

# **APPROVED**

LOCAL HUMAN RIGHTS COMMITTEE MINUTES  
EASTERN STATE HOSPITAL  
4601 Ironbound Road  
Williamsburg, VA 23187-8791

**April 16, 2009**

MEMBERS PRESENT: Steven Bennett, Chair; Emma Rhyne, Co-Chair; Robin Bristow; John McMahon; Joyce Smith; Jajala Schweiger and Jason Mintel

MEMBERS ABSENT: Doris Foreman and Mary Ellen Rickmond

STAFF PRESENT: John Favret, Hospital Director; Dick Roberts, Patient Safety/Complaint Liaison Officer; Willie Barnes, Human Rights Advocate; Lisa Webster, LHRC Liaison Support

**1. Call to Order**

The Local Human Rights Committee meeting was called to order at 10:30 a.m. with Steven Bennett, Chair presiding, for the purpose of hearing business as presented on the agenda and such other transactions or matters that may be presented to the Committee.

**2. Agenda**

The April 16, 2009 Agenda was reviewed.

Action: Motion was made by Ms. Smith and properly seconded by Ms. Rhyne that the LHRC approve the April 16, 2009 Agenda as written. The motion passed unanimously.

**3. Minutes**

Minutes of March 19, 2009 LHRC meeting were reviewed. Ms. Rhyne recommended that notation of the unprofessional behavior displayed by Russell Payne, witness from the DMHMRSAS during the hearing on February 19, 2009 be added to the minutes.

Action: Motion was made by Ms. Schweiger and properly seconded by Mr. McMahon that the LHRC approve the March 19, 2009 minutes with noted recommendation regarding Mr. Payne's behavior. The motion passed unanimously.

**4. Hospital Directors' Reports**

Mr. Favret presented the April 2009 Disposition of the Abuse/Neglect Investigations Report and the Facility Monthly Report. Mr. Roberts presented the Formal and Informal Complaints Report for April 2009. (See the April 16, 2009, LHRC packet).

**Update - Hearing – February 19, 2009 CS vs. ESH**

Mr. Favret reported that VOPA is appealing the LHRC's decision to the SHRC regarding the Hearing for CS held February 19, 2009.

The committee members present accepted the Hospital Directors' Report for March 2009.

**Follow-up-**

**Seclusion/Restraint Report**

Mr. Favret announced that the Seclusion/Restraint Report will be continued once the program is working properly. **Open**

**ESH LHRC Attendance and Membership**

A letter was sent to Ms. Foreman dated March 23, 2009 regarding her attendance. Ms. Foreman sent a response via e-mail dated April 16, 2009 regarding her intentions to continue her membership on the committee.

Action: A letter will be forwarded to Ms. Foreman asking her to reconsider her availability to attend meetings as outlined in the ESH LHRC Bylaws and respond to the committee with her decision by May 15, 2009 or attend the May 21, 2009 meeting. **Open**

A letter of resignation was received from Ms. Rickmond who has accepted a position with ESH which forfeits her eligibility to be a member of the ESH LHRC.

Action: A motion was made by Ms. Bristow and properly seconded by Ms Schweiger that the committee accept Ms. Rickmond's letter of resignation. **Closed**

**Barriers for Discharge**

Mr. Bland gave a very thorough overview of how discharge works at Eastern State Hospital. His presentation was well received by all members present. **Closed**

**Apology**

An apology from Russell Payne, witness at the February 19, 2009 hearing for a resident at ESH, was sent via e-mail from Dennis Murray. Mr. Payne apologized for his unprofessional behavior during an LHRC Hearing.

**Closed**

**5. Interview for Membership**

The motion was made by Ms. Schweiger and properly seconded by Ms. Bristow, and passed for the LHRC to go into executive session pursuant to Virginia Code 2.2-3711(A) 4 for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing of authorized representatives, hearing of behavior modifications and/or conducting a hearing pursuant to the regulations. **Refer to Executive Session Minutes.**

Motion was made by Ms. Bristow and properly seconded by Mr. McMahon and passed that we go into open session. The LHRC unanimously certified that, to the best of each member's knowledge, only private business matters lawfully exempted from statutory open meeting requirements and only private business matters identified in the motion to convene the executive session were discussed in the executive session.

Steve Bennett	So certify
Emma Rhyne	So certify
John McMahon	So certify
Jason Mintel	So certify
Joyce Smith	So certify
Robin Bristow	So certify
Jajala Schweiger	So certify

**6. Open Forum**

**7. Announcement(s):**

**8. Adjournment-**

Having no further business, a motion was made by Ms. Smith and properly seconded by Ms. Schweiger that the meeting be adjourned. The motion passed unanimously. The meeting adjourned at 12:10 p.m. **The next scheduled meeting will be held Thursday, May 21, 2009 in Building #33-Room 106 at 10:30 a.m.**

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Steven Bennett, Chair

04/29/2009

/lw

cc: LHRC Members  
Hospital Director  
Patient Safety Officer/Complaint Liaison  
Region V Human Rights Director

Local Human Rights Committee  
Executive Session

April 16, 2009

The motion was made by Mr. Mintel and properly seconded by Ms. Schweiger, and passed for the LHRC to go into executive session pursuant to Virginia Code 2.2-3711(A) 4 for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing of authorized representatives, hearing of behavior modifications and/or conducting a hearing pursuant to the regulations.

**1. Interview for Membership**

Ti'juana Gholson, healthcare provider was interviewed by the ESH LHRC Members present.

Action: A motion was made by Ms. Rhyne and properly seconded by Ms. Bristow that Ms. Gholson be recommended to the SHRC for membership to the ESH LHRC. All were in favor. The vote was unanimous.

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Steve Bennett, Chair

04/29/09

/lw

cc: LHRC MEMBERS

Mr. Daye

Advocate

Hospital Director

Attachments: