

LHRC Meeting Minutes

March 8, 2007

LOCAL HUMAN RIGHTS COMMITTEE

<u>Agenda Action Items</u>	<u>Action</u>
Minutes – January 11, 2007	<i>Approved</i>
Creative Family Solutions	<i>Accepted</i>
DePaul Family Services	<i>Accepted</i>
NLRC Annual Variance Report	<i>Approved</i>
Behavioral Restrictive Plans	<i>Approved (in Closed Session)</i>

Committee Members:

William Fitzpatrick, Chair
Evelyn Gland, Vice-Chair
Jacqueline Fagan-Myal
Pam Tessnear
Yannis Stivachtis

Welcome and Introductions — Chairman Bill Fitzpatrick welcomed all those in attendance and invited everyone to join in the introductions.

Minutes: January 11, 2007 - The committee reviewed the minutes for January 11, 2007. Dr. Tessnear motioned to approve the minutes and Ms. Myal seconded the motion. The minutes were approved unanimously.

Regional Advocate's Report — Nan Neese

Ms. Neese announced that Ms. Myal will represent the Committee at the State MH, MR and SAS Board's 24th Annual Volunteer Luncheon on April 3rd in Staunton, Virginia. The State Board wishes to recognize the Human Rights Committees for their outstanding volunteerism. Ms. Neese reported that she had sent out an applicant packet but no reply was received. She requested that the affiliates make every effort to recruit applicants to fill the two vacancies. Finally, Ms. Neese distributed information to help affiliates fulfill the requirement of reporting Client to Client conflicts. Because clients have the right to be protected from harm, a notification of any harm or injury must be reported to the Department. It is critical that affiliates be in compliance with the regulation. A failure to do so may result in a licensing citation.

Human Rights Activity Reports:

Creative Family Solutions, Inc.— Ms. Chasity Lawson presented the annual report for January 1, 2006 through December 31, 2006. She gave the committee a brief overview of services which includes in-home residential services, intensive in-home services, and mental health supports. She reported two complaints, both of which were resolved, one emergency physical restraint lasting 15 minutes, and one death from natural causes for 2006. She also stated that there were no behavioral plans for the committee to review. Ms. Lawson explained that the Creative Family Solutions services are delivered in the client's home and community.

DePaul Family Services— Ms. Vena Duncan began her report by giving the committee a brief overview of services which include intensive in-home and outpatient therapy. However, there were no services rendered in the New River Valley in 2006. Ms. Duncan explained that the focus has been on outlying offices to be licensed in MH Supports and that this will be the case for the NRV office in Christiansburg this Spring. She went on to explain that DePaul trains through TOVA and has had their policies reviewed with no deficiencies found. She expressed her intent on providing services to the NRV in 2007.

Members Present:

Bill Fitzpatrick
Evelyn Gland
Jackie Fagan-Myal
Pam Tessnear
Yannis Stivachtis

Members Absent:

None

Others Present:

Casey Henshaw, Family Preservation Services
Victoria Harding, Lakeview Blue Ridge
Michael Turner, St. Albans
Shelly Barry, Wall Residences
Richard McNamara, Wall Residences
Kat McClinton, NRVCS
Chasity Lawson, Creative Family Solutions
Nan Neese, Regional Advocate, DMHMRSAS
Lucy McCandlish, NRVCS
Katie Smith, LHRC Secretary

Annual Variance Report—New Life Recovery Center:

Ms. Kat McClinton, SA Services Resident Supervisor for NLRC, presented an Annual Report of Effectiveness of Variance to the Rules and Regulations regarding section 12 VAC 35-115-50. Dignity. C. 8 (visitation) and the corresponding paragraphs E. 4. c and 5. (substitution of clinical staff for a licensed physician or psychologist). This Variance will continue to allow clinical staff to “make the judgment that telephone contact of visitation between a client and specific individual(s) poses a threat or detriment to treatment progress” (Annual Report on Variance). This Variance will also continue the requirement of any visitor to attend SA Group meetings and/or Family Support Group meetings the week prior to visitation (on Sunday). However, the SA clinicians still retain the authority to restrict visitors who are not conducive to recovery regardless of attendance to such meetings. Chairman Fitzpatrick asked Ms. McClinton what the longest period was before someone can visit and how often visitors are restricted. Ms. McClinton identified this time period as being one week--the time required for the visitor to attend an SA/ Family Support Group meeting. She also stated that the restriction of visitation happens rarely and only occurred twice last year. Dr. Stivachtis inquired about the phone privileges of the residents. Ms. McClinton explained that each resident is allowed one ten minute phone call per day, but if this privilege is abused (i.e. lying about who one is talking to, exceeding time, etc.) this privilege will be restricted. Dr. Tessnear motioned to for the committee to approve the report in support of a continuation of the Variance. Ms. Myal seconded the motion and it passed unanimously.

Review of Proposed Variance—St. Albans

Ms. Neese explained to the committee that St. Albans’ request for Variance had been withdrawn. After closer discussion of regulation, it was determined that the authority to restrict visitation exists and St. Albans intends to comply with the requirement for a licensed physician’s order.

Discussion/ Review of Behavioral/ Restrictive Plans:

CLOSED SESSION: Ms. Jackie Fagan-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 and to consider medical records namely to conduct review individualized Behavioral/ Restrictive Plans. The motion was seconded by Dr. Tessnear and passed.

The Committee reconvened in public session. Ms. Jackie Fagan-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.

The NRV LHRC approved the continuation of the plans for a period of time not to exceed one year.

There being no further business, the meeting was adjourned at 2:25 p.m.

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Evelyn Gland, Vice-Chair
Jacqueline Fagan-Myal
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Members Absent:

None

Others Present:

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Victoria Harding, Lakeview Blue Ridge
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