

Hampton Roads Regional LHRC Meeting

November 28, 2007

I. CALL TO ORDER:

The meeting was called to order by Dr. Hawthorne at 9:45 AM.

II. INTRODUCTIONS:

Quorum present: Dr. Roderick S. Hawthorne, LHRC Chairman, Mary Baylor, Marilyn Copeland, and Sara Flippens.

Quorum absent: All present.

Human Rights Advocate, DMHMRSAS, present: Gianna Mitchell.

Affiliate Representatives: Phil Black, Commonwealth Support Systems; Gilbert Hernandez, Jr., Community Services of Virginia, Inc.; Joan Whitted, Emerson Place, Inc.; Juanita Austin, Family Redirection Institute, Inc.; Rodney Hawkins, G.R.A.C.E., Inc.; Paulette Lokonon, James Bentley Treatment Program; Kimberly Davis & Marquette Frierson, Northwestern Human Services, Inc.; Joanna Stinespring, Sentara Behavioral Health Services; Joanna Stinespring, Sentara Senior Behavioral Health Services; and Tiffani Naftali, Tranquility Manor, LLC.

III. REVIEW AND APPROVAL OF MINUTES:

The minutes for the meeting held 8/15/07 were approved as written with the correction that the Committee also voted to go into closed session pursuant to Virginia code 2.2-3711A for follow-up to a previous allegation of abuse at Unique Friends, LLC. The Committee had no further recommendations for Unique Friends, LLC. The minutes were forwarded to Margaret Walsh, State Human Rights Director.

A hard copy of the minutes will be mailed to Reginald Daye, Regional Advocate.

IV. OLD BUSINESS:

The Local Human Rights Committee (LHRC) conference held 9/13-14/07 in Richmond went well. The revised Human Rights regulations were mailed to the LHRC members.

Competency-based training is required annually.

There is currently one vacancy for a committee member on this LHRC. The vacancy is for a consumer that has received services within the past five (5) years. Gianna Mitchell stressed the importance of having a quorum. She has the applications for an interested consumer.

The minutes approved at the current meeting will be forwarded to Margaret Walsh, State Human Rights Director, to be posted on the state website (margaret.walsh@co.dmhmrsas.virginia.gov) within three (3) business days. A draft of the current minutes will be forwarded to Margaret Walsh for posting on the website within ten (10) business days of the Committee meeting. The "Freedom of Information Act" mandates that all service providers post at each of their sites the date, time, and location of all scheduled LHRC meetings. This posting will include a list of all meetings scheduled for the remaining year (2/27/08).

A reminder was provided to affiliates of their responsibility to notify the Office of Human Rights in writing when intending to open a new group home. The Office of Human Rights will determine whether new policies are required. This must be established prior to presenting a request to the LHRC.

V. NEW BUSINESS:

Gianna Mitchell encouraged members and providers to look at the revised Human Rights regulations at <http://dmhmrsas.virginia.gov/OHR-default.htm#revised>. The revised Human Rights regulations were mailed to the LHRC members. A DVD with all the revisions was mailed to each of the providers. All providers must be in compliance by 12/1/07. All policies and procedures must reflect the revisions, and a letter sent to Margaret Walsh (and copied to Mr. Daye) certifying that they've been changed to comply with the revised regulations by 3/1/08. The Office of Human Rights will do unannounced site visits.

Gianna stated that all complaints (both formal and informal) must now be reported. The complaint report forms must reflect whether the individual chose the formal or the informal process. The time frame for complaint resolution is now reduced from ten (10) days to five (5) days for both formal and informal complaints. Providers must show that the consumer was offered resolution and whether or not it was accepted. If it was not accepted, providers must show that the consumer was offered the opportunity to appeal the decision. An investigation must contain a conclusion.

When new programs are expanded, a letter must be sent to Mr. Daye and a copy presented to the LHRC.

Gianna reminded providers that the annual seclusion and restraints report is due to the Office of Human Rights by 1/15/08.

The role of making LHRC meeting reminder/notification calls is rotated among all the affiliates. Tranquility Manor, LLC is responsible for notifying affiliates and committee members of the LHRC meeting scheduled for 2/27/08.

Bill Miller, currently managing the finances, reported a balance of \$2,193 as of 11/28/07.

VI. NEW PROGRAMS REQUESTING AFFILIATION:

Community Services of Virginia, Inc. requested temporary affiliation for a new group home that mirrors the services they currently provide. The Committee voted and approved temporary affiliation for the new group home.

Emerson Place, Inc. requested a renewal of their temporary affiliation for supportive/in-home services. The Committee voted and approved to continue their temporary affiliation for supportive/in-home services.

Family Redirection Institute, Inc. requested permanent affiliation for their substance abuse services in both locations. The Committee voted and approved permanent affiliation for the substance abuse services in both locations.

G.R.A.C.E., Inc. requested temporary affiliation for a new entity by the same owner, EVOLVE, LLC, intensive in-home services for child and adolescents 5-21 years of age. The Committee voted and approved to grant temporary affiliation for the new entity with a contingency that the Program rules will be submitted.

Northwestern Human Services, Inc. requested a renewal of their temporary affiliation for an additional group home and day support program. The Committee voted and approved to continue temporary affiliation for the additional home and day support program.

VII. PROGRAM REPORTS:

Commonwealth Support Systems – 27 individuals are in day support, and 4 are receiving in-home residential support. No complaints, abuse, seclusion, or restraints were reported.

Community Services of Virginia, Inc. – 74 consumers (23 are receiving in-home services, 17 in day support programs, and 34 are group home residents). No seclusion or restraints were reported, but one allegation of abuse was reported. A new home (capable of housing 5 residents) was opened which will mirror the same services currently provided.

Emerson Place, Inc. – 3 residential consumers. No complaints, abuse, seclusion, or restraints reported. A progress report of an approved behavioral plan that includes the use of a protective device must be presented to the LHRC at each quarterly meeting.

Family Redirection Institute, Inc. – 118 in-home counseling consumers (61 in Portsmouth and 57 in Newport News). No complaints, abuse, seclusion, or restraints were reported.

G.R.A.C.E., Inc. – 10 residential consumers. No complaints, abuse, seclusion, or restraints were reported. A new entity, EVOLVE, LLC, was added which will provide therapeutic counseling services.

James Bentley Treatment Program – 5 residential consumers. No complaints, abuse, seclusion, or restraints reported.

Northwestern Human Services, Inc. – 21 individuals are in residential support, and 0 are receiving in-home services. No seclusion or restraints were reported, but one allegation of peer-to-peer abuse, one allegation of sexual assault, one elopement, and one serious injury were reported.

Sentara Mental Health Services – 21 inpatients. No complaints, abuse, seclusion, or restraints were reported.

Sentara Senior Behavioral Health Services – 19 outpatients. No complaints, abuse, seclusion, or restraints were reported.

Tranquility Manor, LLC – 15 residential consumers, and 18 day support consumers (between the three facilities). No complaints, abuse, seclusion, or restraints were reported.

Unique Friends, LLC – No representatives were present.

VIII. EXECUTIVE SESSION:

The Committee voted to go into closed session pursuant to Virginia code 2.2-3711A to review an allegation of abuse at Community Services of Virginia, Inc. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the allegation of abuse. The Committee recommended that Community Services of Virginia, Inc. give the LHRC an update at the next meeting.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review a behavior plan submitted by Emerson Place, Inc. Upon reconvening in open session, each member of the LHRC

certified that the only thing discussed in closed session was the behavior plan. The Committee recommended that Emerson Place, Inc. include a doctor's order to wear a helmet (in the behavior plan), and submit a written report to the LHRC ten (10) days prior to the next meeting.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to review an allegation of peer-to-peer abuse, an allegation of sexual assault, one elopement, and one serious injury at Northwestern Human Services, Inc. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the allegation of peer-to-peer abuse, the alleged sexual assault, the elopement, and the serious injury. The Committee had no further recommendations regarding the alleged peer-to-peer abuse or sexual assault incidents. The Committee recommended that Northwestern Human Services, Inc. inform the LHRC of outcomes from the APS and state licensure reports regarding the elopement. Regarding the serious injury, the Committee recommended that Northwestern Human Services, Inc. determine if an order for bed rails is in place, and whether the individual can operate the bed rails. If not, the provider should submit a restrictive plan to the LHRC ten (10) days prior to the next meeting.

The Committee voted to go back into closed session pursuant to Virginia code 2.2-3711A to follow-up a previous restraint at Sentara Behavioral Health Services. Upon reconvening in open session, each member of the LHRC certified that the only thing discussed in closed session was the restraint. The Committee recommended that Sentara Behavioral Health Services revise the restraint form to include an investigation, and bring a copy of the form to the next meeting.

The Human Rights Advocate, Gianna Mitchell, updated the LHRC on the outcome of the state licensure investigation of Unique Friends, LLC.

The next LHRC meeting is scheduled for Wednesday, February 27, 2008, 9:30 AM sharp at Family Redirection Institute, Inc., 3401 County Street, Portsmouth, VA 23707 (757-398-0200).

Respectfully Submitted,

Joanna Stinespring, RNC
LHRC Program Support Liaison

Dr. Roderick Hawthorne
LHRC Chairman