

DRAFT
MINUTES
VIRGINIA HIGHLANDS
LOCAL HUMAN RIGHTS
COMMITTEE MEETING



Tuesday, November 19, 2013
SWVMHI – Training Center Dogwood Room
12:00 Noon

ATTENDANCE

Committee:

Present: Rachel Jones; Elvera McLees; Beverly Derian; and Denton Staley

Absent: Mark Fendig, Chair; Willie McFarlane; and Jo Ann Johns

Others Present:

Dwayne Lynch, Regional Human Rights Advocate; Cynthia McClaskey, PhD, Facility Director; Russ McGrady, MA, MBA, Clinical Director; and Marcia Richardson, Administrative Assistant.

CALL TO ORDER

Mr. Dwayne Lynch, serve the Committee in Ms. Nan Neese's absence, requested Committee Members appoint an Acting Chair. Committee Members unanimously appointed Ms. Rachel Jones as Acting Chair.

Rachel Jones, Acting Chairperson, called the Local Human Rights Committee (LHRC) meeting to order at 12:07 P.M. on Tuesday, November 19, 2013, at Southwestern Virginia Mental Health Institute, Training Center Dogwood Room Conference Room

PUBLIC COMMENT

There were no public comments.

APPROVAL OF AGENDA

Dr. Elvera McLees moved to approve the LHRC Meeting agenda for November 19, 2013. Ms. Beverly Derian seconded the motion and it was unanimously approved by Committee.

APPROVAL OF MINUTES

Mr. Denton Staley moved to approve the LHRC Meeting Minutes of May 21, 2013 (Regular Meeting), July 23, 2013 (Special Meeting), July 30, 2013 (Special Meeting, August 13, 2013 (Special Meeting), and September 10, 2013 (Special Meeting). Beverly Derian seconded the motion and it was unanimously approved by Committee.

CLOSED SESSION

Ms. Rachel Jones moved 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 review of an interview with a proposed Next Friend Authorized Representative for an individual receiving services within SWVMHI and to discuss the treatment progress of another individual who was the subject of the closed session on November 12, 2013. Mr. Denton Staley seconded the motion. The motion carried.

Mr. Denton Staley moved to convene public session, Dr. Elvera McLees seconded the motion, and the Chairman opened the meeting. Ms. Rachel Jones moved that each member certify that, to the best of their knowledge, only matters lawfully exempted from open meetings requirements were heard, discussed, or considered. Ms. Beverly Derian seconded the motion. Each member properly certified.

Having heard and reviewed the evidence including, but not limited to, testimony from Steve O'Brien, L.C.S.W., Evan Grant, M.D., and Mr. Lynn Hicks, and the documentary evidence presented, the LHRC finds that the Director's designation of the Next Friend Authorized Representative complies with 12VAC35-115-146, specifically B. 2-4.

In reference to the LHRC meeting held November 12, 2013, Dr. Evan Grant provided an update on the individual's current medical condition. The Committee took no further action on the review of informed consent.

DISCUSSION OF SWVMHI POLICY 1002, LEAST RESTRICTIVE ALTERNATIVES/RESTRICTIONS INVOLVING ACCESS TO TELEPHONE, MAIL, OR VISITORS

Dr. McClaskey updated Committee Members on the need for LHRC review of SWVMHI Policy 1002, Least Restrictive Alternatives/Restrictions Involving Access to Telephone, Mail, or Visitors. Committee Members had reviewed the policy prior to today's meeting. Dr. Elvera McLees moved to approve SWVMHI Policy 1002, Least Restrictive Alternatives/Restrictions Involving Access to Telephone, Mail, or Visitors, Mr. Beverly Derian seconded the motion, and it was unanimously approved by Committee.

SWVMHI

Abuse/Neglect Report (Open Session)

Cynthia McClaskey, Ph.D., presented the Committee with a report of the abuse and neglect allegations for the period April 1 through September 30, 2013. The allegations included 17 cases.

Complaints (Open Session)

Dr. McClaskey reported there were 18 complaints for the period April 1 through September 30, 2013, all of which were resolved immediately through the informal process.

Facility Director Updates (Open Session)

Dr. McClaskey announced rehabilitation to the Henderson Building; the roof repaired, the eight chimneys demolished and reconstructed, and the dome replaced. The new dome will be brought to site, assembled, and then lifted into place by crane.

Dr. McClaskey reported the Facility now has a full staff of Psychiatrists and that we have some really good folks on board. Turnover is steady compared to prior years. However, there are Social Worker positions open due to incumbents migrating to another facility for higher salaries. Dr. McClaskey and staff are researching nationwide Social Worker salaries for possible development of an incentive program.

Barriers to Discharge Report (Open Session)

Robyn Anderson reviewed with the Committee the current Barriers to Discharge Report for patients within SWVMHI for the period April 1 through September 30, 2013. Ms. Anderson provided the Committee with the team, unit, and CSB breakdown of patients who are currently on the list, which, at September 26, 2013, included ten patients. The difficulty of matching individuals with residential services and other supports that can best meet the individuals' needs continues to be the most prevalent barrier to discharge.

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

In Dr. Colin Barrom's absence, Mr. Russ McGrady presented a review of the seclusion/restraint data for the period April 1 through September 30, 2013. Mr. McGrady reviewed patients with multiple numbers of incidents, providing graphs of the supine restraint episodes, facility-wide episodes, and the number of seclusion/restraint hours/episodes by ward.

RIDGEVIEW PAVILION

Mr. Doug Keen, Wellmont Bristol Regional Medical Center Liaison, presented and reviewed statistical reports for Ridgeview Pavilion for the period January 1 through December 31, 2012 and January 1 through September 30, 2013.

Dr. Elvera McLees moved to accept the reports presented by Mr. Keen, Mr. Denton Staley seconded the motion, and it was unanimously approved by Committee.

REGIONAL ADVOCATE REPORT

Mr. Dwayne Lynch addressed the Committee and expressed Ms. Nan Neese's apologies for being unable to attend the meeting due to unexpected family circumstances. Ms. Neese thanked the Committee for all of the hard work over this past summer and fall with the special meetings and hearings. At the January 2014 meeting, Ms. Neese will update the Committee on the CHRIS system progress and the use of CHRIS by the State Human Rights Committee.

NEXT MEETING DATE

The next LHRC meeting is scheduled to be held on **Tuesday, January 21, 2014**, at 12:00 Noon in the Dogwood Room of the Training Center.

ADJOURNMENT

The meeting was adjourned at 2:25 P.M.

Chair