

METROPOLITAN LOCAL HUMAN RIGHTS COMMITTEE  
MINUTES – APPROVED  
September 26, 2024  
9:30 a.m.

**MEMBERS PRESENT:**

Pamela Jones, Secretary  
Kiva Gatewood, Member  
Mark Smallacombe, Member  
Michelle Whittingham, Member

**MEMBERS ABSENT:**

Sharae Henderson, Chair

**OTHERS PRESENT**

Amaya Henderson, Human Rights Advocate  
Bridgette Bland, Human Rights Advocate

**CALL TO ORDER**

Pamela Jones, called the meeting to order at 9:40 am.  
Introductions were made by all present

**APPROVAL OF AGENDA**

Kiva Gatewood made a motion to approve the agenda. The motion was seconded by Mark Smallacombe and approved by all.

**APPROVAL OF MINUTES**

Minutes from the August 12, 2024, meeting were reviewed. Kiva Gatewood made a motion to approve the minutes with a correction to the spelling of Bridgette Bland's name. The motion was seconded by Mark Smallacombe and approved by all.

**PUBLIC COMMENTS**

N/A

**CHAIR ANNOUNCEMENTS**

N/A

**ADVOCATE REPORT AND TRAINING**

Quarterly Complaint Statistics are reported from the previous quarter.  
For the quarter ending 6/30/2024 in Region 4:

- **29** Complaints involving allegations of ANE (CSB)
- **407** Complaints involving allegations of ANE (Providers)
- **19** Complaints not involving ANE (CSB)
- **57** Complaints not involving ANE (Providers)

**512 Total Complaints Received**

Of Q2's 512 total complaints in region 4, 133 allegations involving ANE were substantiated, 12 violations were found regarding complaint not involving ANE. (457 complaints received in Q1).

#### ☐ Summary of current Variances for R4

There are currently no variances for under review in Region 4.

#### LHRC Recruitment

Please contact Regional Human Rights Advocate, Andrea Milhouse via email at [andrea.milhouse@dbhds.virginia.gov](mailto:andrea.milhouse@dbhds.virginia.gov) if you know of anyone interested in becoming a member of Region 4's LHRCs or the SHRC.

#### Updates:

- Senior Human Rights Advocate, Cheryl Young will officially retire December 1, 2024.
- As of August 15, 2024, Heather Norton has accepted the position of Deputy Commissioner for Community Services. Prior to accepting this role, Heather had been serving both in the Acting Deputy Commissioner for Community Services role and as the Assistant Commissioner for Developmental Services.
- There is an open [public comment forum](#) for 30 days on this DRAFT Noncontroversial Streamlining, Clarifying, and Regulatory Reductions to Chapter 115. In accordance with Governor Youngkin's [Executive Directive 1](#) to remove "regulations not mandated by federal or state statute, in consultation with the Office of the Attorney General, and in a manner consistent with the laws of the Commonwealth," the DBHDS Office of Human Rights reviewed the human rights regulations to identify noncontroversial amendments and developed a draft for consideration as fast track actions. Goals of the DRAFT revision to the Human Rights Regulations are to increase individuals' access to due process and rights protection, to make the regulations easier to understand, and to improve administrative and program efficiencies to facilitate both provider compliance and increased availability of Human Rights advocates for direct involvement with individuals receiving services. Here is the link for the PDF of Chapter 115, Periodic Review Response DRAFT - [DRAFT Noncontroversial Regulatory Reductions to Chapter 115](#)
- Call or text 988 or find help online at [988va.org](https://988va.org) for themselves or a friend or family member who may need crisis support.
- Next SHRC meeting is October 31, 2024: In Lynchburg, Virginia

**LHRC Training Offerings:** Opportunities for training should occur during the Advocate Comment period of each LHRC meeting. If you have questions related to LHRC training, please contact your LHRC Advisor, Amaya Henderson:

- New Member Orientation/Refresher: LHRC Composition and Responsibilities (includes Robert's Rules of Order) – Conducted via Teams w/OHR Training and Development Coordinator
- Complaints and Appeal Hearing Process (Mandatory - **at least annually**)
- Overview of Human Rights Regulation (Mandatory - **at least annually**)
- FOIA (Mandatory - **at least annually**)
- LHRC Review Forms (Mandatory - **at least annually**)
- Behavioral Support Plan Review
- Dignity
- Research
- Authorized Representatives/Next Friend
- Variances
- Restrictions on Freedoms of Everyday Life

### **Upcoming 2024 SHRC Meetings**

December 12, 2024: Central Office – Richmond, Virginia

The SHRC is required to meet at least 8 times a year. Unless special circumstances apply, administrative sessions normally convene at 8:30 AM. Regular sessions normally convene at 9:00 AM and run until all agenda items are addressed. Portions of meetings are held in closed session. Appeals are normally scheduled for late morning.

Bridgette Bland also reviewed the Freedom of Information Act (FOIA) Public Meeting Requirements.

### **OLD BUSINESS**

The committee voted and approved Mark Smallacombe as the new vice-chair.

Shanta Byrd with Heart Havens gave an update on a previously approved rights restriction.

### **NEW BUSINESS**

The following providers presented their requests for restrictions:

- One-Time Quality Care - Restrictions to Dignity/Freedoms of Everyday Life - A motion to approve the request was made by Mark Smallacombe, seconded by Kiva Gatewood, and approved by all.
- Hope Tree - Restrictions to Dignity/Freedoms of Everyday Life -A motion to approve the request with the caveat of being at the 10/24/24 meeting was made by Mark Smallacombe, seconded by Kiva Gatewood, and approved by all.
- Crossroads Community Service Board - Restrictions to Dignity/Freedoms of Everyday Life - A motion to approve the request was made by Mark Smallacombe, seconded by Kiva Gatewood, and approved by all.

The committee voted to extend the 20-working day deadline and conduct a hearing for DeBrew vs. Foundation for Care on October 24, 2024. A motion to approve this extension and hearing date was made by Mark Smallacombe, 2<sup>nd</sup> by Kiva Gatewood, and approved by all.

### **CLOSED (EXECUTIVE) SESSION**

Kiva Gatewood made a motion to go into closed session to review the requests. The motion was seconded by Mark Smallacombe and approved by all.

### **RETURN TO OPEN SESSION**

Kiva Gatewood made a motion to leave closed session. The motion was seconded by Mark Smallacombe and approved by all.

The recommendations and/or approvals were submitted to Amaya Henderson for submission to the providers. This includes a request for Hope Tree Services to return to the next regularly scheduled meeting to update the committee on the restriction granted.

**NEXT MEETING**

October 24, 2024

December 19, 2024

**MEETING ADJOURNED**

A motion to adjourn the meeting was made by Kiva Gatewood at 10:38 am. This motion was seconded by Mark Smallacombe and approved by all.

Please note: No confidential information shall be included in the minutes, and all steps should be taken to maintain individuals' privacy.

This template has been updated to the new regulations effective 11/1/18.