

## STATE HUMAN RIGHTS COMMITTEE

Julie C. Allen, Chairperson  
Springfield  
Wil Childers, Vice-Chairperson  
Hardy  
David Boehm  
Marion  
Betty Crance  
Fincastle  
David Crews  
Chatham  
Monica Lucas  
Richmond  
Timothy Russell  
Williamsburg  
Megan Sharkey  
Richmond  
Cora Swett  
Nokesville



**COMMONWEALTH of VIRGINIA**  
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NELSON SMITH, COMMISSIONER

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### State Human Rights Committee Meeting

#### VIRTUAL MEETING

#### *Minutes*

Thursday, April 14, 2022

DBHDS

Mount Rogers Community Services

770 West Ridge Road

Wytheville, Virginia

24382

Zoom for Government

<https://dbhds.zoomgov.com/j/1617839100>

Meeting ID: 161 783 9100

Passcode: \$HRCMet1ng

#### Administrative Session

9:00 a.m.

<b>SHRC Members Present</b>	Julie C. Allen, <b>Chair</b> ; Will Childers, <b>Vice-Chair</b> ; David Boehm; Betty Crance; David Crews; Timothy Russell
<b>SHRC Members Present Virtually</b>	Monica Lucas; Megan Sharkey
<b>SHRC Members Excused</b>	Cora Swett was temporarily excused due to technical difficulty.
<b>Staff Present</b>	Taneika Goldman, State Human Rights Director Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC Mary Clair O'Hara, Associate Director, Facility Operations Brandon Rotenberry, Facility Advocate Manager Mykala Sauls, Human Rights Advocate Kli Kinzie, Executive Secretary
<b>Staff Attending Virtually</b>	Dev Nair, Assistant Commissioner, Division of Quality Assurance and Government Relations Jen Anglin, Human Rights Advocate Tony Davis, Human Rights Advocate Amaya Henderson, Administrative Assistant Facility Operations
<b>Others Present</b>	Mary Ottinot, Petitioner

<b>Others Attending Virtually</b>	Cristy Corbin, Family Support Professional, FSP of Virginia
<b>Call to Order</b>	At 9:00, Julie C. Allen, SHRC Chair, called the administrative session of the April 14, 2022, SHRC meeting to order. Chair Allen welcomed everyone to the meeting. She acknowledged two new members of the SHRC: Betty Crance and David Crews.
	A call for introductions took place prior to proceeding.
<b>Approval of Agenda</b>	At 9:04, the committee considered the agenda.  <i>At 9:04, a motion was made by Timothy Russell and seconded by Will Childers to approve the April 14, 2022, agenda. All members voted to pass the motion.</i>
<b>Information</b>	At 9:05, Taneika Goldman, State Human Rights Director, addressed the committee.  The office of human rights is rolling out training for LHRCs to include a standard orientation and a year-long curriculum of quarterly sessions to include topics such as the LHRC hearing process and FOIA. The OHR is developing formal guidance on the human rights regulations to ensure providers are informed about regulatory expectations. The first Guidance document currently in draft and on Townhall is regarding the use of Isolation, Quarantine and Seclusion in licensed community providers. Other topics for Guidance are being explored. Once any Guidance documents are formalized, they will be shared with the SHRC.  New SHRC members will be provided with an orientation.  Later in the meeting, Karen Taylor, Senior Assistant Attorney General, will provide training on the Freedom of Information Act and Mykala Sauls, Human Rights Advocate, will report on DBHDS facilities in Region 3.

**Regular Session**  
**9:09 a.m.**

<b>SHRC Members Present</b>	Julie C. Allen, <b>Chair</b> ; Will Childers, <b>Vice-Chair</b> ; David Boehm; Betty Crance; David Crews; Timothy Russell
<b>SHRC Members Present Virtually</b>	Monica Lucas; Megan Sharkey; Cora Swett
<b>Staff</b>	Taneika Goldman, State Human Rights Director Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC Mary Clair O'Hara, Associate Director, Facility Operations Brandon Rotenberry, Facility Advocate Manager Mykala Sauls, Human Rights Advocate Kli Kinzie, Executive Secretary

**Staff Attending Virtually** Dev Nair, Assistant Commissioner, Division of Quality Assurance and Government Relations  
Jen Anglin, Human Rights Advocate  
Tony Davis, Human Rights Advocate  
Amaya Henderson, Administrative Assistant Facility Operations

**Others** Mary Ottinot, RN, Petitioner

**Others Attending Virtually** Cristy Corbin, Family Support Professional, FSP of Virginia  
Jen Anglin, Human Rights Advocate  
Daniel Herr, Deputy Director for Administrative Operations, Fairfax Fall Church  
Joan Rogers, Director of Quality Improvement, Fairfax-Falls Church CSB  
Jessica Troy, Risk Management Analyst, Fairfax-Falls Church CSB

**Review of Draft Minutes** At 9:09, the SHRC reviewed the draft minutes of the March 3, 2022, meeting.

*At 9:09, a motion was made by Timothy Russell and seconded by David Boehm to approve the March 3, 2022, minutes. All members voted to pass the motion.*

**Welcome and Overview** At 9:12, Wendy Guillon, Resident in Counseling and Chief Residential Officer, Mount Rogers Community Services, welcomed the SHRC to Wytheville and provided an overview of programs and services in the area.

**Public Comment Period** At 9:24, Julie Allen called for public comments.

Mary Ottinot, RN, addressed the committee. She provided a handout of her written comment. (See addendum I). Ms. Ottinot has an appeal scheduled for later in the meeting.

**Guest Presenter** At 9:31, Josie R. Mace, Legislative Affairs Manager, DBHDS, provided a summary of 2022 General Assembly bills affecting DBHDS. (See addendum II).

**LHRC Business** At 9:46, the SHRC considered LHRC business.

**LHRC Membership** At 9:46, the SHRC reviewed recommendations for LHRC membership.

*At 9:48, upon a motion by David Boehm and seconded by Timothy Russell the SHRC unanimously made the following appointments:*

Region 1  
Rappahannock Rapidan LHRC  
Appoint: Mary Ann Gray

Region 4  
Central Region LHRC  
Appoint: Londella Hamilton

**Liaison Reporting** At 9:50, Taneika Goldman spoke about SHRC members attending LHRC meetings. Copies of the LHRC meeting liaison reporting form were provided for new members. Mrs. Goldman reminded all members of their open invitation and responsibility to attend some meetings in the region they represent, and to reach out to the Advocate before attending LHRC meetings.

Taneika Goldman opened a discussion about scheduling LHRC Meet and Greet sessions for the next 2 SHRC meetings.

**Appeal: MO and Fairfax-** At 10:02, the SHRC reviewed the Appeal of M.O. in the matter of Fairfax-Falls Church CSB and CHRIS Complaint 20210006. Mary Ottinot, RN, Petitioner, spoke on her own behalf. Cristy

Falls Church  
CSB Corbin, Family Support Professional, was present virtually to support Mary Ottinot. Jen Anglin, Human Rights Advocate, was also present virtually to provide technical support. Daniel Herr, Deputy Director for Administrative Operations, Joan Rogers, Director of Quality Improvement, and Jessica Troy, Risk Management Analyst, were present virtually on behalf of Fairfax-Falls Church CSB. At the request of the Petitioner, the appeal was heard on open session.

*May it be noted for the record that the SHRC is concerned with the preservation of an individual's privacy and confidentiality of medical records. For this reason the SHRC ensured at this time that the right to a closed hearing pursuant to VA CODE § 2.2-3711 (A) (4) and (16), has been thoroughly reviewed with Mary Ottinot and that she has agreed to the disclosure of information that would otherwise be exempt from public dissemination by requesting an open hearing.*

Statements were heard from all parties to the appeal.

*Closed Session At 10:44, upon a motion by Will Childers the SHRC convened in closed session pursuant to VA CODE § 2.2-3711 (A) (4) (8) and (16), for the protection of the privacy of individuals in personal matters not related to public business, discussion of their medical records, and for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.*

*Upon a motion by Will Childers, the SHRC returned to open session. Upon reconvening in open session each member certified that, to the best of their knowledge, only matters lawfully exempted from open meeting requirements and only such matters related to the stated reason for going into closed session were heard, discussed, or considered.*

The SHRC's written response will be issued to all parties within 20 working days.

*BREAK At 11:31, Julie Allen called for a break.*

*At 11:44, the meeting reconvened.*

**Facility Reports** At 11:45, the Committee received updates on state facility incident reporting. Mary Clair O'Hara, Seclusion/  
Restraint & Death Data Associate Director, Facility Operations, shared her screen to present seclusion, restraint, injury and death data for February 2022. (See addendum III).

**Violation Letters** At 11:56, Brandon Rotenberry, Facility Advocate Manager, provided statistics on Violation Letters issued to state operated facilities. There were 5 letters issued since the last meeting and all corrective actions were provided/implemented timely. (See addendum IV).

**VCBR Report** At 11:58, Tony Davis, Human Rights Advocate, provided the VCBR report on allegations of abuse, human rights complaints and instances of restraint for the month of February 2022. (See addendum V).

**Region 3 Facilities Report** At 12:06, Mykala Sauls, Human Rights Advocate, presented a facility overview as well as Abuse/Neglect, and Seclusion and Restraint data for Catawba Hospital, Southern Virginia Mental Health Institute and Southwestern Virginia Mental Health Institute. (See addendum VI).

*BREAK At 12:18, Julie Allen called for a break.*

**Member Training** At 12:25, Karen Taylor, Senior Assistant Attorney General, provided SHRC members with training on the Freedom of Information Act (FOIA). (See addendum VII).

<b>Subcommittee Reports and Assignments</b>	At 1:06, Julie Allen called for subcommittee reports. The SHRC briefly discussed subcommittees for the benefit of the new members.
Policy Subcommittee	Policy Subcommittee: David Boehm; Mary Clair O'Hara, Staff At 1:06, Betty Crance was appointed to the Policy Subcommittee.
Workplan / Membership Subcommittee	Workplan / Membership Subcommittee: Timothy Russell, Chair; Megan Sharkey At 1:08, Megan Sharkey announced her plan to resign from the SHRC because she is moving out of state. Ms. Sharkey expressed her gratitude to the SHRC.  David Crews was appointed to the Workplan/Membership Subcommittee.  Timothy Russell will pursue recruitment to fill upcoming open positions on the SHRC.
Bylaws Subcommittee	Bylaws Subcommittee: Monica Lucas, Chair; Cora Swett; Jennifer Kovack, Staff At 1:12, Monica Lucas spoke on behalf of the Bylaws Subcommittee. The subcommittee plans to meet on May 3 to continue working on the model LHRC bylaws and plan to engage several LHRC members who volunteered to assist.
Officer Subcommittee	Officer Subcommittee: Will Childers At 1:14, Will Childers reported on behalf of the Officer Subcommittee. Mr. Childers briefly described the officer elections process.  On behalf of the Officer Subcommittee, Will Childers nominated Julie Allen to serve as SHRC Chair for the term of July 1, 2022 – June 30, 2023. David Boehm is willing to serve as Vice-Chair for the upcoming term of July 1, 2022 – June 30, 2023.  Julie Allen asked all members to consider their willingness to serve as Chair or Vice-Chair. The Subcommittee will take nominations and entertain motions at the May 2022 SHRC meeting. Elections will be held at that time.
<b>Other</b>	At 1:19, Taneika Goldman announced that the next meeting would be held in Region 5 (Tidewater). David Boehm suggested inviting LHRC members to attend SHRC meetings in their areas.
<b>Adjournment</b>	At 1:21, having no further business to discuss the March 3, 2022, SHRC meeting adjourned.

#### **Next Meeting**

May 19, 2022

Hampton Newport News CSB