

# APPROVED

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

**February 19, 2009**

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

MEMBERS ABSENT: Doris Foreman and Jajala Schweiger

STAFF PRESENT: Dick Roberts, Patient Safety/Complaint Liaison Officer for John Favret, Hospital Director; 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 10:31 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 February 19, 2009 Agenda was reviewed.

Action: Motion was made by Ms. Bristol and properly seconded by Ms. Rickmond that the LHRC approve the February 19, 2009 Agenda as written. The motion passed unanimously.

**3. Minutes**

Minutes of January 15, 2009 LHRC meeting were reviewed.

Action: Motion was made by Ms. Bristow and properly seconded by Mr. McMahon that the LHRC approve the January 15, 2009 minutes as written. The motion passed unanimously.

**4. Hospital Directors' Reports**

Mr. Roberts, Patient Safety/Complaint Liaison Officer, presented the January 2009 Disposition of the Abuse/Neglect Investigations Report; Facility Monthly Report and the Formal and Informal Complaints Report (see the February 19, 2009, LHRC packet).

The committee members present accepted the Hospital Directors' Report for January 2009 with noted changes.

## Follow-up-

### **Barriers for Discharge**

It was recommended that the committee ask Mr. Bland to attend the March 2009 LHRC meeting to explain the process. **Open**

### **Seclusion/Restraint Report**

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

### **Peer/Peer L.S.**

As requested by the committee, Mr. Roberts explained the complaint process as it related to the formal complaints for L.S. in reference to the Peer/Peers for December 2008. **Closed**

### **VOPA Reporting Language**

Mr. Roberts explained to the committee that all VOPA reportable deaths and injuries will be reported according to *DMHMRSAS Departmental Instruction RM (401)03 – Section 401-9. Pursuant to §§ 51.5-37.1, 37.1-42.1(7) and 37.1-42.2 of the Code of Virginia.* **Closed**

### **Bylaws – Update**

The ESH LHRC already has the language in their bylaws regarding subcommittee decisions. **Closed**

## **5. Restrictive Behavior Plan for AM – Presented by Dr. Cairns**

The motion was made by Ms. Rickmond 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. Rickmond and properly seconded by Ms. Bristow 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  
Mary Rickmond So certify

6. **Announcement(s): NA**

7. **Adjournment-**

Having no further business, a motion was made by Ms. Bristow and properly seconded by Mr. McMahon that the meeting be adjourned. The motion passed unanimously. The meeting adjourned at 12:00 p.m. **The next scheduled meeting will be held Thursday, March 19, 2009 in Building #33- Room 106 at 10:30 a.m.**

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Steven Bennett, Chair

02/24/2009

/lw

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

Executive Session

February 19, 2009

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**1. Restrictive Behavior Plan for A.M .– Presented by Dr. Cairns**

Dr. Cairns met with the ESH LHRC to present an updated Behavioral Plan for A.M.

Action: A motion was made by Ms. Rickmond and properly seconded by Ms. Bristow to accept the updated Behavioral Plan for A.M. with noted modifications. All were in favor. The vote was unanimous. Ms. Barnes, HRA, will contact Dr. Cairns to inform her about the committee's approval of the Behavioral Plan for A.M.

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Steve Bennett, Chair

02/24/09

/lw

cc: LHRC MEMBERS

Mr. Daye

Advocate

Hospital Director

Attachments: