

STATE HUMAN RIGHTS COMMITTEE

David Boehm, Chairperson
Marion
Monica Lucas, Vice-Chairperson
Richmond
Will Childers
Hardy
Betty Crance
Fincastle
David Crews
Chatham
Timothy Russell
Williamsburg
Renee F. Valdez
Alexandria
John Shepherd
Charlottesville



COMMONWEALTH of VIRGINIA

Department of Behavioral Health and Developmental

Services

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NELSON SMITH, COMMISSIONER

State Human Rights Committee Meeting

Minutes

Thursday, April 11, 2024

DBHDS

Region 3

Southwest Virginia Mental Health Institute

340 Bagley Circle

Dogwood Rm – B Building

Marion, VA 24354

TEAMS for Government

<https://events.gcc.teams.microsoft.com/event/246158c8-be26-42c1-b1f0-7512bac684df@620ae5a9-4ec1-4fa0-8641-5d9f386c7309>

Meeting ID: 214 211 722 054

Passcode: TkGmpj

Convene

9:00 a.m.

SHRC Members Present Physically David Boehm, **Chair**; Monica Lucas, **Vice Chair**, Betty Crance, John Shepherd, David Crews, Timothy Russell, Will Childers

SHRC Members Attending Virtually Renee Valdez

SHRC Members Absent

Staff Present Physically Delisa Turner, Executive Administrative Assistant, Office of Human Rights (OHR)
Mary Clair O'Hara, Associate Director for Facility Operations, OHR

Staff Attending Virtually Taneika Goldman, State Human Rights Director
Tony Davis, Human Rights Advocate, Facility, OHR

Brandon Charles, Facility Operations Manager, OHR
Jason Wilson, Facility Director, Virginia Center for Behavioral Rehabilitation, VCBR
Josie Mace, Director, Legislative Affairs, DBHDS

**Others
Attending in
Person**

Matt Woodlee, Clinical Services Director, Southwest Virginia Mental Health Institute, SWVMHI
Richard Gray, F.A.C.E.S. Community Services, LLC, Program Director
Logan Widner, Life Center of Galax, Director of Risk Management
Nick Dowdy, Life Center of Galax, Logistics & Communications Manager
Amanda Craig, Wall Residences, Operations Officer
Tiffany Hairston, A Greater Destiny, Owner/Program Director
Mimi Fleming, A Greater Destiny, Quality & Risk Manager
Lisa Dishner, Carilion Clinic, RN/Nursing Services,
Dolce Lloyd, enCircle, Developmental Services
Sarah Osborne, Blue Ridge Residential Services, Manager
Tonya Nash, Blue Ridge Residential Services, Regional Program Coordinator
Stephanie Bakely, Strengthening Our System, Executive Director

**Others
Attending
Virtually**

Lisa Latham, Healthcare Compliance Unit, Office of the State Inspector General, OSIG
Sue Ann Ziegler, F.A.C.E.S. Community Services, LLC, Area Director
Elizabeth Donnelly, Healthcare Compliance Auditor, OSIG
Bradley Fussell, The Hughes Center, Risk Manager
Matt Moorner, Training Coordinator, Southwest Virginia Mental Health Institute, SWVMHI

Call to Order

At 9:01, David Boehm, SHRC Chair, called the April 11, 2024, SHRC meeting to order and welcomed all to the meeting. A call for introductions were made.

**Approval of
Agenda**

At 9:04, the committee considered the agenda. Timothy Russell motioned for approval. Monica Lucas 2nd. The agenda was approved, unanimously.

**Review of Draft
Minutes**

At 9:05, the SHRC reviewed the draft minutes of the March 7, 2024, meeting. John Shepherd recommended that the names of participants of the Provider Roundtable be included in the specific section of the minutes that references the Roundtable. Monica Lucas motioned. Betty Crance 2nd. The draft minutes were approved as final with the aforementioned changes, unanimously.

Welcome and Overview:

At 9:10, Matt Woodlee, Clinical Services Director, Southwest Virginia Mental Health Institute, SWVMHI welcomed and thanked the committee for allowing SWVMHI to host the meeting. Matt Woodlee informed the committee about the growth of the facility and longevity of the employees. He mentioned the array of supports for patients on forensic and the connections with community service boards within the area. He provided information on SWVMHI census as well as the impact of law enforcement drop-offs, with talks of improvement. He also mentioned the start of new renovations happening within the facility, to include HVAC system, nursing, and steam line replacements.

Public Comment:

At 9:33, David Boehm announced the public comment. There was no public comment.

At 9:35, the SHRC reverted back to the Welcome and Overview discussion. Timothy Russell expressed appreciation for the DBHDS Alternative Transportation initiative and initiated discussion regarding the impact of the program on law enforcements drop-offs. The committee agreed to have a more in-depth conversation at a future meeting with a presentation/update from subject matter experts.

Tour Debrief:

At 9:48, the SHRC discussed how the tour of HopeTree Family Services' program in Abingdon went on April 10, 2024. Will Childers got a chance to assist with the tour guide and gave a great debrief about his time working at HopeTree Family Services. The committee showed great appreciation to Will Childers regarding his contributions to the company and to the tour hosts for providing detailed information surrounding daily functions of the program for all clients.

Variance Request:

At 10:00, David Boehm called for variance request.

Taneika Goldman explained how the variance request review process will commence.

At 10:09, Jason Wilson, Facility Director, Virginia Center for Behavioral Rehabilitation, VCBR presented requests for a variance to the Complaint Process which entails the following Regulations: 12VAC35-115-150 (General Provisions), 12VAC35-115-175 (Human Rights Compliant Process, 12VAC35-115-180 (Local Human Rights Committee Hearing and Review Procedure), 12VAC35-115-190 (Special Procedures for Emergency Hearings by the LHRC, 12VAC35-115-200 (Special Procedures for LHRC Reviews Involving Consent and Authorization) and 12VAC35-115-210 (State Human Rights Committee Appeals Procedures).

Will Childers motioned to approve all variances as requested by VCBR and put forward by the LHRC. David Crews 2nd. The committee approved the variances unanimously.

BREAK

At 10:22, David Boehm called for a brief break.

Facility Operations

At 10:37, the committee received updates on OHR Facility Operations.

Violation Letters At 10:37, Mary Clair O'Hara, presented the summary of violation letters issued to DBHDS-operated hospitals and centers for the month of February 2024.

VBCR Report At 10:39, Mary Clair O'Hara, presented the advocate's report on human rights complaints, seclusion and restraint for Virginia Center for Behavioral Rehabilitation for the months of January and February 2024.

S/R & Death At 10:48, Mary Clair O'Hara, presented seclusion, restraint, and death data for DBHDS-operated hospitals and centers for the month of January 2024.

LHRC Business: At 11:15, the SHRC considered LHRC business.

At 11:18, Will Childers inform the committee about his virtual attendance during the Facilities Investigation Training provided by Alonzo Riggins, OHR Training and Development Coordinator. He extended gratitude to the OHR facility operations team and Mr. Riggins.

LHRC Membership: At 11:28, Betty Crance made a motion to approve the Northern Virginia Hospital, Central Region, Southeast Alliance Regional and Health Planning Region 5 LHRC memberships as recommended. Monica Lucas 2nd. Motion passed, unanimously. The committee also acknowledged the resignation.

Region 2

Northern Virginia Hospital LHRC

Brandon Cassady

Steven Gray

Region 4

Central Region LHRC

Robyn Clark Scott

Ashley Lawson - *Resignation*

Region 5

Southeast Alliance Regional LHRC

Jody Diaz

Health Planning Region 5 LHRC

Michelle Logan

BREAK At 11:29, David Boehm called for a brief break.

Presentation: At 11:30, Josie Mace, Director, Legislative Affairs, DBHDS provided an overview of the General Assembly session. She discussed the status of the budget, highlighted agency and administration bills that passed, along with other relevant behavioral health bills awaiting the Governor's final action plan.

General Assembly Session

At 11:50, Taneika Goldman explained how the interview process for the SHRC candidate will commence.

Provider Roundtable: At 12:05, the SHRC held a Regional Community Provider Roundtable session with representatives of various providers in Region 3 (F.A.C.E.S. Community Services, Life Center of Galax, Wall Residences, A Greater Destiny, Carilion Clinic, encircle, Blue Ridge Residential Services, Strengthening Our System). David Boehm facilitated the segway for the providers in attendance to share about their service initiatives, specifically about the services they offer, one initiative they are most proud of and if applicable, a challenge they believe the SHRC should be aware of and/or can assist with. A call for introductions was made.

SHRC Interview: At 1:34, Taneika Goldman provided an overview of the OHR and the role of the State Human Rights Committee.

At 1:39, Upon a motion by Monica Lucas, and a second by Betty Crance, the SHRC convened in closed session pursuant to VA CODE § 2.2-3711 (A) (4) (8) and (16), for the protection of the privacy of individuals in personal matters not related to public business, discussion of their medical records, and for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

The SHRC returned to open session at 2:45. Upon reconvening in open session each member certified that, to the best of their knowledge, only matters lawfully exempted from open meeting requirements and only such matters related to the stated reason for going into closed session were heard, discussed, or considered.

At 2:47, Betty Crance motioned, that based on the interview, the committee will not move forward with the candidate; however, the candidate will be encouraged to serve on a Local Human Rights Committee. Monica Lucas 2nd. The motion passed unanimously.

At 2:50, Taneika Goldman updated the committee about Western State Hospital's (WSH) previously approved variance that allowed them to screen patient mail. Due to a lack of data to demonstrate the continued need for the variance, WSH did not receive approval from the DBHDS Commissioner to request the variance be continued. The variance will expire April 14, 2024. She also informed the committee on the potential for an appeal involving a provider in Region 2, which will impact the location of the next scheduled meeting.

Subcommittees: At 2:55, the SHRC considered reports from the subcommittees

Rights – Resources Subcommittees The Rights-Resources Subcommittee reported that there will be a Human Rights poster contest open to individuals and providers state-wide. Details need to be decided and this will be an agenda item at a future meeting.

Workplan Subcommittees The Workplan Subcommittee would like to have presentations from subject matter experts (including law enforcement representative) regarding Alternative Transportation, the CIT program and the DBHDS Office of Provider Network Supports-specific to individual and provider access to service availability across the state.

Policy Subcommittees The Policy Subcommittee had nothing to report.

Officer Subcommittee Timothy Russell will put forward a slate of officers for the committee to vote on during the May 2024 meeting.

Membership Subcommittee Will Childers referenced previous interest in membership from two potential applicants from VTCC and relayed that one person rescinded their application. He’s waiting on a response from the other applicant. The SHRC is still actively looking for new members. Taneika Goldman indicated that Managers are reviewing current LHRC Rosters for members that will be completing their final term in June 2024 and offering opportunities for SHRC membership.

Taneika relayed that Timothy Russell and Betty Crance will complete their first term as of June 2024 and are both eligible for reappointment. Following discussion by the Committee about the meaningful impact of both members, Taneika agreed to send Tim and Betty the re-appointment application for their consideration and completion. Pending Tim and Betty’s completion of the application, the committee agreed to put forward both for reappointment by the State Board at their May 2024 meeting.

Other

Adjournment At 3:06, the April 11, 2024, SHRC Meeting was adjourned.

Next Meeting
May 16, 2024
Prince William, VA



General Assembly 2024 – Legislative Update

Josie Mace

Director, Legislative Affairs

DBHDS



- DBHDS tracked 150 pieces of legislation
 - Includes approximately 50 lead bills
- Adjourned sine die on March 9
- Budget was agreed upon and passed, awaiting Governor action
- Governor has until April 8 to act on legislation passed within 7 days of sine die
 - Press releases and additional information on Governor's actions on legislation can be found here: <https://www.governor.virginia.gov/newsroom/news-releases/>

Agency and Administration Bills

- HB 601/SB 543 Health insurance; patient access to emergency services, mobile crisis response services.
- HB 823/SB 497 Temporary detention order; alternative transportation.
- HB 1242/SB 546 Emergency custody and temporary detention orders; evaluations, presence of others.
- HB 1336/SB 568 Crisis stabilization services; facilities licensed by DBHDS, nursing homes.

Other Bills of Interest

- HB888/SB176 Civil commitments & temporary detention orders; definition of mental illness neurocognitive disorders.
- HB1269/SB626 Barrier crimes; adult substance abuse and mental health services; exception.
- SB34 Certified evaluators; report.

- General Assembly will meet on April 17 for “veto session”
- Await final action from Governor on legislation and budget
- Legislative/budget workgroups, studies, and reports
- Legislator outreach
- Legislative proposal process
- 2025 General Assembly Session



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