition award for LHRC members/committees who have provided exemplary service. The State MHMRSAS Board Volunteer Luncheon could possibly be used as a venue for awarding certificates, or awards could be presented during the human rights seminar. The SHRC will develop criteria for the award. Joyce Bozeman was appointed to contact human rights advocates to ask for recommendations on which individuals, committees, and programs should be recognized with an award. Joyce Bozeman is to chair the award sub-committee and chose other members to serve with her.

The committee reviewed a Memo of Response from Karen Walters, Special DMHMRSAS Counsel, regarding Barbara Jenkins' resignation. Mike Marsh thanked Ms. Walters for the memo.

Tour of SVTC Unit and Activities Areas - 9:00

Ms. Margaret Miller, SVTC Residential Services Director, and Heather Norton, SVTC Program Services Director, provided a tour of facility activity rooms and living units.

10:00 a.m. Break

**REGULAR MEETING**  
**10:15 a.m.**

**COMMITTEE MEMBERS PRESENT**

Michael Marsh, Vice-Chairperson  
Angela Brosnan  
Carmen Thompson  
Bobby Tuck  
Davey Zellmer

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Reginald T. Daye, Regional Human Rights Advocate, Region V  
Sherry C. Miles, Regional Human Rights Advocate, Region VI  
Michael Curseen, Patient Advocate, Central State Hospital  
Beverly W. Garnes, Patient Advocate, Southside Virginia Training Center  
Tonya Cunningham, Facility Human Rights Advocate, CSH Forensics  
Anne Stiles, Facility Human Rights Advocate, Piedmont Geriatric Hospital and Virginia Center for Behavioral Rehabilitation  
Yolanda Smith, Executive Secretary, Southside Virginia Training Center

**OTHER STAFF PRESENT**

Karen Walters, DMHMRSAS Special Counsel

## **OTHERS PRESENT**

Sharon Bonaventura, Director of Psychology, Central Virginia Training Center  
Michelle Herbert, Program Manager, Virginia Center for Behavioral Rehabilitation  
Eric Alridge, Director of Operations, Virginia Center for Behavioral Rehabilitation

## **CALL TO ORDER**

The March 10, 2006, meeting of the State Human Rights Committee was called to order by Dr. R. Michael Marsh, Ph.D., Vice-Chairperson. Dr. Marsh asked committee members and staff of the office of human rights to introduce themselves for those present.

## **MINUTES**

The minutes of the January 27, 2006, state human rights committee meeting were unanimously approved as corrected.

## **PUBLIC COMMENT PERIOD 10:30 TO 10:45**

Dr. Michael Marsh 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 continued with regular business.

## **POLICIES**

### Virginia Center for Behavioral Rehabilitation

The SHRC accepted the VCBR 2005 Annual Facility Advocate's Report, and the January 2006 and February 2006 Monthly Facility Advocate's Reports for the files. Anne Stiles, Facility Human Rights Advocate, Virginia Center for Behavioral Rehabilitation, introduced Eric Alridge, VCBR Director of Operations, and Michelle Herbert, VCBR Program Manager. Ms. Stiles, Mr. Alridge and Ms. Herbert reviewed the VCBR policies on Visitation, Elimination of Purpose, Definition of Contraband, Resident Property, Mail Procedures, Resident Fund Accounts, Resident Photocopying, Active Treatment Planning, and Contact with the Media.

Mr. Alridge explained the changes made to the above policies. Committee members suggested modifications and asked that the facility consult Allison Tysinger, Assistant Attorney General and counsel for VCBR, regarding the details of phoning the media. Mr. Alridge will ask Commissioner Reinhard for an exemption to allow for the opening of mail and packages for security screening.

**A motion was made and unanimously passed to approve the VCBR policies Resident Property, Mail Procedures, Resident Fund Accounts, Resident Photocopying, Active Treatment, and Visitation. The committee did not move on the policy for Contact with the Media.**

## **HIPAA VARIANCE REPORT**

### Piedmont Geriatric Hospital

Anne Stiles, Facility Human Rights Advocate, Piedmont Geriatric Hospital, presented the HIPAA Variance Report from Piedmont Geriatric Hospital. The report was accepted for the file.

## **OTHER VARIANCES**

### Central Virginia Training Center

Sherry C. Miles, Regional Human Rights Advocate, Region VI, introduced Sharon Bonaventura, Director of Psychology for Central Virginia Training Center.

The committee considered a variance to 12 VAC 35-115-110, B 2, Use of Seclusion, Restraint, and Time Out, of the *Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services*, on behalf of S.W.E. The requested variance would allow Central Virginia Training Center (CVTC) staff to restrain S.W.E. at night using elbow restraints for one eight-hour authorization and, if needed, an additional four-hour authorization.

**A motion was made and unanimously passed to approve Central Virginia Training Center's variance request as written for a two-year period. On the anniversary of the variance approval date, the program is to send the SHRC a written report detailing the consumer's progress. CVTC must come before the State Human Rights Committee if renewal is needed in March 2008.**

#### Western State Hospital

Charles T. Collins, Regional Human Rights Advocate, Region I, presented the annual report for a variance to 12 VAC 35-115-110, B 2 Seclusion, for patient C.C. on behalf of Western State Hospital.

The report was accepted for the file. Dr. Marsh thanked Mr. Collins for presenting the report.

#### Virginia Beach Psychiatric Center

Reginald T. Daye, Regional Human Rights Advocate, Region V, presented on behalf of Virginia Beach Psychiatric Center, the annual report of a variance to 12 VAC 35-115-110, Time Out. Mr. Daye reported that the program asked to continue use of the variance for another year.

The SHRC accepted the annual variance report for the files.

#### Specialized Youth Services

James O. Bowser, Jr., Regional Human Rights Advocate, Region IV, presented the annual written report for a variance to 12 VAC 35-115-110, B 13, Time Out, for Specialized Youth Services, Blanford Manor.

The SHRC accepted the annual report for the files.

#### **LHRC MEMBERSHIP**

**The 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.

**The motion was made and unanimously passed to appoint the following applicants to the specified Local Human Rights Committees.**

Northwestern CSB LHRC

Appoint:

Ms. Nancy Cartier

Mr. Fred Sabia

Rappahannock-Rapidan CSB LHRC

Appoint:

Mr. Allen L. Ward  
Harrisonburg-Rockingham CSB LHRC  
Appoint:  
Mr. Dana Scott Bennett  
Northern Virginia Regional LHRC  
Appoint:  
Ms. Lucy Sotar  
Ms. Amy Ashley  
Chesapeake Regional LHRC  
Reappoint:  
Mr. Roger Ladd  
Suffolk Regional LHRC  
Appoint:  
Mr. Ronald J. Gibbs  
Ms. Jacqueline Blackett  
Reappoint:  
Ms. Sylvia Capehart Paige  
Newport News Regional LHRC  
Appoint:  
Ms. Roseanne Walters  
Reappoint:  
Ms. Louise W. Beveridge  
Williamsburg Regional LHRC  
Appoint:  
Mrs. Marnee Colburn  
Piedmont Geriatric Hospital  
Appoint:  
Mr. David Patterson  
Mr. John Fyfe

**A motion was made and unanimously passed to remove Ms. Roberta Wilkins and Ms. Elizabeth Walker from membership on the Chesapeake Regional Local Human Rights Committee due to lack of attendance at the regularly scheduled meetings.**

Dr. Marsh reminded members that the committee should be represented at each State MHMRSAS Board meeting.

#### Ready for Discharge

Russell Payne, Community Support Specialist, Office of Mental Health/ Community Support Services (OMH/CSS), led a discussion and presentation of consumers on ready for discharge status. The OMH/CSS maintains a list of individuals who are ready to be released from facilities but who have extraordinary barriers to discharge. Mr. Payne defined extraordinary barriers to discharge and described the circumstances, which prevent, or have made difficult, discharge for each individual.

The OMH/CSS has a variety of systems and programs for monitoring the ready for discharge list. The involvement of some of the Facility Directors at meetings for review and discussion of the list has been very effective in stimulating the process of finding placement and discharging consumers. Mr. Payne feels the protocols for discharge are procedurally and legally sound, but they are weak from a consumer perspective. The protocols are therefore under revision.

Dr. Michael Marsh thanked Mr. Payne for taking the time to talk with the SHRC about this very important issue. Mr. Payne offered to come back anytime the SHRC wants an update on ready for discharge.

Carmen Thompson announced that the newsletter sub-committee would meet at her house on

Tuesday, March 21. All members and staff are to send information to be included in the newsletter Davey Zellmer before that time. Ms. Zellmer will call Nan Neese regarding the submission of a Meet Advocate article for the next issue.

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

Respectfully submitted,

R. Michael Marsh, Ph.D.,  
Vice-Chairperson