

Western State Hospital
Staunton, Virginia
Local Human Rights Committee Meeting Minutes
Webb Learning Center, Room B1031 at 9:00AM
December 5, 2016

Present: Heidi Campbell, Committee Chair, Kathy Belcher, Vice Chair; Karen Cochran, Secretary; John Beghtol, Teri Sumey and Cheryl Talley, committee members; Jenny Dick-Mosher, dLCV Advocate; Maynard Ritchie, OHR Advocate; Gail Burford, Liaison to WSH Director; Glenda Sheffer, WSH Administrative Support

Absent: Tina Stelling, committee member

Guests: Dr. LeeAnn Bass, 1 Hickory and Dr. Catherine Leslie, 1 Oak

The Local Human Rights Committee was called to order on December 5, 2016, by Ms. Campbell, Committee Chair. A quorum of members was present. The minutes from the October 24th meeting and the November 21st called meeting were reviewed.

During the review of the minutes, the committee discussed the monthly Complaint Report. Ms. Campbell indicated she feels the LHRC has been removed from the Complaint Process. Mr. Ritchie then reminded everyone that the LHRC becomes involved in this process when a patient appeals the resolution presented by the Hospital Director. Ms. Artea Ambrose and Ms. Cassie Purtlebaugh, of the Office of Human Rights, interpret the regulations to mean that reviewing resolved complaints is not within the purview of the LHRC. All patients who make complaints have the option to dispute the resolution presented by the Hospital Director and to file a petition to the LHRC for a hearing on the matter. Ms. Belcher indicated the committee may ask for any information they feel they need to determine that the rights of the patients are being upheld; however, the hospital is not obligated to comply with the request, and the committee has no recourse in this event. Ms. Campbell further commented that she feels the role of the LHRC is to provide support to the consumer and that they are being limited in their ability to do so.

Mr. Beghtol made a motion for the LHRC to regularly review the Complaint Report and the Extraordinary Barriers List. Ms. Belcher seconded the motion. Ms. Campbell made a call for a vote; however, before a vote was completed, Ms. Sumey suggested the possibility of reviewing this information annually in a summarized report.

Ms. Cochran asked Mr. Ritchie what areas he covers and how many complaints he receives per month. He responded that he represents patients at WSH and the Commonwealth Center for Children and Adolescents. He receives approximately 40 to 50 calls per month and he physically sees each patient who calls. Ms. Sumey asked who the committee feels is removing them from the process. Ms. Belcher indicated it is the Department (DBHDS). Ms. Burford reminded the committee that their role will be increasing with the approval of the new Human Rights Regulations in the near future. The types of complaints for which patients may petition the committee for assistance will increase, thereby leaving less time for the committee to review reports. Ms. Sumey also postulated whether the committee should focus on bigger concerns such as hearings.

Ms. Burford suggested that she would invite representatives from the Office of Human Rights to attend the meeting in January to discuss this situation with the committee and provide additional insight and information.

Ms. Belcher made a motion to approve the minutes as written. Ms. Sumey seconded the motion. The minutes from the October 24th and November 21st meetings were approved as written by a vote of the committee.

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Ms. Sumey made a motion to approve the agenda as written and Ms. Belcher seconded the motion. The agenda was approved with a vote of the committee.

Upon a motion made by Ms. Campbell, 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. LeeAnn Bass presented the treatment plan for Mr. SM for quarterly review. The plan was approved for another three 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.

Mr. Maynard Ritchie presented the Advocate's Report. He reminded the committee that the new Human Regulations are in the final stages of approval and may be implemented soon, and that these regulations may have a great impact on the function of the LHRC.

Mr. Ritchie further indicated he has adjusted his work schedule to allow him to stay later in the evening to have a better understanding of hospital operations on different shifts and after regular business hours. When considering the complaints he receives each month, he looks for trends and patterns in the types, locations, the staff and patients involved. He further contacts Dr. Smith whenever he sees a situation that concerns him. When reviewing complaints, he questions the complainants to ensure they are satisfied with the outcome.

When asked why he thinks there are fewer petitions for hearings than the committee had received in the past, Mr. Ritchie indicated it may be because he is dedicated only to the two hospitals and has more time to spend with the patients. Ms. Belcher noted that this may also be due to changes in the attitudes of the administration and staff towards patient care.

Ms. Jenny Dick-Mosher presented some of the priorities for disability Law Center of Virginia. They are currently focused on the seclusion/restraint data for the facilities. They are particularly interested in people who have been dually diagnosed; those with intellectual or developmental disabilities along with a mental illness or extreme behavioral issues. This is a small portion of the individuals receiving services; however, they are usually very challenging cases. Ms. Cochran noted that physicians who have visited the committee have indicated that this facility is not appropriately equipped or staffed to treat these individuals. She asked what the state is doing to compensate for the Training Center closures. The dLCV is working with DBHDS and the Department of Justice to consider options for treatment for these individuals. Ms. Belcher inquired about whether the seclusion/restraint numbers at Western State have decreased lately. Ms. Dick-Mosher indicated that she has not seen a decreasing trend and that WSH numbers tend to run high compared to other facilities.

Ms. Burford presented the final version of Hospital Instruction (HI) 4018: *Patient's Personal Hygiene Items Allowed on Units* to the committee. When the committee initially reviewed the HI, they made a suggestion to add a section to instruct patients how to obtain an item that is not on the approved list. This section was subsequently added to the HI. Ms. Belcher queried whether family members receive a copy of this HI. Ms. Sheffer advised that this information will be added to the Patient/Family Brochure that is provided to patients and family members at the time of admission. This HI is currently in practice. Ms. Burford has not been made aware of any complaints from patients at this time.

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The committee reviewed the proposed meeting dates for 2017. Ms. Sheffer commented that individual unit rule reviews are not included on the schedule due to the pending Universal Unit Rules. There is a possibility these rules will be available for the committee to review in January or February; however, if it appears this will take longer, the review of individual unit rules will be reinstated. The majority of members indicated these dates are acceptable.

Community Connections comments included the following:

Mr. Beghtol discussed information related to NAMI:

- Three NAMI members are currently trained for Family Support Groups. They received 2 days of training and will begin offerings for family support groups. These groups will begin in January and will be held at the Valley CSB.
- Regarding the Clinical Crisis Stabilization Services and Detox Center, budgeting is the current focus. They are requesting funds for planning. Mr. Beghtol will be contacting legislators this week regarding the state budget.

Upon a motion made by Ms. Campbell, 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. BP for quarterly review. The plan was approved for another three months.

Dr. Leslie also presented the treatment plan for Ms. MB. The plan was approved and will be reviewed again in three 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.

Community Connection comments were continued:

Ms. Sumey presented information regarding Mental Health America – Augusta:

- An additional seminar on Understanding Autism was held at the Murphy Demming Center. This seminar was co-sponsored by REACH. There was a great turnout.
- The Annual Business Meeting was held on November 17th. Dr. Mary Clare Smith was the guest speaker.
- New board members have been selected; Sherry Zayre has joined as well as Taylor Davis, the Director at Liberty Point.
- They are considering sponsoring a day-long conference which will be in collaboration with other organizations. There will be some keynote speakers, but will also have break out sessions.

Ms. Cochran shared information regarding VASI:

- They received a \$20,000 grant from the Hospital Foundation that is going into their next building project where they plan to put 8 new apartments in Staunton. They will be efficiency apartments for people coming out or on the verge of becoming homeless.
- They are coordinating with Murphy Demming College to get students to conduct health interviews and training for consumers with physical health concerns.

Ms. Sumey commented that Mental Health Advocacy Day is January 25th.

The next meeting will be held January 30, 2017, at 9:00 a.m. in Room B1031 of the Webb Learning Center.

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

APPROVED:

Heidi Campbell
Chair

Glenda D. Sheffer
WSH Administrative Support