

**MINUTES  
VIRGINIA HIGHLANDS  
LOCAL HUMAN RIGHTS  
COMMITTEE MEETING**



**Tuesday, March 20, 2012  
SWVMHI – Henderson H-106 Conference Room  
12:00 Noon**

**MEMBERS PRESENT:**

Deidra Mathena, Chair  
Mark Fendig  
Rachel Jones  
Jo Ann Johns

**MEMBERS ABSENT:**

Willie McFarlane  
Elouise Vaught

**OTHERS PRESENT:**

Cynthia McClaskey, Ph.D., Facility Director, SWVMHI  
Robyn Anderson, Community Services Director, SWVMHI  
Colin Barron, Ph.D., Psychology Director, SWVMHI  
Monika Pelly, M.D., Psychiatrist, Geriatric Services, SWVMHI  
Andra Savage, Clinical Director, Ridgeview Pavilion  
Nan Neese, Regional Human Rights Advocate  
Christy Bise, Secretary

## **CALL TO ORDER**

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The Local Human Rights Committee (L.H.R.C) was called to order by Deidra Mathena, Chairperson, at 12:11 P.M. on Tuesday, March 20, 2012, at Southwestern Virginia Mental Health Institute, Henderson Building H-106 Conference Room.

## **APPROVAL OF MEETING MINUTES**

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A motion was made to approve the L.H.R.C. Meeting Minutes of November 9, 2011 and February 28, 2012. The motion was seconded and unanimously approved.

## **SWVMHI**

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### **Barriers to Discharge Report (Open Session)**

Robyn Anderson reviewed with the Committee the current Barriers to Discharge Report for patients within SWVMHI during the period of January 5 – March 16, 2012. Robyn provided the Committee with the team, unit, and CSB breakdown of patients who are currently on the list. The barriers to discharge involve multiple issues and the discussion included the difficulty with matching the individuals with residential services and other supports that can best meet the individuals' needs. Resources are impacting discharges as well.

### **Seclusion/Restraint Review Of Y-T-D Data (Open Session)**

Colin Barrom, Ph.D., presented a review of the seclusion/restraint data for the period of November 1 – December 31, 2011 and January 1 – February 29, 2012. Dr. Barrom reviewed those patients with multiple numbers of incidents. Graphs were provided noting the supine restraint episodes, facility-wide episodes, in addition to the number of seclusion/ restraint hours/episodes by ward.

### **Review of Informed Consent for E.C.T. Update (Closed Session)**

*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 medical records, namely to receive a clinical update about an individual receiving Electroconvulsive Therapy.*

Dr. Monika Pelly was present to provide an update on ECT treatment for a Geriatric patient.

*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.*

**Abuse/Neglect Report (Open Session)**

Cynthia McClaskey, Ph.D., presented the Committee with a report of all the abuse and neglect incidents for calendar year 2011 and through today in 2012. For 2011, there were fourteen investigations during this time period with one founded allegation which resulted in an employee termination. The allegations included 7 – physical (unfounded), 2 – sexual (one founded), 3 – verbal (unfounded), 1 – unauthorized use of restraint and 1 – use of excessive force during restraint (unfounded). So far in 2012, there have been three allegations. 2 – physical (unfounded) and 1 – verbal (unfounded).

**Complaints (Open Session)**

Cynthia McClaskey, Ph.D., reported there were thirty-nine complaints at the facility during calendar year 2011, only one being pursued through the formal process. There have been four complaints managed informally and one complaint managed in the formal process in calendar year 2012 to date. Dr. McClaskey offered a brief analysis of complaint data compared with previous years and suggested that the reason for the reduction in the numbers may be an outcome of the fact that the culture and treatment practices are less coercive than in past years.

**Facility Director Updates (Open Session)**

Dr. McClaskey noted that we are having some technical difficulties with uploading content to the facility website which impacts the posting of the LHRC Minutes. The software the Institute has is expired and the Department is looking at replacing it.

The facility will be celebrating the 125<sup>th</sup> anniversary of the first admission during the months of May and June. Various activities and public events are being planned and the committee members will be receiving invitations soon.

**Chaplain Information**

Tim Graham was present at the meeting to provide a synopsis of chaplain services being offered at the facility. He has developed a summary of spiritual services offered during stays at our facility and is requesting this information be included in the Program Rules individuals receive upon admission to SWVMHI. This will be a stand-alone item to be added to the current rules. A motion was made and seconded to include the synopsis of chaplaincy services in the program rules previously reviewed and approved by the LHRC. All other items in the program rules will remain the same. The motion was unanimously approved.

**RIDGEVIEW PAVILION**

**Abuse/Neglect Reports (Open Session)**

Andra Savage, Director, presented the 4<sup>th</sup> Quarter Report for the period of October – December 2011 summarizing that there were no abuse/neglect allegations. Ms. Savage also provided a synopsis of the annual report for calendar year 2011 which included the abuse/neglect finding for the sentinel event that occurred in May 2011.

### Seclusion/Restraint Review Of Y-T-D Data (Open Session)

There were three occurrences of seclusion and restraint during calendar year 2011 with none during the quarter October – December 2011. Each occurrence was reviewed and it was determined that all JCAHO and departmental guidelines were met and the use of seclusion/restraint was necessary based upon the situation.

### Formal Complaints (Open Session)

There were four complaints resolved through the informal process during calendar year 2011. One of those complaints occurred during the quarter October - December 2011.

### Facility Updates (Open Session)

With the recent recruitment of eight new psychiatrists, the facility is currently working on renovations to their limited space in order to accommodate patients, staff and visitors. They are currently staffing 15 of their 28 beds and this census will be held until the renovations are complete.

### Regional Advocate Report and Committee Updates

Nan Neese complimented the presentations that were given today. The reports were completed in the suggested format and the information was presented in different ways but met the requirements.

Nan noted that Elouise Vaught indicated that she was resigning from the Committee. She will follow-up with Elouise and do an acknowledgement to recognize her service on the Committee. With Mrs. Vaught's resignation it will be necessary to recruit an applicant who is a healthcare provider or a retired health professional. She asked members to be thinking about people we could possibly recruit for this vacancy.

Nan shared with the Committee the recent news concerning the Department of Justice settlement and specially the need to assure the readiness of community-based residential services. She reminded members that there is much information on the DBHDS website. She pointed out that Christy had included the SHRC Newsletter in their Agenda packets and that all issues of *Human Rights* can be found on the website.

It was decided by Committee consensus that annual reports should be presented in March of each year.

Some members suggested topics for future discussion at meetings, including the use of physical restraints versus pharmacological restraints.

## **NEXT MEETING DATE**

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The next L.H.R.C. meeting is scheduled to be held on **Tuesday, May 15, 2012**, at 12:00 Noon on the grounds of SWVMHI.

## **ADJOURNMENT**

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The meeting was adjourned at 2:15 P.M.

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Chair