

Western State Hospital
Staunton, Virginia

*Local Human Rights Committee Meeting Minutes
Jeffrey's Building Room 95 at 12:30 p.m.
April 27, 2009*

Present: Linda Thumma, Donna Gum, Hal Meyers, Ski Washington, Committee Members; Jerry Thomas, Patient Advocate; Chuck Collins, Regional Advocate; Gail Burford, Director's Liaison

Absent: David Reed and Debbie Harris, Committee Members

Guest: Karen Walters, Office of Attorney General on behalf of WSH; Nathan Veldhuis, attorney on behalf of Mr. C.C. and family; Dr. Timothy Jana; Jeffrey Phillips, psychologist; Herb Stewart, psychologist; Dr. William Fox; Marc Hastings, psychologist, Brent Groff, Sheryl Gregory, Ellen Harrison, Pat Higgins, Paul Hundley, members of WSH FMEA Committees

Linda Thumma, Acting Chair, called the meeting of the Local Human Rights Committee to order on April 27, 2009. A quorum of members was present. With a motion by Hal Meyers and a second by Ski Washington, the March minutes were approved. The agenda was approved with no changes.

A motion was made and passed to go into Closed Session pursuant to VA code 2.2-3711 (15), for the purpose of discussion or consideration of medical and mental records excluded from the Virginia Freedom of Information Act, to solely hear the variance requests for Mr. C.C.

Nathan Veldhuis objected the motion of going into the Executive Session.

Present during the closed session were Linda Thumma, Donna Gum, Ski Washington, Hal Meyers, committee members; Chuck Collins and Jerry Thomas, advocates for technical assistance; Karen Walters, via telephone on behalf of WSH; Nathan Veldhuis, via telephone on behalf of Mr. C.C. and family; and Gail Burford, Director's Liaison, Dr. Timothy Jana, and Jeffrey Philips, psychologist presenting on behalf of Western State Hospital.

Gail Burford read Dr. Barber's petition for renewal of Mr. C.C.'s current variances (for a six month period) from the following sections of The Rules and Regulations:

1. 12 VAC 35-115.110.C.3 : Seclusion in an Emergency
2. 12 VAC 35-115.110.C13: Seclusion or Mechanical Restraint
3. 12 VAC 35-115.110.C17: Monitoring
4. 12 VAC 35-115.110.C15: Standing Orders

Nathan Veldhuis voiced his objections to the variances.

With a motion by Hal Meyers and a second by Donna Gum, the committee came out of executive session.

Upon reconvening in public session, the Local Human Rights Committee unanimously certified that to the best of each members' knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the Executive Session were discussed in the Executive Session.

Upon a motion by Donna Gum and a second by Ski Washington, all four requests made by Western State on Mr. C.C. were approved by the committee for duration of six months.

Mr. Veldhuis objected to the committee's approvals.

Drs. William Fox and Herb Stewart presented the A1 Ward Rules. They noted the change of limiting ordering out for food to patients with a Level 3 and 4. The committee approved the rules as written.

Marc Hastings, psychologist on A5, reviewed his Ward Rules. The rules were approved as written.

Ellen Harrison, Sheryl Gregory, Pat Higgins, Paul Hundley, Brent Groff, and Dr. Tim Jana, members of the FMEA committee were present for the review/approval of the Hospital Instruction 4042 (Use of Electronic Equipment) and Hospital Instruction 4035 (Search of Patients for Contraband) by the LHRC.

Hospital Instruction Number 4042 (Use of Electronic Equipment) was reviewed by the committee and approved as written.

Hospital Instruction Number 4035 (Search of Patients for Contraband) was reviewed by the committee and approved with recommendations.

A consumer, who utilizes the van trips, voiced his opinion and presented a petition on the matter. Upon much deliberation, the committee approved HI 4035 with recommendations for the following changes of the schedule of unescorted van/shuttle trips to town with:

1. Eliminate Monday trips
2. Change Saturday's run to 11am to 2pm
3. Re-initiate a Sunday run from 2pm to 4pm.

Hal Meyers requested an update at the June meeting regarding the frequency and types of contraband recovered by the facility.

Zachary DeVore, VOPA reported that the department will begin to write new priorities for the upcoming fiscal year. As these become available, they will be posted to the VOPA website.

Jerry Thomas presented the Advocate's report of activities from March 1 thru March 31.

Gail Burford gave a brief update from the State Human Rights Committee's last meeting April 17th held at Western State.

The patient complaints, barriers to discharge list, and IFPC minutes were all reviewed with no comments.

The next LHRC meeting will be June 22, 2009.

With no further business to discuss, the meeting was adjourned.

APPROVED:

David Reed, Chair

Shante' M. Ball, LHRC Secretary