

**State Human Rights Committee
Meeting Minutes**
The Burrell Center
Blue Ridge Behavioral Healthcare
Training Room
611 McDowell Avenue
Roanoke, VA, 24016
Friday, June 9, 2006

ADMINISTRATIVE MEETING
8:00 a.m.

COMMITTEE MEMBERS PRESENT

Joyce Bozeman, Chairperson
Michael Marsh, Vice-Chairperson
Delores Archer
Angela Brosnan
Carmen Thompson
Bobby Tuck
Kirby Wright
Davey Zellmer

HUMAN RIGHTS STAFF PRESENT

Margaret Walsh, State Human Rights Director
Kli Kinzie, Executive Secretary
Charles T. Collins, Regional Human Rights Advocate, Region I
Nancy C. Neese, Regional Human Rights Advocate, Region III
Sherry C. Miles, Regional Human Rights Advocate, Region VI
BJ McKnight, Facility Human Rights Advocate, SWVTC
Sonia Smith, Human Rights Advocate, Catawba Hospital and the Roanoke Valley

OTHER STAFF PRESENT

Karen Walters, DMHMRSAS Special Counsel

OTHERS PRESENT

Margie Tuck, Henrico CSB LHRC Member

Dr. Joyce Bozeman, Chairperson, opened the administrative session of the June 9, 2006, State Human Rights Committee.

Margaret Walsh, State Human Rights Director, presented her draft of the SHRC annual report for review. Committee members made recommendations for additions and modifications to the draft. Ms. Walsh will re-submit the report for approval at the July 14 SHRC meeting in Fredericksburg. Dr. Michael Marsh, Vice-Chairperson, volunteered to present the annual report to the State MHMRSAS Board during its August meeting.

Ms. Walsh informed the SHRC that the human rights seminar scheduled for September of 2006 is postponed until the Spring of 2007. It is hoped that the new human rights regulations will be promulgated by that time.

The SHRC reviewed the SHRC Goals Worksheet and discussed the status of open items.

Officer Nominating Sub-Committee

Davey Zellmer discussed officer candidates for next year. A motion will be made during the regular session.

SHRC Reappointments

The committee unanimously agreed to request that the State MHMRSAS Board reappoint Dr. Angela Brosnan to the SHRC. Bobby Tuck surprised the committee by not pursuing his reappointment. The committee tried unsuccessfully to convince him to continue for another term. Mr. Tuck's departure leaves two vacancies on the committee. The committee is seeking applicants from all regions of the state except the metro Richmond area. Margaret Walsh asked staff and members of the SHRC to contact potential applicants as soon as possible.

SHRC Newsletter

Davey Zellmer discussed the next issue of *Human Writes*. Margaret Walsh will provide information on staff issues, an update on the seminar, the status of the new regulations, and a continuation of FOIA information. Davey Zellmer will contact Dr. James Evans, Director of the Office of Health and Quality Care, regarding the submission of an article on smoking in state facilities. Ms. Zellmer will contact James O. Bowser, Jr., Regional Human Rights Advocate, Region IV, regarding his bio for the next Meet the Advocate article. Davey Zellmer reported that she and Deb Lochart, NVTC Advocate, have discussed the possibility of writing an article that profiles Loretta Redelman, Fairfax – Falls Church LHRC Chairperson. Margaret Walsh may ask Commissioner Reinhard to submit something on the department's mission and how it relates to human rights for the Fall issue. The deadline for submissions for the Summer issue is June 23.

Dr. Angela Brosnan reported that she attended a meeting of the Chesterfield LHRC. Dr. Brosnan was very impressed by the committee's diligence and their dedication to protecting the rights of the consumers they serve.

Other

Margaret Walsh reported that Eastern State Hospital broke ground for the new Hancock unit, a center for the elderly.

The committee discussed a follow-up of SHRC appeal case 04-06, Virginia Beach Psychiatric Center.

10:00 a.m. Break

REGULAR MEETING

10:15 a.m.

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OTHER STAFF PRESENT

Karen Walters, DMHMRSAS Special Counsel

OTHERS PRESENT

John Plichta, Director of Administrative Services for Blue Ridge Behavioral Healthcare

PRESENT VIA TELECONFERENCE

Anne Stiles, Facility Human Rights Advocate, Piedmont Geriatric Hospital and Virginia Center for Behavioral Rehabilitation

Eric Alridge, Director of Operations, Virginia Center for Behavioral Rehabilitation

Cheryl Crawford, Administrative Services Coordinator, VCBR

PRESENT VIA POLYCOM

Reginald T. Daye, Regional Human Rights Advocate, Region V

Stewart Prost, Human Rights Advocate, Southeastern Virginia Training Center

Stan Rockwell, Colonial CSB

Welcome / Call to Order

The June 9, 2006, meeting of the State Human Rights Committee was called to order by Dr. Joyce E. Bozeman, Ph.D., Chairperson. Dr. Bozeman gave the floor to Nancy C. Neese, Regional Human Rights Advocate for Region III, who introduced John Plichta, Director of Administrative Services for Blue Ridge Behavioral Healthcare. Mr. Plichta welcomed the SHRC to The Burrell Center on behalf of the Board of Directors and Mr. James Sikkema, Director of Blue Ridge Behavioral Healthcare.

Minutes

The minutes of the April 21, 2006, State Human Rights Committee meeting were unanimously approved as amended.

Reappointments

The committee unanimously agreed to recommend the reappointment of Dr. Angela Brosnan. Bobby Tuck has decided not to serve a second term.

Election of Officers

A motion was made and unanimously passed to elect Dr. Michael Marsh as Chairperson, and Dr. Angela Brosnan as Vice-Chairperson for the upcoming year.

Bylaws

Ms. Sherry Miles, Regional Advocate, Region VI, presented on behalf of the Universal Family Local Human Rights Committee, a request to amend their bylaws in order to increase its membership from five to seven.

A motion was made and unanimously passed to approve the Universal Family Local Human Rights Committee bylaws subject to the following modifications:

Article III – Membership; section 1, sentence 1, to read: “The LHRC shall consist of a minimum of seven (7) members appointed by the SHRC, and who are residents of the Commonwealth of Virginia.”

Article III – Membership; section 1, sentence 6, to read: “The initial appointment shall be staggered with three members to be appointed for a term of three years, and two members for a term of two years, and two members for a term of one year.”

Public Comment Period 10:30 TO 10:45

Dr. Joyce Bozeman announced the public comment period and invited individuals to come forward to address the committee. There being no individuals from the public who wished to speak, the committee proceeded with regular business.

Variance Reports

The Committee reviewed the annual report from New Life Recovery, a residential substance abuse program of New River Community Services, relative to the approved Variance for restriction of access to telephone and visitors and the substitution of certified clinical staff for a physician or psychologist. Nancy C. Neese, Regional Advocate, reported that the documents omitted part of the citations of the Regulations affected by the Variance. The correct citation is 12 VAC 35-115-50, C7 and 8 and E4, b &c and 5. (telephone and visitors).

The SHRC received variance reports for the following programs.

Bethany Hall

12 VAC 35-115-50 Dignity C8 and E5 (limitation of visitation)

12 VAC 35-115-50 Dignity C7 and E4c (limitation of telephone use)

Blue Ridge Behavioral Healthcare - Hegira House and Shenandoah Recovery Center

12 VAC 35-115-50 Dignity C7 and C8 and paragraphs E4b&c, and 5
(telephone and visitation)

Cumberland Mountain CSB - The Laurels

12 VAC 35-115-50 Dignity C7 and paragraph E4c (telephone)

12 VAC 35-115-50 Dignity C8 and paragraph E5 (visitation)

New Life Recovery

12 VAC 35-115-50 Dignity C7, C8 and E4b&c and 5 (use of telephone and visitation).

Policies

Virginia Center for Behavioral Rehabilitation

Anne Stiles, Facility Human Rights Advocate, Eric Alridge, Director of Operations, and Cheryl Crawford, Administrative Services Coordinator, Virginia Center for Behavioral Rehabilitation (VCBR), were present via teleconference to answer questions regarding the VCBR policies on Resident Property, Contact with the Media, Visitation, and the Resident Handbook.

Mr. Bobby Tuck marked edits on his copy of the documents, which will be mailed to VCBR. Davey Zellmer complemented Mr. Alridge and Ms. Crawford on the simple and straightforward language of the policies.

A motion was made and unanimously passed to accept the policies with recommended edits.

Appeal

T.K. vs Colonial Community Services Board LHRC

The SHRC heard the appeal of a decision rendered by Colonial Community Services Board Local Human Rights Committee in the case of T.K., a former consumer of Colonial Community Services Board. Reginald T. Daye, Regional Human Rights Advocate for Region V, Stewart Prost, Human Rights Advocate, Southeastern Virginia Training Center, and Stan Rockwell, Colonial CSB, were present via polycom. At the request of the consumer, Stewart Prost represented T.K.

The motion was made and passed to go into Executive Session pursuant to Virginia Code, 2.2-3711 (15), for the purpose of discussion of information excluded from the Freedom of Information Act.

Upon reconvening in public session, the State Human Rights Committee unanimously certified that to the best of each State Human Rights Committee member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the Executive Session were discussed in the Executive Session.

The SHRC unanimously concluded that there was insufficient evidence to declare the Colonial Community Services Board Local Human Rights Committee findings of fact clearly wrong. Therefore, the SHRC upholds all findings and agrees with all recommendations made by the Local Human Rights Committee in its decision.

Further, the SHRC offers praise to the LHRC on their recommendations. The documentation on the decision was very well presented.

The SHRC would like to schedule the October 27, 2006 meeting at Virginia Beach Psychiatric Center.

LHRC Membership

A motion was made and passed to go into closed session pursuant to Virginia Code §2.2-3711 for the purpose of considering appointments to and removals from Local Human Rights Committees.

Upon reconvening in open session, the State Human Rights Committee certified that to the best of each member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the closed session were discussed in closed session.

Ms. Sherry Miles, Regional Advocate, Region VI, presented on behalf of the Southeastern Virginia Training Center Local Human Rights Committee, a request to remove Mr. Daryl Wiggins, a member of the committee, due to his lack of attendance at the regularly scheduled meetings.

A motion was made and unanimously passed to remove Mr. Wiggins from membership on the Southeastern Virginia Training Center Local Human Rights Committee.

A motion was made and passed with one abstention to make the following appointment:

Henrico LHRC
Reappoint:
Ms. Margie Tuck

A letter of resignation from NOVA Regional LHRC from Ms. Ivenia May was received for the file.

The SHRC notes that Mr. John T. Thios is not seeking reappointment to the Hiram Davis Medical Center LHRC.

A motion was made and unanimously passed to make the following appointments and reappointments:

Region I

Commonwealth Center for Children and Adolescents LHRC

Appoint:
Ms. Macy Fox

Fredericksburg Area LHRC

Reappoint:
Ms. Heike Mothershed

Northwestern CSB LHRC

Reappoint:
Ms. Gretta Doering

Rappahannock Area CSB LHRC

Reappoint:
Mr. Michael Washington
Mrs. Diane Bachman

Region Ten CSB LHRC

Reappoint:
Ms. Sylvia Milner

Rockbridge Area CSB LHRC

Appoint:

Mr. Paul Collins

Mr. James McDaniel

University of Virginia LHRC

Reappoint:

Dr. Elizabeth Bruns

Ms. Hunter Croson

Western State Hospital LHRC

Appoint:

Mr. David Reed

Ms. Linda Thumma

Region II

Alexandria LHRC

Reappoint:

Ms. Naomi C. Cooper

Northern Virginia Regional LHRC

Appoint:

Ms. Suzanne Schuler

Northern Virginia Training Center LHRC

Appoint:

Ms. Tracy Ormes

Region III

Blue Ridge Regional HRC

Reappoint:

Ms. Lynn Lawson

Catawba Hospital LHRC

Appoint:

Ms. Millie Rhodes

Mr. Ken Rush

New River Valley LHRC

Reappoint:

Dr. William FitzPatrick

Ms. Jacqueline Fagan Myal

Dr. Pamela Tessnear

Southwestern Virginia Mental Health Institute LHRC

Reappoint:

Mrs. Deidra Mathena

Mrs. Claudia Duffy

Mr. Phillip Moser

Appoint:

Mrs. Peggie Roland

Region IV

Chesterfield LHRC

Reappoint:

Ms. Trish Angle

Southside Virginia Training Center LHRC

Reappoint:

Dr. LeAnn Binger
Ms. Gloria Cooper

Region V

Eastern State Hospital LHRC

Reappoint:

Ms. Robin Bristow

Genesis LHRC

Reappoint:

Ms. Jeanette Ralph

Appoint:

Ms. Arva C. Davidson

Hampton Roads Regional LHRC

Reappoint:

Ms. Marilyn Copeland
Dr. Roderick S. Hawthorne

Health Planning Region V LHRC

Appoint:

Ms. Jean Swanick
Mr. Carlton B. Hunt

Middle Peninsula/Northern Neck LHRC

Reappoint:

Mr. Frank Jewell

Peninsula Regional LHRC

Appoint:

Ms. Mary K. Hall

Portsmouth Regional LHRC

Appoint:

Ms. Janiell Harper-Youngblood

Southeastern Virginia Training Center LHRC

Appoint:

Ms. Stefanie Ward

Southside Regional LHRC

Reappoint:

Ms. Mary Ann Jackson

Universal Family LHRC

Reappoint:

Mr. Shelton Stevens

Appoint:

Mr. Melvin Jones
Ms. Laverne Johnson

Region VI

Danville-Pittsylvania County Regional LHRC

Appoint:

Ms. Janet Weeks

Southern Virginia Mental Health Institute LHRC

Reappoint:

Mr. JD Scott
Southside Community Services LHRC
Reappoint:
Mrs. Mona Rainey

The State Human Rights Committee thanks LHRC Members for comments they provided on their LHRC re-application forms.

Having no further business to discuss, the motion was made and unanimously passed to adjourn the meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joyce E. Bozeman".

Joyce E. Bozeman, Ph.D.
SHRC Chairperson