DBHDS STATE BOARD MEETING
DRAFT MINUTES

Tuesday, December 6, 2011
DBHDS Central Office
1220 Bank Street
Richmond, VA, 23219

Regular Session AGENDA
9:30 a.m.

Members Present	Ruth G. Jarvis, Chairperson, Cheryl Ivey Green, Vice-Chairperson, Gretta Doering, Andrew Goddard, Daniel E. Karnes, Jennifer Little, Bonnie Neighbour, Anand Pandurangi
Members Excused	Joseph Guzman
Staff Present	Charline Davidson, Director of Planning and Development Olivia Garland, Deputy Commissioner Linda Grasewicz, Assistant Director and Regional Coordinator, Planning and Budget, DBHDS Kli Kinzie, Executive Secretary, Office of Human Rights Ruth Anne Walker, Director, Office of Legislative Affairs Russell Sarbora, Chief Information Officer, DBHDS Margaret Walsh, Human Rights Director, DBHDS Joy Yeh, Assistant Commissioner, Finance and Administration
Others Present	William R. Frank, Public Policy Manager, Virginia Association of Community Services Boards
Call to Order and Introductions	At 9:34 a.m., Ruth Jarvis called the December 6, 2011, State Board of Behavioral Health and Developmental Services meeting to order.
Approval of	At 9:35 Ruth Anne Walker proposed a move of the Commissioner's report to an

December 6, 2011 Agenda	earlier time. *Upon a motion made by Dan Karnes and seconded by Cheryl Ivey Green the agenda for the December 6, 2011, agenda was adopted unanimously as amended.*
Approval of Minutes	*Upon a motion the Board unanimously adopted the minutes of the October 13, 2011, meeting as submitted.*
Commissioner's Report	At 9:36 Commissioner Jim Stewart provided an update on the initiatives of the Strategic Plan and the Creating Opportunities plan. The Governor's Substance Abuse Report has been added to the DBHDS web site along with the emergency response report. Forensics and Case Management reports also have been added. Commissioner Stewart provided a copy of the current organizational chart and spoke briefly about staff changes.
Public Comment	At 10:22 Ruth Jarvis called for public comments. *No public comments were offered.* Ruth Jarvis commented that the Board values public comments and that anyone can submit written comments to the Board, in addition to coming before the Board to offer comments verbally.
Regulatory Actions	At 10:28 Linda Grasewicz provided the update on regulatory activity. The new Licensing Regulations (12 VAC 25-105) were published on November 7, 2011. Approved changes reflect updates in regulatory definitions and requirements under title 37.2, the new department name change, changes in current practice, changes in state and federal statutes and related regulations. The effective date for the new regulations is December 7, 2011. The process for revising the new regulations will begin in January, 2012. The amendment to update the Human Rights Regulations (12 VAC 35-115) to identify the notification rights for individuals receiving services in compliance with Chapter 111 of the 2009 Virginia Acts of Assembly is under final review by the Governor's office. Public notice was published on November 21, 2011 to conduct the comprehensive periodic review of the current regulations to assess the need for regulatory change. The public comment period ends on December 19, 2011. Public notice was published on November 11, 2011 for periodic review to access the need for regulatory change to Temporary Leave from State Facilities (12 VAC 35-210). The public comment period ends on December 19, 2011. The 2011 General Assembly established emergency authority for DBHDS to promulgate regulations establishing Part C Certification Requirements for Early Intervention Case Managers (12 VAC 35-220). The emergency regulations are in

the Governor's Office awaiting approval.

Ruth Anne Walker reminded Board members that a link was available from the board's 'resources' page to the Town Hall web site to a list of all regulations that fall under the purview of the Board.

Committee Reports

Grant Review

At 10:32 Linda Grasewicz reported that there have not been any changes on grant reviews since the last Board meeting.

Policy Development and Evaluation

At 10:32 Ruth Anne Walker reported on the September 16, 2011, meeting of the Policy Development and Evaluation Committee. The following policies were distributed for second field review and comment from September 20 to October 30, 2011:

1. Policy 2011(ADM)88-3 Naming of Buildings, Rooms and Other Areas at State Facilities;
2. Policy 3000(CO)74-10 Department Employee Appointments to Community Services Boards;
3. Policy 5006(FAC)86-29 Razing of Dilapidated Buildings; and
4. Policy 5008(FAC)87-12 Accreditation/Certification

Two comments were received, both stating that there were no suggested edits.

Upon a motion by Gretta Doering and seconded by Andrew Goddard the Board unanimously adopted Policy 2011(ADM)88-3, Policy 3000(CO)74-10, Policy 5006(FAC)86-29, and Policy 5008(FAC)87-12, *as revised.*

Ruth Anne Walker reported that the earlier revision of Policy 1028(SYS)90-1 Human Resource Development incorporated key elements of Policy 7000(INTER)85-4 Department/University and College Relationships. The Policy Development and Evaluation Committee recommended rescission of Policy 7000(INTER)85-4 because Policy 1028(SYS)90-1 incorporates the intent and key elements of 7000(INTER)85-4.

Upon a motion by Andrew Goddard and seconded by Jennifer Little the Board unanimously voted to rescind Policy 7000(INTER)85-4 Department/University and College Relationships *on the basis that it is superfluous.*

Planning & Budget

At 10:40 Charline Davidson, Director, Office of Planning and Budget, reported on the Comprehensive State Plan. Ms. Davison thanked the Board for its involvement in the public hearing to receive comments. The department also received nine (9) comments thru postal mail, most of which were from individuals sharing their experiences with the department. Comments received were thoughtful and

concerned aspects of the system such as the TDO process, the importance of services for family members, and some comments that were generally very supportive in light of the current budget situation as well as points of caution and concern.

Jenifer Little was very impressed with the cross-section of individuals submitting comments.

Specific recommended changes are the inclusion of an index that will identify points for capital outlay, language that recognizes that employment may not be feasible for certain individuals because of age or cognitive functioning and factors that are contingent upon resources availability.

Upon a motion by Jenifer Little and seconded by Gretta Doering and Dan Karnes the Board unanimously accepted the changes and update on the Comprehensive State Plan for 2012.

Ruth Jarvis recommended that Board members read and generally familiarize themselves with the Plan, especially those who have not heard all of the discussion throughout this long and involved process.

State Human Rights Committee Bylaws

At 10:51 Margaret Walsh presented the proposed Bylaws revision for the State Human Rights Committee. The SHRC proposes removal of the reference to a secretary on the SHRC, and changes to sections 8.4, 8.5 and 8.6, concerning the handling and shredding of meeting documents and the retention of agenda packets in accordance with applicable Library of Virginia Records Retention policy.

Anand Pandurangi asked about the Board's authority to request SHRC reviews. Neither the human rights regulations nor the Virginia Code preclude the Board from requesting reviews.

Upon a motion by Gretta Doering and seconded by Andrew Goddard the Board approved the revised SHRC Bylaws by a vote of 7:1.

Electronic Health Records 11:20

Russell Sarbora, Chief Information Officer for DBHDS, introduced himself and gave an overview of his background. Mr. Sarbora comes from the state of Washington, which has a large aggregation of community health centers serving the underinsured population. His work with those health centers gave him experience with electronic health records. The health services provided by the centers had some overlay with mental health services.

Sarbora presented a PowerPoint slideshow on "Implementation of Electronic Health Records", and talked about the Virginia Health Information Exchange. There is a high risk associated with large systems implementation.

Jennifer Little voiced her concern that the information silos are being managed at a

level that is too low. She suggested it should be handled at the Secretariat level. There is a huge investment in information technology but no guarantee of what will incorporate with the CSBs that are already implementing their own electronic health records (EHR) system. Russell Sarbora believes there may be some misunderstanding about what HER systems have the ability to achieve. A master use complex is needed to apply it not only to reimbursement but also to the administering of care. The systems will be compatible.

Bonnie Neighbour asked that consumers of services be able to opt out of information sharing and also whether there will be information portals to allow patients to see their health records and scheduling of care, etc.

Andrew Goddard voiced concern about how information technology can insure privacy and accountability while insuring availability of electronic health information.

12:15 — *BREAK and Collect Lunch*

At 12:35 the meeting reconvened.

Update on the Virginia Association of Community Services Boards

William R. Frank, Public Policy Manager, Virginia Association of Community Services Boards (VACSB), introduced himself and provided an update of budget priorities of the VACSB. Mr. Frank presented a PowerPoint slide show on the Virginia Clinical Assessment Program (VICAP, Coordinated Care, ID Waiver and an update on VACSB Advocacy.

There will be a Coalition for Virginians with Mental Disabilities Rally and Lobby on Monday, January 16, 2012, at the Bell Tower on Capitol Square. The VACSB Legislative Conference will be held at the Omni Richmond Hotel on January 18 and 18, 2012.

Ruth Jarvis thanked William Frank.

At 12:51 Ruth Anne Walker reminded board members to submit their financial disclosure forms.

Legislative and Budget Review

At 12:52 Assistant Commissioner, Finance and Administration, and Ken Gunn, Director of Budget and Financing provided an update on revenue collections to Special Fund Appropriations for the period ending October 31, 2011.

An update on the budget will be given after the Governor issues a statement on the 19th.

Board Liaison Reports

At 1:24 Dan Karnes reported that he attended the Richmond Housing Authority meeting and orientation and he continues to attend the Catawba Regional Partnership meetings.

Jennifer Little reported that she has learned that her community has not implemented CIT practices and does not seem to know what it is. They have a new Sherriff and are considering how to dovetail orientation with CIT practices implementation. There is a strong need to support caregiver health, mental health and respite care.

Ruth Jarvis reported that Demetrios Peratsakis, Executive Director of Western Tidewater CSB, extended an invitation to attend CSB meetings. She has now attended two meetings and a special event. The meetings have been informative and productive. Community representatives attended and shared information on activities in their areas. The CSB sponsored a Thanksgiving dinner of food prepared by staff and served to approximately 240 consumers. The event offered an opportunity to sit and talk with consumers. There was a clothes closet offered at the dinner and a food pantry. Ms. Jarvis reported also that she has an appointment scheduled with Virginia Beach CSB.

Jennifer Little plans to talk with legislators during the 2012 General Assembly Session.

Dan Karnes will represent the Board at the VACSB Conference. Bonnie Neighbour will attend the conference as part of her job with VOCAL.

Quarterly Budget Report

At 1:40 Ruth Anne Walker reviewed the Board's quarterly budget report.

Draft State Board Annual Executive Summary

At 12: 41 Ruth Anne Walker presented the draft State Board Annual Executive Summary. No comments were received. Ruth Jarvis asked for questions or comments. Should an update need to be made to the regulatory matrix to reflect action by the Governor in late December, staff asked that the Board approve the draft with that understanding.

Upon a motion by Dan Karnes and seconded by Cheryl Ivey Green the Board unanimously approved the Report of the Executive Summary with two expected changes to be forwarded to the Governor's Office.

Other Business & Adjournment

At 1:44 the December 6, 2011, Board meeting adjourned. The next meeting will be held on April 19, 2012 at Catawba Hospital in Salem.

Respectfully Submitted:

Ruth Jarvis, Chair

Kli Kinzie, Secretary