

MINUTES VIRGINIA HIGHLANDS LOCAL HUMAN RIGHTS COMMITTEE MEETING



Tuesday, February 28, 2012
SWVMHI – Henderson Building – Administrative Conference Room
1:00 P.M.

MEMBERS PRESENT:

Rachel Jones
Deidra Mathena
Willie McFarlane

OTHERS PRESENT:

Cynthia McClaskey, Ph.D., Director, SWVMHI
Leiann Smith, LCSW, Clinical Social Worker, Geriatrics
Gail Baeb, Liaison, Planning District 1
Savtanter Dillon, M.D., Psychiatrist
Tina Henderson, RNCA, Admissions
Nan Neese, Regional Human Rights Advocate
Christy Bise, Secretary

CALL TO ORDER

The Local Human Rights Committee (L.H.R.C) special meeting was called to order by Deidra Mathena, Chairperson, on Tuesday, February 28, 2012, at 1:05 P.M. at Southwestern Virginia Mental Health Institute, Henderson Building Administrative Conference Room. The LHRC had received two requests for review from Dr. McClaskey, Director SWVMHI.

SWVMHI

The motion was made and passed to go into Closed Session pursuant to Virginia Code §2.2-3711.A.(4) and (15), for the protection of privacy of individuals in personal matters not related to public business and to review the medical records of two individuals, namely to conduct one review pursuant to the regulations concerning the designation of a next-friend Authorized Representative and a second review to assure that valid informed consent has been properly obtained from an Authorized Representative.

NEXT FRIEND APPOINTMENT (Closed Session)

Having reviewed the evidence and received the testimony, upon a motion by Rachel Jones and seconded by Willie McFarlane, the LHRC approves the Director's designation of the proposed next friend, Mr. Jimmy Carter of Scott County, based the following evidence:

- Testimony was given that there are no family members available to serve as Authorized Representative;
- The finding that the proposed next friend has provided significant support to this individual for a period of 10 years;
- The individual has not indicated any objection but on the contrary expressed his desire to have his friend involved in treatment decisions to both his Social Worker and the treatment team; and
- The proposed next friend made himself available by phone and agreed to accept the responsibilities associated with decision making about treatment and disclosure.

REVIEW OF INFORMED CONSENT (Closed Session)

At the Request of the facility in accordance with the Commissioner's Memorandum dated 2004, the LHRC heard testimony and received other evidence from Dr. Savtanter Dillon, Psychiatrist, relative to the steps taken to obtain informed consent in compliance with the Human Rights Regulations (2007) 12VAC35-115-70.A.2.c. *et seq.* for an individual to receive electroconvulsive treatment.

Based on the verbal and written testimony, a motion was made by Rachel Jones to validate that the facility had met all criteria indicated by the Human Rights Regulations to demonstrate that proper informed consent had been obtained from the individual's duly-appointed Authorized Representation. The motion was seconded by Willie McFarlane, and it was unanimously approved.

Upon reconvening in public session, the Local Human Rights Committee unanimously certified that 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 the Closed session.

ADJOURNMENT

The meeting was adjourned at 1:35 P.M.

Chair