

Harrisonburg-Rockingham Local Human Rights Committee

MEETING MINUTES

February 8, 2016

Members Present: Sarah Albrecht, Gayl Brunk, William Quarles

Members Absent: Cindy Ring, Virginia Luong

Others Present: Cassie Purtlebaugh and Artea Ambrose (HR Advocates), John Humphreys (Fair Haven Residential Services), Kathy Nelson (HRCSB), Christy Collins (CC & Associates), Crystal Kwolek (C.J. Designs), Natalie Rinaca (RMH), Terri Gibbs (The Arc), Ashleigh Mongold.

CALL TO ORDER

The meeting was called to order at 2:02 pm.

Those in attendance made introductions.

MINUTES

A motion to approve the minutes from the October 19, 2015 meeting was made by Sarah Albrecht and seconded by Gayl Brunk. The motion carried with a unanimous approval by the Committee members who were in attendance for the October meeting.

A motion to approve the December 14, 2015 Executive Session Meeting was made by Sarah Albrecht, and seconded by William Quarles. Motioned carried with a unanimous vote by the Committee Members in attendance. It was noted, the Committee would like follow-up answers, as requested of the provider, regarding the Health Safety Plans presented during the Executive Session on December 14, 2015.

AFFILIATION REQUEST

Health Connect America: Due to a family event, Trepin Tate was not in attendance to present the affiliate request. This agenda item will be added to the next HRLHRC Meeting's Agenda .

ANNUAL PROGRAM REPORTS

RMH : Natalie Rinaca presented the Annual report for Calendar Year 2014. Ms. Rinaca reported the following Human Rights reports were filed during 2014: 4 formal complaints, seven medication errors and no serious injuries. She reported during the calendar year 2014, the program trained their Behavioral Health Registered Nurses to complete assessments.

CC & Associates: Christy Collins presented their 2015 Annual Report. Ms. Christy reported no Human Rights reports for calendar year 2015.

Pleasant View Inc.:(PVI) PVI representative not in attendance ; Annual report will be rescheduled to the Agenda for the April 2016 meeting.

Public Comments:

John Haven of Fair Haven Residential Services provided notification to the Committee of a new service, Sponsored Placement Service.

Krystal Kwolek of CJ Designs Inc. provided notification to the Committee of a change of location scheduled to take place in the near future.

ADVOCATE REPORT:

1. The DBHDS Office of Human Rights have proposed updated regulations. These regulations were approved by the governor. They were submitted to the Register in December, 2015, for a 60 day period which will end on February 14, 2016. Revisions will be brought to the State Board in April, 2016 for final adoption of the new regulations. We will keep you updated of the progress, but please feel free to review and provide public comment. Here is more information on the specific changes and how you can offer feedback:

On December 14, 2015, in the *Virginia Register of Regulations* (Volume 32, Issue 8), the State Board of Behavioral Health and Developmental Services **published for public comment the proposed changes to sections of 12VAC35-115. Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Behavioral Health and Developmental Services**, hereafter referred to as the “Human Rights Regulations” (amending 12VAC35-115-10, 12VAC35-115-30, 12VAC35-115-50, 12VAC35-115-60, 12VAC35-115-90, 12VAC35-115-100, 12VAC35-115-110, 12VAC35-115-130, 12VAC35-115-145, 12VAC35-115-150, 12VAC35-115-180, 12VAC35-115-190, 12VAC35-115-200, 12VAC35-115-210, 12VAC35-115-230; adding 12VAC35-115-105, 12VAC35-115-175, 12VAC35-115-260, 12VAC35-115-270; repealing 12VAC35-115-140, 12VAC35-115-170, 12VAC35-115-250).

Purpose: This is a reminder that the proposed regulations are now in the 60 day public comment phase.

- Public Comment Deadline: **Friday, February 12, 2016.**
- All information about the proposed regulations is available on the Virginia Town Hall web site: <http://townhall.virginia.gov/L/ViewStage.cfm?stageid=6810>.
- Comments may be submitted by the deadline in writing online at that link, under the heading ‘Comment Period.’ Comments may also be submitted by the deadline in writing in hard copy or via email to the agency contact listed below.

Background: The changes will improve the ability of the Human Rights Office to perform its mandated responsibilities and maximize resources, in a manner that promotes the vision of recovery, self-determination, empowerment and community integration for individual receiving services. The intent of these proposed changes is to streamline the administrative process; improve program efficiencies and eliminate redundancies. The standard regulatory action was started on April 17, 2014, and was approved in the proposed stage by the Governor on November 13, 2015. A public hearing was held for the sole purpose of receiving public comment on the proposed regulation at the Department of Behavioral Health and Developmental Services at 9 a.m., Wednesday, December 16, 2015. Minutes from the hearing are included in the information available at the link above.

Agency Contact: Deb Lochart, Director, Office of Human Rights, Department of Behavioral Health and Developmental Services, Jefferson Building, 1220 Bank Street, 7th Floor, Richmond, VA 23219; telephone (804) 786-0032; FAX (804) 371-2308; email deb.lochart@dbhds.virginia.gov.

For Your Information: A detailed chart of the standard regulatory process is available here: <http://townhall.virginia.gov/UM/chartstandardstate.pdf>. At this time, the regulatory action is in the second column, in the second box from the bottom of that column.

2. Mark Seymour, Senior Human Rights Advocate for Region 1, resigned from state service in mid-December. An advertisement for his position closed on January 8, 2016. This position covers Western State Hospital and the Commonwealth Center for Children and Adolescents. Candidate interviews have started and continue into 2/10.
3. A position is available for an ID/DD advocate with the Office of Human Rights. The advertisement for this position also is now closed. Candidates are being interviewed on 2/10.

4. Voting/Notification – Examples

I'm a new provider. I already completed and submitted my affiliation verification form, and have received my letter from Deb Lochart, State HR Director, directing me to contact the Advocate. I get placed on agenda for my assigned LHRC. I go to LHRC, present my services, and request affiliation. LHRC does not need to vote as the affiliation must be approved if all criteria are met. The only time that the LHRC would vote is if there was a question about the provider having submitted the necessary information or not having received the necessary response from OHR.

I'm an existing provider who is affiliated with the LHRC. I'm adding a couple of new services, and adding new locations to my existing service. I simply need to notify the LHRC of these new services and locations. No vote needed.

5. Reports – will eventually be omitted with new regulations – keep doing what you are doing until you hear from OHR! CHRIS will be the reporting entity.
6. Compliance visits – may resemble OL visits. Also partnering with OL regularly for investigations.
7. Nan Neese is retiring from State Service in February, 2016.
8. The SHRC is recruiting for 2 new members. If you are interested, we will need your application to submit to Kli Kenzie by February 12. Please notify an advocate if you are interested in serving.
9. Statewide changes in the Office of Human Rights (OHR)
 - On February 1st, Region 6 was combined with Region 4. This was done so that OHR regions will align with the other DBHDS offices. Both Beverly Garnes and Mike Curseen will provide the management to this expanded region. Due to this regional realignment the following changes have been made:
 - Tammy Long is now part of Regions 1 and 2 and will assume the responsibility for CVTC as well as the surrounding counties.
 - Mandy Crowder will move under Region 3 and she will assist temporarily with advocacy at VCBR.
 - Taneika Goldman has moved to Central Office to assist with the implementation of the new regulations. She will also continue with a small caseload in the Richmond area.

Expect to see the announcements for the VCBR position as well as the Regional Advocate for Region 3 very soon.

OTHER BUSINESS /AFFILIATE COMMENTS:

A discussion ensued on the CHRIS reporting system and the reporting expectations of the assigned Regional Advocates. The Regional Advocates will offer a training on the CHRIS reporting system for the affiliates. The training is scheduled to precede the next HR LHRC meeting and will begin at noon for those affiliates who choose to participate.

NEXT MEETING

The next meeting is scheduled for **Monday, April 18 at 2:00 pm**. The meeting will be held at the Harrisonburg Rockingham CSB's Arbor House Second Floor Conference room, located at 1241 North Main St., Harrisonburg, VA 22802

EXECUTIVE SESSION

Gayl Brunk moved the committee go into Executive session under section 2.23711 (A), Subparagraph of the Virginia Code. The motion was seconded and carried unanimously.

The Committee met in Executive Session for the purpose of a Confidential Matter not related to public business..

Upon returning to open session, Gayl Brunk moved that the Committee certify that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matter as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board, and (3) the proposed treatment plans were approved by the committee. The above certifications were confirmed by a roll call of all members present.

There being no other business, the meeting was adjourned at 3:15 pm.

Respectfully submitted,

Virginia Luong
HRLHRC Secretary

Kathy Nelson
HRCSB Liaison/Recording Secretary