

Virginia Beach Area
Local Human Rights Committee
The James Barry Robinson Center
443 Kempsville Road
Norfolk, VA 23502
01/19/2018 at 9:00 AM

MEMBERS PRESENT-

Joseph Yule, Chair
Paula Harr, Vice Chair
Andrea Lawson

MEMBERS ABSENT-

Felicia F. Sawyer
Carolyn Scott

OTHERS PRESENT -

Reginald Daye- Regional Advocate, DBHDS- Region 5
Courtney Myles- LHRC Support Liaison, DBHDS- Region 5
Stewart Prost- LHRC Human Rights Advocate, DBHDS- Region 5
Kerry Kruk- Virginia Beach DHS- LHRC Liaison
Julie Delk- James Barry Robinson Center- LHRC Liaison

CALL TO ORDER-

Mr. Joseph Yule called meeting to order at 9:04 AM. Those in attendance made introductions to include their name and title.

APPROVAL OF AGENDA-

The January 19, 2018 agenda was motioned to be accepted by Ms. Harr, seconded by Ms. Lawson and unanimously approved by the committee members

APPROVAL OF MINUTES-

The approval of the October 20, 2017 minutes was motioned to be accepted by Ms. Lawson, seconded by Ms. Harr and unanimously approved by the committee members.

PUBLIC COMMENTS-

None

CHAIR-PERSON ANNOUNCEMENTS-

Mr. Yule's 2nd term is up in June. He will be interviewing to serve on another LHRC.

ADVOCATE REPORT-

- Mr. Stewart Prost requested that the Behavioral Treatment Plans training go after closed session.
- Mr. Prost announced:
 - Each meeting will consist of LHRC training module from the Training Manual.
 - The committee is looking to add more members to fill vacancies and to fill in as alternate members.
 - Advocates are conducting look behinds to gather trends in reporting and to monitor the quality of investigations.
- Mr. Daye:
 - The variances were approved for 3 years.
 - Michelle Lochart will be observing the future LHRC meetings either in person or via speaker for open session.
 - New providers with waiver services are being visited by the Office of Human Rights.
 - During the visit a checklist is completed to ensure the program is in compliance with the regulations and can bill for services
 - The Office of Human Rights must sign off on the checklist
 - New LHRC training manuals are posted on the DBHDS website
 - The manuals are not all inclusive.

NEW BUSINESS:

Variances Update

- Virginia Beach DHS-
Ms. Kerry Kruk presented an overview of its State Human Rights Committee (SHRC) approved variance to the LHRC members. The quarterly update is a requirement imposed by the SHRC when the variance was approved.

- Approval of variance granted was by the SHRC in October 2017 for 3 years.
- The variance addresses telephone use and visitation.

Page-3

- Short term restriction (typically 10 days)
 - 6 instances of contraband that were provided to staff or discovered during intake
 - 0 instances of contraband obtained from an outside contact on the premises or carried in by an outside visitor.
 - 0 complaints about the variance.
 - Variance is for the Crisis Stabilization Program (The Pathways Center)
- James Barry Robinson

Ms. Julie Delk presented an overview of its State Human Rights Committee (SHRC) approved variance to the LHRC members. The quarterly update is a requirement imposed by the SHRC when the variance was approved.

 - Approval of variance was granted by the SHRC in October 2017 for 3 years.
 - Telephone and visitation restrictions
 - Program provides for children starting at age 6.
 - At the time of admission, an approved list of contacts is created with the input from the client, clinician and the AR or legal guardian.
 - 0 Complaints of the variance.

OLD BUSINESS

None

CLOSED SESSION

Motion was made by Ms. Harr, seconded by Ms. Lawson and unanimously approved by the committee members at 9:26 AM that the Virginia Beach Area- LHRC will go into closed session pursuant to VA Code 2.2-3711(A), for the purposes of protecting the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing from Virginia Beach DHS regarding a Restrictive Treatment Plan.

RETURN TO OPEN SESSION

The committee reconvened in open session at 9:52 AM by unanimous vote on a motion by Ms. Harr and seconded by Ms. Lawson. Each member certified that, to the best of each member's knowledge, only private business matters, lawfully exempted from statutory open session requirements and identified in the Page-4

motion by which the closed session was convened, were considered in the closed session.

Recommendation: **Motion was made by Ms. Harr, seconded by Ms. Lawson and unanimously approved by the committee members** for the continued implementation of the RTP for MD, with a quarterly update to the committee at the next meeting, to include also the following recommendations.

- 1. Distance the individual from the stimulus of consumers during transition from morning to afternoon staff and consumers.**
- 2. Request that staff create a running report of occurrences when the individual pokes at his eye.**
- 3. Request that staff that is present with the individual during the morning, stays with him during the transition and the remainder of the day.**
- 4. Obtain most recent records from Ophthalmologists.**

BEHAVIORAL TREATMENT PLAN

Mr. Prost conducted the Behavioral Treatment Plan training for the members of the Virginia Beach Area-LHRC.

NEXT MEETING- April 20, 2018, 9:00 AM at the James Barry Robinson Institute- 443 Kempsville Rd, Norfolk, VA 23502

MEETING ADJOURNED-

Motion made to ADJOURN the meeting by Ms. Harr, seconded by Ms. Lawson at 10:18 AM with the unanimous approval of the committee members.

*Ms. Harr will not be present at the April 20, 2018 meeting.