

Western State Hospital
Staunton, Virginia
Local Human Rights Committee Meeting Minutes
Jeffrey's Building, Room 95 at 12:30
October 5, 2015

Present: Heidi Campbell, Committee Chair, Kathy Belcher, Vice Chair, John Beghtol and Cheryl Talley, committee members; Mark Seymour, Regional Advocate (via teleconference); Becky Shaw, Liaison to WSH Director; Glenda Sheffer, WSH Administrative Support

Absent: Karen Cochran, Secretary, Ms. Teri Sumey, committee member; Erin Haw, dLVC Advocate

Guests: Mr. BF, currently residing on 2 Elm PCU

The Local Human Rights Committee was called to order on October 5, 2015 by Ms. Campbell, Committee Chair. A quorum of members was present. The minutes from the August 24th meeting were reviewed and approved with a motion by Mr. Beghtol, second by Ms. Belcher, and a vote of the committee. Changes were made to the agenda: The Review of Bylaws was postponed until the October 26th meeting; time was set aside for Mr. BF, a patient on 2 Elm, who asked to speak with the committee regarding several complaints.

Treatment plans and unit rules that had been approved by subcommittee at previous meetings were approved. Ms. Belcher made the motion to approve and Ms. Talley seconded the motion. These were approved with a vote of the committee.

Mr. Seymour provided the Advocate's Report. Dr. Deborah Ferguson has resigned her position as Commissioner of the Department of Behavioral Health and Developmental Services. Dr. Jack Barber will serve as Interim Commissioner. Dr. Barber has a long history with DBHDS. His extensive knowledge and strong leadership will maintain the department's functionality and continue with the established goals and plans for the department.

During the public comment session, Mr. BF addressed the committee to share his concerns in several areas of his current treatment and situation at WSH. Mr. F was admitted to WSH on September 10th. He feels his human rights have been violated. Restrictions have been placed on him that were not part of his plan at Central State Hospital. Everything was taken from him when he arrived, and he is not allowed outdoor time to exercise, only porch access. The level system is not adequate cause to withhold his human rights. The treatment team has advised him that he has to do certain things to earn higher levels, including access to the courtyards. He feels his dignity has been violated because he can't get his level increased. It is inhumane treatment to be isolated as it is harmful mentally.

Mr. F indicated he is NGRI, and therefore, a long term patient. His goal is to be stable and meet the criteria for release into the community. He indicated that Mr. Seymour has been very inattentive toward him and has not helped with any of his concerns. He has issued a request for approval to begin the process for an LHRC fact-finding hearing. Dr. Mary Clare Smith, Facility Director, is aware of Mr. F's concerns and that he is requesting a hearing.

Mr. F feels that the hospital has systemic issues with the use of manual restraints. The ERC (emergency restraint chair) is being used automatically, a process that is not in compliance with the Joint Commission.

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Ms. Campbell thanked Mr. F for attending the meeting and sharing his concerns. While the committee hears his complaints, they are not able to assist him at this time. The committee does, however, encourage him to continue the hearing process and work with Mr. Seymour towards this goal.

Regarding Community Connections, Ms. Campbell received a message from Donna Gum, with Mental Health America – Augusta, advising the committee of the MHA Annual Meeting and auction on November 19th. Everyone is invited to attend.

Ms. Campbell will be attending the CIT State Conference on October 19th and 20th.

Mr. Beghtol is president of NAMI Augusta, and is currently working with Mr. Mark Bold to find victims of sterilization to assist them in obtaining their settlement from the state of \$25,000.

The committee entered closed session pursuant to Virginia Code §2.2-3711, a.15 and §2.2-37.05.5 for the purpose of discussion of medical record / treatment plans.

Dr. Catherine Leslie presented the treatment plan for Mr. SM for quarterly review. The committee approved the use of the plan for another 3 months.

Upon reconvening in open session, all members of the Local Human Rights Committee certified that to the best of each ones' knowledge, 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 closed session.

Unit Rules for 2 Elm were presented by Dr. Christy McFarland, Dr. Bob Gardella, Dr. Jeff Bonacci, Ms. Stacey Hayes, and Mr. Alejandro Rosa. Significant changes were made to the rules based on new issues that have arisen from a recently admitted patient. The changes mostly clarify and provide details for the existing rules. Ms. Belcher made a motion to approve the changes to the 2 Elm Unit Rules. Mr. Beghtol seconded the motion. The new unit rules were approved with a vote of the committee.

The 2 Elm Treatment Team provided historic and current behaviors and treatments for Mr. F, who made extensive comments during the Public Comment time of this meeting. This was very helpful as the committee would likely have asked the treatment team to provide this information at an upcoming meeting.

The committee entered closed session pursuant to Virginia Code §2.2-3711, a.15 and §2.2-37.05.5 for the purpose of discussion of medical record / treatment plans.

Dr. Laura Santiago presented documentation for approval related to the possible use of ECT for Mr. CC. Ms. Campbell indicated that the documentation had all the appropriate information and signatures and signed the form as the representative for the LHRC.

Upon reconvening in open session, all members of the Local Human Rights Committee certified that to the best of each ones' knowledge, 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 closed session.

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The August Patient Complaints Report was reviewed. Complaint #613 indicated that the patient's armband is broken and he is, therefore, not allowed to leave the unit. The length of time for fixing the armband has been too long (patient indicated 3 months). Dr. Smith continues to monitor the difficulties with patient armbands and steps are being taken to resolve this issue. There were no further comments regarding the Complaints Report.

While reviewing the Extraordinary Barriers List, it was noted that housing and community services are generally the cause of patients remaining on the list for long periods.

The next meeting will be held October 26, 2015, at 12:30 p.m. in Room A1085 of the Staff Development Offices. A suggestion was made to hold the LHRC meetings in a secured area of the hospital to provide easier access for more patients. Ms. Sheffer will investigate the feasibility of this request.

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

APPROVED:

Heidi Campbell
Chair

Glenda D. Sheffer
WSH Administrative Support