

New River Valley Local Human Rights Committee

Approved Minutes

July 6, 2006

Members Present: Evelyn Gland, Vice Chairperson, Jacqueline Fagan Myal, Pam Tessnear

Members Absent: William Fitzpatrick, Angela Sutphin

Others Present: Nan Neese, Regional Advocate, Parris Stafford, Strengthening Our System; Gini Cooper, Wall Residence; Richard McNamara, Wall Residences; Rita Boland and Darliet Colley, Carilion St. Albans; Lucy McCandlish, NRVCS

The meeting was called to order in the Board Room of NRVCS Montgomery Center located at 700 University City Boulevard, Blacksburg.

The LHRC reviewed and voted to approve the minutes for the May 11th, 2006 meeting.

AGENDA ITEMS:

- I. Human Rights Activity Reports:
 - A. Strengthening Our System, LLC.

Parris Stafford, Director of Strengthening Our System, LLC presented information about the services provided and activities for the past year. The organization is affiliated with 3 LHRCs in this region. She is currently serving 33 individuals, 9 of those receive Mental Health Support Services. The organization is also licensed to provide in-home services funded through the Mental Retardation Waiver. Ms. Myal moved to accept the report, Dr. Tessnear seconded and the motion passed.
 - B. Wall Residences, LLC.

Gini Cooper, Supervisor with Wall Residences presented a comprehensive annual report of changes and growth in services and human rights activities including information regarding complaints/concerns resolved through the informal and formal dispute resolution process. Ms. Myal moved to accept the report, Dr. Tessnear seconded and the motion passed.
 - C. New River Valley Community Services.

NRVCS requested to postpone presentation until the September meeting.
- II. Policy and Procedure – St. Albans

Rita Bolen and Darliet Colley with Carilion's St. Albans appeared before the Committee as requested to review the policy and procedure on Restraint. Ms. Colley introduced and distributed a recently revised policy. After a brief discussion, Nan Neese asked to have an opportunity to review the policy and procedure for compliance in accordance with regulation. Ms. Bolen and Ms. Colley graciously agreed. The LHRC postponed further review until the September meeting.

III. Regional Advocate's Report

Nan Neese reported that the State Human Rights Committee had received and reviewed New Life Recovery's annual report on the Variance to Telephone use. The SHRC accepted the report and noted that the Variance is granted until June of 2007 or the promulgation of the revised regulation.

IV. Review of Individualized Behavioral/ Restrictive Service Plans.

Ms. Myal moved that the NRV LHRC convene into a closed meeting in accordance with §2.2.3711.A(4 and 15) of the Code of VA to protect the privacy of individuals in personal matters not related to public business including the review and consideration of health records, namely to conduct reviews of two individualized service plans from Wall Residences, LLC and NRVCS, respectively. The motion was seconded by Dr. Tessnear and passed.

Having received and reviewed the plans, heard testimony from the Providers, and discussed client information and records, the LHRC reconvened into public session. Ms. Myal made the motion to certify that to the best of her knowledge only those matters lawfully exempted from public business and identified in the motion were heard, discussed and considered by the LHRC. Dr. Tessnear seconded the motion and each member so certified.

- A. [06-WR:GW] In the matter concerning Wall Residences, LLC, Gini Cooper, Supervisor and Richard McNamara, Service Provider presented a revision of a previously approved behavioral plan. The Committee approved the revised behavioral plan for a period not to exceed six months or the January meeting.
- B. [06-NRVCS:AR] In the matter concerning NRVCS, Lucy McCandlish, Director and Lauren Tate, Case Manager presented an individualized plan incorporating a restriction. The Committee voted to continue the discussion of the restrictive plan at the September meeting. The LHRC publicly noted that the members support the continued implementation of the restriction based on the justification. In fact, members noted that they do not necessarily agree with the Regional Advocate that the situation constitutes "restriction". Nan distributed to the Committee and Providers a draft document giving guidance relative to the role of the LHRC in reviewing behavioral plans and the implementation of restrictions. The Committee wishes to engage in further discussion of restrictions at the next meeting and if decided that this plan is restrictive, the members will entertain a motion concerning its permissibility.

There being no further business, the meeting was adjourned.

Katie Smith
Secretary