

STATE HUMAN RIGHTS COMMITTEE

Will Childers, Chairperson
Hardy
John Shepherd, Vice-Chairperson
Charlottesville
Betty Crance
Fincastle
Renee F. Valdez
Alexandria



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COMMONWEALTH of VIRGINIA

*Department of Behavioral Health and Developmental
Services*

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NELSON SMITH, COMMISSIONER

State Human Rights Committee Meeting

Minutes

Thursday, August 15, 2024

DBHDS

Region 5

Virginia Beach Psychiatric Center

1100 First Colonial Road

Virginia Beach, VA 23454

<https://events.gcc.teams.microsoft.com/event/cdc9d039-d805-43da-9b8d-0be3f5b80887@620ae5a9-4ec1-4fa0-8641-5d9f386c7309>

Meeting ID: 214 693 694 470

Passcode: 9XBQk6

Convene

9:00 a.m.

SHRC Members Present Physically Will Childers, **Chair**; John Shepherd, **Vice Chair**, Renee Valdez, Betty Crance

SHRC Members Attending Virtually

SHRC Members Absent

Staff Present Physically Taneika Goldman, State Human Rights Director
Delisa Turner, Executive Administrative Assistant, Office of Human Rights
Mary Clair O'Hara, Associate Director for Facility Operations, OHR
Latoya Wilborne, Human Rights Advocate Manager, Region 5
Amaya Henderson, Human Rights Advocate, Region 4
Corie Reed, Human Rights Advocate, Region 5
Jennifer Anglin, Human Rights Advocate, Region 5
Miracle Reed-Thompson, Human Rights Advocate, Region 5

Staff Attending Virtually Jennifer Kovack, Associate Director for Community Operations, OHR
Diana Atcha, Human Rights Advocate Manager, Region 2
Michelle Lochart, Data Coordinator, OHR
Cassie Purtlebaugh, Human Rights Advocate Manager, Region 1
Lequetta Hayes, Human Rights Advocate, Region 1
Artea Ambrose, Human Rights Advocate, Region 1
Andrea Milhouse, Human Rights Advocate Manager, Region 4
Nadya Said, Human Rights Advocate, Region 2
Dev Nair, Assistant Commissioner, Division of Provider Management, DBHDS
Alonzo Riggins, Training & Development Coordinator, DBHDS, OHR
Brandon Charles, Facility Operations Manager, OHR
Tony Davis, Human Rights Advocate, Facility
Jason Wilson, Facility Director, Virginia Center for Behavioral Rehabilitation (VCBR), DBHDS

Others Attending in Person Brooke Hemphill, Director of Business Development, Virginia Beach Psychiatric Center
Andre Keels, Private Citizen
Cate Powell, Chief Ethics and Compliance Officer/Risk Manager and HIPAA Security Officer, Gateway Homes
Jodi Diaz, Director of Performance Improvement, Virginia Beach Psychiatric Center
Valerie Gray, CEO, Grays Family Services
VJ Petillo, Clinical Director, New Point Life Services
Ashley Kemnitz, Owner, New Point Life Services,
Latiesha Wiggins, Clinical Director, Rise Behavioral
Mary Davis, Executive Director, Brighter Day Housing
Kim Herborn, Associate Executive Director, Hope House
Dana Gillentine, Director of Risk Management, Kempsville Behavioral Health
Melanie Joyner, Social Worker, Holiday House of Portsmouth
Ronnie Ratliff, CAO, Holiday House of Portsmouth
Brandon Murrer, Assistant Director of Risk Management, Harbor Point
Lucrecha Calleance, Director of Performance Improvement, Harbor Point
Shamecka Dinkins, CEO, Heavenly Manor
April Delandro, CEO, Del Sol
Jaysen Delandro, COO, Del Sol
Shamba Wilson, Assistant, Del Sol

Others Attending Virtually Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC
Bradley Shedd, Information Tech, Virginia Beach Psychiatric Center
Lestine Barnes, Patient Advocate, Harbor Point
Christopher Olivo, Private Citizen

Valjean "Dick" Roberts, Healthcare Provider, Williamsburg Regional LHRC
Brandon Cassady, Individual, Northern VA Hospital LHRC
Norris Shermon, Professional, Health Planning Region 5 LHRC
Stephanie Rutledge, Chairperson, VA Highlands LHRC
Nancy Simmons, Professional, Roanoke Catawba LHRC
Dominique Black, Chairperson, Rappahannock-Rapidan LHRC
Shawn Henry, Consumer, Southeastern Regional LHRC
Deborah Buford, Family Member, Tri-City LHRC
Willie Nelson, Healthcare Provider, Rappahannock-Rapidan LHRC
Sarah Anderson, Consumer, Charlottesville Area LHRC
Robyn Scott Clark, Professional, Central Region LHRC
Amelia Bland Waller, Family Member, VA Highlands LHRC
Nathacha Liriano, Professional, Roanoke Catawba LHRC
Sebrina Edwards, Chairperson, Southeast Alliance LHRC
Edward Helton Jr., Chairperson, Central Region LHRC

Call to Order

At 9:02, Will Childers, SHRC Chair, called the August 15, 2024, SHRC meeting to order and welcomed all to the meeting. A call for introductions were made.

Approval of Agenda

At 9:05, the committee considered the agenda. Will Childers informed the committee of two additions to the agenda. Renee Valdez motioned for approval. Betty Crance 2nd. The draft agenda was approved as final with the aforementioned change, unanimously.

Review of Draft Minutes

At 9:07, the SHRC reviewed the draft minutes of the June 27, 2024, meeting. John Shepherd stated the correction for the word "agenda" in the SHRC approval of agenda section of the minutes. Renee Valdez motioned. Betty Crance 2nd for approval. The draft minutes were approved as final with the aforementioned change, unanimously.

Welcome and Overview:

At 9:09, Brooke Hemphill, Director of Business Development, Virginia Beach Psychiatric Center, welcomed the committee to the Virginia Beach Psychiatric Center. Brooke Hemphill informed the committee that the Virginia Beach Psychiatric Center is one of the largest private providers of behavioral health beds, totaling at 100, in the Hampton roads area. They offer 24/7 services to the community and partner with the community service boards to assist patients throughout their treatment process. The Virginia Beach Psychiatric Center offers assistance with detoxing substance abuse, medically or with a team of psychiatrist. They have 3 partial hospitalization programs operating from 9-3pm that stands in place as a step-down option for individuals that complete their 7-10-day inpatient program. She spoke about partnerships with local law enforcement agencies that contribute to support individuals safely and efficiently in crisis and noted how Virginia Beach and other localities hold court proceedings on site when patients are under a TDO.

Tour Debrief: At 9:18, the SHRC discussed how the tour of the Virginia Beach Psychiatric Center went on August 15, 2024. The SHRC showed great appreciation to the host for accommodating the SHRC at the facility. Betty Crance spoke on the fact that she admired how initially she did not know what she was walking into but soon saw how safe it was for patients and families that might be scared. Other committee members added to comments about how it was a very welcoming organization. The committee showed interest in seeing the court inside the facility and the relationships built within the facility. They were also able to witness an involuntary admission and were excited at how smooth the transition seemed to operate.

**Follow up re:
Appeal of
Northern
Virginia Hospital
LHRC Findings:** At 9:25, Diana Atcha gave the committee a follow up on the appeal findings involving All Saints Healthcare Inc. She did a follow up visit on August 7, 2024 to verify implementation of all corrective actions required following the issuance of two Corrective Action Plans (CAPs) this included verification that All Saint Healthcare Inc. updated their medication protocol and staff received training on May 10, 2024, staff attended Reporting in CHRIS training provided by DBHDS on July 11, 2024, and All Saint Healthcare Inc. updated their discharge process.. Diana indicated that All Saints Healthcare expressed how seriously they were taking this process.

**Public
Comment:** At 9:32, Will Childers announced the public comment period. There was no public comment received in person, online or in writing.

LHRC Business: At 9:30, The SHRC considered LHRC business.

**LHRC
Membership:** Will Childers stated he attended a LHRC meeting in Staunton along with attending the Reporting in CHRIS training provided by DBHDS. Taneika Goldman reminded committee members to reach out to her or the Regional Manager when they are interested in attending a meeting, virtually or in person.

John Shepherd made a motion to approve the reappointment for membership. Renee Valdez 2nd. Motion passed.

Region 2
Northern VA Hospital LHRC
Juanita James - Reappointment

**Appeal: Central
Region LHRC
Findings:** At 9:35, the SHRC facilitated the appeal of the fact-finding and recommendations from Central Region LHRC in the matter of AK v Gateway Homes. A call for introductions took place by Will Childers prior to proceeding. Will Childers explained how the appeal process will commence. Consistent with Mr. Keels' request, the appeal was heard in open session.

Mr. Keels, who initiated the appeal of the LHRC findings presented in person. Cate Powell, presented in person on behalf of Gateway Homes. Statements were heard from both parties and

the SHRC asked clarifying questions. Will Childers informed the parties that they would receive the findings of the SHRC in writing within 20 working days.

At 10:23, upon a motion by John Shepherd, and Betty Crance 2nd, the committee 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.

At 11:03, upon a motion by Betty Crance and 2nd by John Shepherd, the SHRC returned to open session. 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.

BREAK At 11:05, Will Childers called for a brief break.

**Presentation:
FOIA Training** At 11:09, Karen A. Taylor, provided an overview of the Freedom of Information Act (FOIA) process, specific to public meetings and records. A call for introductions took place by Will Childers prior to proceeding.

**Provider
Roundtable:** At 12:05, the SHRC held a Regional Community Provider Roundtable session with representatives of various providers in the Region 5 area; (New Point Life Services, Rise Behavioral, Brighter Day Housing, Hope House, Kempsville Behavioral Health, Holiday House of Portsmouth, Harbor Point, Heavenly Manor, Del Sol). Will Childers facilitated the segway for the providers in attendance to share about themselves and their organizations, specifically about the services they offer, one initiative they are most proud of and if applicable, a challenge they believe the SHRC may be aware of and/or can assist with.

BREAK At 12:47, Will Childers called for a brief break.

**GTL
Presentation:** Jason Wilson, provided an overview of the GTL system at VCBR, and as requested by the committee, gave a status update on the complaints from VCBR residents. Most complaints have been about the response time and the volume appears to be reducing (from 5 in May to 1 in June). Jason noted that there have been changes made to identify additional staff to respond to medical communications.

- Facility Operations:** At 1:21, the committee received updates on OHR Facility Operations.
- S/R & Death** At 1:22, Mary Clair O’Hara, presented seclusion, restraint, and death data for DBHDS-operated hospitals and centers for the month of June 2024.
- Violation Letters** At 1:32, Mary Clair O’Hara, presented the summary of violation letters issued to DBHDS-operated hospitals and centers for the months of June and July 2024.
- VBCR Report** At 1:35, Mary Clair O’Hara, presented the advocate’s report on human rights complaints and use of restraint for Virginia Center for Behavioral Rehabilitation for the months of May and June 2024.
- SHRC Interview:** At 1:39, Will Childers provided brief segway of how the interview will commence. A call for introductions were made. Upon a motion by John Shepherd, and a 2nd 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 2:17. 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 2:18, John Shepherd motioned, that based on the interview, the committee will move forward with recommending appointment to SHRC membership by the State Board. Renee Valdez 2nd. The motion passed unanimously.
- Subcommittees:** At 2:19 the SHRC considered reports from the subcommittees. Taneika Goldman gave an overview of the subcommittees and their standing needs and roles within the committee and asked the committee to consider whether any subcommittees should be put to rest. The committee decided that information about Rights & Resources as well as Workplan discussions will be introduced as regular agenda items.
- Rights – Resources Subcommittees** The Rights – Resources Subcommittee has nothing to report. This subcommittee will dissolve and be reassembled as necessary.

Workplan Subcommittees The Workplan Subcommittee has nothing to report. This subcommittee will dissolve and be reassembled as necessary.

Policy Subcommittees The Policy Subcommittee has nothing to report. This subcommittee will dissolve and be reassembled as necessary.

Officer Subcommittee The Officer Subcommittee has nothing to report.

Membership Subcommittee Will Childers gave an update on two previous applicants which lack communication to move forward. Taneika Goldman informed the committee about a potential applicant that has experience serving on a DBHDS Board but wasn't able to fully commit to all 9 meetings of the SHRC and graciously backed out

Taneika Goldman informed the SHRC about Will Childers input on receiving Commissioner Nelson's Weekly Message emails and News Clips on a monthly basis. She informed the committee of the next meeting in Loudoun with a potential to meet at the Community Service Board in Leesburg.

Other

Adjournment At 2:34, the August 15, 2024, SHRC Meeting was adjourned.

Next Meeting
September 27, 2024
Loudon