



**VIRGINIA HIGHLANDS LHRC
Southwestern Virginia Mental Health Institute
Learning Center - Dogwood Room
January 24, 2017**

ATTENDANCE

Committee:

Present: Denton Staley, Chair; Deidra Mathena, Gardner Umbarger

Absent: Mark Fendig

Others Present:

Cynthia McClaskey, Ph.D., SWVMHI Facility Director; Brian Cowart, Ph.D., Team A; Barbara Honaker, LCSW; Brandon Rotenberry, HR Advocate; Jennifer Kovack, Regional Human Rights Manager; Patricia Evans, CAP, Administrative Assistant; Barbara Bartnik and Michelle DeBord, Prospective LHRC Members

CALL TO ORDER

The meeting was called to order at 12:20 p.m.

INTRODUCTIONS

Introductions were given.

PUBLIC COMMENT

There were no public comments.

APPROVAL OF AGENDA/MINUTES

Dr. Umbarger moved to approve the LHRC Meeting agenda and minutes from November 15 and Dec 20, 2016. Ms. Mathena seconded the motion and it was unanimously approved by the Committee.

ADVOCATE'S REPORT

Jennifer Kovack, Regional Advocate and Brandon Rotenberry, SWVMHI Advocate, were present at the meeting. Mr. Rotenberry reported that the Human Rights Regs were signed by the Governor. There is a 30 day period before they can go into effect. The Regs can be implemented on February 9, 2017. Afterwards, there will be Regional Training on March 2. More information



regarding the training will be disseminated and the LHRC members are likely able to attend, but Brandon is verifying this. SWVMHI can provide transportation for the LHRC members who wish to attend. These arrangements will be made closer to the training date and the number of interested members is identified.

Feel free to contact Jennifer or Brandon with any questions.

CLOSED SESSION:

Ms. Mathena made a motion that the LHRC go into closed session pursuant to VA Code §2 .2-3711. A. (4) and (15) for the purpose of protecting the privacy of individuals in personal matters not related to public business and the discussion of medical and mental records, namely to conduct a review of a restrictive telephone plan and interview with a proposed next friend Authorized Representative. Dr. Umbarger seconded the motion and the motion carried unanimously.

OPEN SESSION:

Ms. Mathena made a motion to convene public session. I move that each member certify that to the best of their knowledge only matters lawfully exempted from open meetings requirements were heard, discussed, or considered. Dr. Umbarger seconded the motion and the motion carried unanimously.

Mr. Staley stated, "Having heard and reviewed the evidence, including but not limited to the testimony of Dr. Cowart, Ph.D. who personally appeared, testified, the LHRC finds the Telephone Restrictive Treatment Plan complies with requirements of the Human Rights regulations."

Each member replied, "*I so certify.*"

Mr. Umberger stated, "Having heard and reviewed the evidence, including but not limited to the testimony of Barbara Honaker, Social Worker who personally appeared and C. H. via conference call, testified and agreed to accept the responsibilities as next of kin Authorized Representative, the LHRC finds the Director's designation as Next Friend Authorized Representative complies with requirements of the Human Rights regulations.

Each member replied, "*I so certify.*"

SWVMHI REPORTS

Facility Updates: Dr. McClaskey gave an update on two patients previously reviewed by the LHRC for ECT. Both patients are improving with the ECT and will be scheduled for maintenance ECT and follow up care after a guardian is found/appointed.

The Governor's Budget Proposal was good for Mental Health overall. Though state employee raises were cancelled, there is talk of a bonus or possibly reinstating a raise. Central Office took



a hit on their special funds since they have helped out with our budget. Admissions have increased, overtime has increased and we have needed to utilize the locum tenens who are very expensive. We have a new psychiatrist starting in February 1, 2017. Dr. McKinell is separating the end of February to relocate with his wife's new job. One admission psychiatrist is leaving in August which hopefully can be promptly replaced before he is gone. Census remains a struggle. Process was that directors of facilities were contacted director-to-director when bed space was needed. This did not work, so the process now is that three directors are rotating call and making the phone calls to find beds. State facilities operate on an emergency basis with increasing community programs for support. July 1 thru Dec 31 admissions had 452 admissions which is an increase over several years. There are 20 patients on the RFD list and 10 of which need a legal guardian, then locating an appropriate placement. This is a lengthy process. Three patients need a nursing home placement; two need assisted living facility placements; three need ID placement and one has special needs requiring a special placement.

CHRIS shows 235 abuse reports but 220 were minor, no injury, peer-to-peer events. There were 15 abuse/neglect investigations – two were founded.

Dr. Umbarger moved to accept the reports presented by SWVMHI Facility Staff. Ms. Mathena seconded the motion, and it was unanimously approved by Committee.

The regular session of the LHRC meeting concluded at 1:30 p.m.

CLOSED SESSION

The LHRC went into closed session pursuant to VA Code §2 .2-3711. A. (1) and (4) for the purpose of protecting the privacy of individuals in personal matters not related to public business namely to conduct an interview with two LHRC applicants.

OPEN SESSION

Motion was made, seconded and carried that each member certified to the best of their knowledge only matters lawfully exempted from open meetings requirements were heard, discussed, or considered.

Having heard the testimony of Michelle DeBord and Barb Bartnik who personally appeared individually and agreed to accept the responsibilities as LHRC Member, the LHRC finds them to be recommended for LHRC membership.

NEXT MEETING DATE

The next LHRC meeting is scheduled to be held on **Tuesday, April 18, 2017**, at 12:00 Noon in the Dogwood Room of the Training Center.



ADJOURNMENT

The LHRC meeting concluded and was adjourned at 2:10 p.m.

Chair