

**Local Human Rights Committee
Bradford Road Office
Culpeper, Virginia
January 17, 2017 1:30 pm**

MINUTES

Members Present: Roberta Anderson, Jackie Dare, Ann Garrett, Betsy Knight –Reid, Phoebe Muenger

Affiliates Present: Yvonne Mitchell, Mitchell Residential Solutions; Shirley Taylor, Orlando's Place, David Taylor and Laura Taylor, Accent Group and Family Services; David Henry, Childhelp; Laurie Dodson, RRCS; Dyane Winn, Creative Family Solutions; Lisa Bruer and Stephanie Terrell, RACSB; Patricia Oaley, HH of VA; Patricia Hartsock, Wall Residences, Emily Theimer, Didlake; Chris Von Elten, Addiction Allies; Gloria Setterlund, TIME Family Services

Advocates Present: Cassie Purtlebaum, Artea Ambrose

Others Present: Laura Wohlford (RRCSB)

1. Call to Order
Jackie Dare, Chair, called the meeting to order at 1:35pm.
2. Introductions
Jackie Dare, Chair, requested attendees introduce themselves.
3. Additions or Deletions to the Agenda
Wall Residences requested an addition to the agenda for a closed session to review mechanical restraint requests.

ACTION: *Roberta Anderson moved to accept the agenda as amended. Phoebe Muenger seconded the motion. There being no further discussion, the LHRC Board Members unanimously voted to accept the agenda as amended.*
4. Public Comment
Chris Von Elton gave an update to the status of Addiction Allies.
5. Approval of the October 27, 2016 Minutes
ACTION: *Roberta Anderson moved to accept the October 27, 2016 minutes. Phoebe Muenger seconded the motion. There being no further discussion, the LHRC Board Members unanimously voted to accept the October 27, 2016 minutes.*
6. New/Modified Services
No new/modified services submitted.

7. State Advocate Announcements

- Providers should ensure service plans capture all medical and behavioral needs as identified in the SIS, Clinical Assessment, or doctors' orders in accordance with 12VAC35-115-60.B.2
- Sound therapeutic practice is not about specific staffing ratios. It supports dignity and continuity of care. Providers are responsible for ensuring adequate training for staff and adequate care for people they admit into their services.
- The new regulations are in the 30-day comment period, which should end in early February. Continue to follow the old regulations except the reports. After February 10, the Attorney General's office will be offering training for providers. There will be a registration process. There will also be training for committee members by the advocates. Final text of the regulation can be found at <http://townhall.virginia.gov/l/ViewXML.cfm?textid=11290>
- Providers just have to provide one annual report, plus the provider data form, to Angela Harrison by February 1, 2017. The report should cover the time period January 1, 2016 – December 31, 2016.

Mail Annual Report & Data Form to:

Angela Harrison
Office of Human Rights
Western State Hospital
P.O. Box 2500
Staunton, VA 24402-2500

On-going, providers don't have to submit any more reports (this corrects an early email that indicated that reports had to be provided annually). In the future, the advocates will use the site visits and CHRIS reports to monitor provider activities.

- CHRIS Guidance:
 - As a reminder, providers should report any instances of potential abuse, neglect, or exploitation to the human rights advocate, and the authorized representative, no later than 24 hours after receipt of the allegation.
 - When reporting, please provide information that is clear, relevant, and thorough. This allows regulators to understand the nature of the incident without needing to request additional information before closing the reports.
- *If a provider is making a change of services, location, etc. you now just have to notify Cassie Purtlebaugh. She will notify the appropriate advocate who will notify the committee at the appropriate meeting. Make sure you have notified licensing before contacting Cassie Purtlebaugh.*
- *Providers no longer have to attend any LHRC meeting unless they have been requested to meet with the LHRC committee, if there are new/modified restraints, etc., or if there is a hearing related to one of the provider's clients.*
- *CHRIS reports must be entered within 24 hours of the incident. The information needs to be clear and thorough.*

- *We have been seeing an increase in hearings, already. We expect this to continue. Once the new regulations have been in effect and the training has been completed, the hearings will grow even more.*
- *Providers will be responsible for hosting the hearings at a location accessible for the committee and consumers. The advocates will notify the committee that a meeting needs to be held. The committee determines the date/time for the hearing.*
- *A quorum of the committee members must attend the hearing. If there is no quorum, the State Human Rights Commissioner can approve the meeting with less than a quorum.*
- *The advocates are starting a state-wide newsletter including the advocate updates. Our regional advocates may also do a regional version that would be distributed quarterly. The regional advocates will also have a Facebook page with updates. Advocates will send out the link when it is ready and the affiliates can join if they want.*
- *The committee members will continue to have quarterly meetings. Advocates will develop an agenda and keep minutes. Every meeting will include some sort of training. As advocates assist the petitioner with their hearing, hearings (or requests for any restraints) may also be included on the agenda.*
- *If the new regulations go into effect in February, the new committee will go into effect in April. There may be a meeting before April just for all the committee members can meet each other.*
- *The state human rights committee is developing a template for committee by-laws to use when the new committee is formed.*

8. Closed Session –

ACTION: *Jackie Dare moved that the LHRC goes into executive session pursuant to the Code of Virginia 2.2-3711(A)(15), for the protection of the privacy of individuals' and their records in personal matters not related to public business. Roberta Anderson seconded the motion.*

Upon reconvening into open session, Jackie Dare polled the members of the local human rights committee to certify that only public business matters lawfully exempted from statutory open meeting requirements and only public business matters identified in the motion to convene the closed session were discussed in closed session.

Roberta Anderson - I so certify

Jackie Dare – I so certify

Ann Garrett – I so certify

Betsy Knight-Reed – I so certify

Phoebe Muenger – I so certify

ACTION: *Roberta moves to accept the first proposed mechanical restraint (baby monitor) with the comment that any Wi-Fi capability be disabled. The second proposed mechanical restraint (seat belt) is accepted without comment. Jackie Dare seconded the motion. There being no*

further discussion, the LHRC Board Members unanimously voted to accept the proposed mechanical restraints as noted.

The advocates handed out the guidelines for the local human rights committee. (attached)

The advocates would like to provide Freedom of Information Act (FOIA) training to committee members right before the April 18th meeting. The training would start at 1:00pm.

9. Meeting Adjourn

The meeting adjourned at 3:00pm.

Meeting Schedule for remainder of 2017 (all meetings held in the 2nd Floor Board Rm., Bradford Road Office at 1:30pm)

- April 18, 2017 (Pre-Meeting Training on FOIA at 1:00pm)
- July 18, 2017
- October 17, 2017