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| STATE HUMAN RIGHTS COMMITTEE | |  |  | |
| John Barrett, Chairperson  Richmond / Deltaville  Ann Bevan, Vice-Chairperson  Mechanicsville  David Boehm  Marion  Will Childers  Hardy  Pete Daniel  Charlotte Court House  Julie Dwyer-Allen  Leesburg  Latesha Graham  Portsmouth  Monica Lucas  Richmond  Sandy Robbins  Valentines | COMMONWEALTH of VIRGINIA  *Department of Behavioral Health and Developmental Services*  *Post Office Box 1797* Richmond, Virginia 23218-1797 S. HUGHES MELTON, MD, MBA, FAAFP, FABAM, COMMISSIONER | | | Deb Lochart  State Human Rights Director  deb.lochart@dbhds.virginia.gov  Office of Human Rights  1220 Bank Street  Richmond, VA 23219  P.O. Box 1797  Richmond, VA 23218  www.dbhds.virginia.gov |

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|  | | State Human Rights Committee Meeting  ***MINUTES***  Thursday, March 7, 2019  Commonwealth Center for Children and Adolescents  1355 Richmond Road  Training Room  Staunton, Virginia  24402 |  | |
|  | | **Administrative Session**  8:30 a.m. |  | |
| **Members Present** | John Barrett, **Chairperson;** Ann Bevan, **Vice-Chairperson;** Julie Dwyer-Allen; David Boehm; Will Childers; Pete Daniel; Tesha Graham; Monica Lucas; Sandy Robbins | | |  |
| **Staff Present** | Deb Lochart, State Human Rights Director  Taneika Goldman, Deputy State Human Rights Director  Karen Taylor, Senior Assistant Attorney General  Maynard Ritchie, Human Rights Advocate  Kli Kinzie, Executive Secretary | | |  |
| **Others Present** | George F. Daniel, Charlotte Court House | | |  |
| **Call to Order** | At 8:35, John Barrett, Chairperson, called the administrative session of the March 7, 2019 State Human Rights Committee meeting to order. | | |  |
| **Approval of Agenda** | At 8:35, the SHRC considered the agenda.  *Upon a motion by David Boehm and seconded by Pete Daniel the agenda was approved unanimously.* | | |  |
| **Correspondence and Information** | At 8:36, Deb Lochart, State Human Rights Director, discussed correspondence and information provided in the meeting packet. She also reported that the human rights office will host an all advocates meeting on March 12 and 13. Teri Morgan, MEA, Healthcare Management for the Department of Medical Assistance Services, is scheduled as a guest speaker to talk with the advocates about Waiver. Julie Dwyer-Allen asked if Teri Morgan could come to an SHRC meeting to speak about Waiver.  Deb Lochart notified the committee that VCBR will present a variance at the April SHRC meeting. | | |  |
| *BREAK* | At 8:51, Chairperson Barrett called for a brief break. | | |  |
|  | | **Regular Session**  8:55 a.m. |  | |
| **Members Present** | John Barrett, **Chairperson;** Ann Bevan, **Vice-Chairperson;** Julie Dwyer-Allen; David Boehm; Will Childers; Pete Daniel; Tesha Graham; Monica Lucas; Sandy Robbins | | |  |
| **Staff Present** | Deb Lochart, State Human Rights Director  Taneika Goldman, Deputy State Human Rights Director  Karen Taylor, Senior Assistant Attorney General  Maynard Ritchie, Human Rights Advocate, Western State Hospital and Commonwealth Center for Children and Adolescents  Henry Eggleston, Human Resources Director, Commonwealth Center for Children and Adolescents  Shantae Fisher, Chief Nurse Executive, Commonwealth Center for Children and Adolescents  Kli Kinzie, Executive Secretary | | |  |
| **Present via Telecom** | Rebecca Herbig, Disability Rights Advocate, disAbility Law Center of Virginia | | |  |
| **Others Present** | Sharon Price-Stroble, DBHDS State Board Member  George F. Daniel, Charlotte Court House | | |  |
| **Present for Public Comment** | Tina Stelling, Chairperson, Western State Hospital LHRC; and Member of NAMI Central Shenandoah Valley  Renee Hummell, Secretary, Commonwealth Center for Children and Adolescents LHRC; and Member of NAMI Central Shenandoah Valley  Heidi Campbell, Former Chairperson of Western State Hospital LHRC; and Member of NAMI Central Shenandoah Valley | | |  |
| **Call to Order** | At 8:55, John Barrett, Chairperson, called the March 7, 2019 State Human Rights Committee (SHRC) meeting to order. | | |  |
| **Draft Minutes Review** | At 8:56, the committee reviewed the draft minutes of the January 31, 2019 SHRC meeting.  *Upon a motion by Will Childers and seconded by Monica Lucas the minutes of the January 31, 2019 SHRC meeting were approved with two abstentions.* | | |  |
| **Welcome and Presentation:** CCCA | At 8:56, Henry Eggleston, Human Resources Director, Commonwealth Center for Children and Adolescents (CCCA), introduced himself and welcomed the committee to CCCA. Mr. Eggleston introduced Shantae Fisher, Chief Nurse Executive for CCCA.  CCCA is the only state-run facility for children in the commonwealth. Most children served are under 12 years old. Most who come to CCCA are admitted as a last resort. For many, other placements have been denied due to the severity of their needs and because of aggressive behaviors.    Recruitment of staff is difficult because of the tough population. The facility provides a school setting and staff strive to maintain the component of an environment for children - not just patients. Staff are strongly encouraged to build relationships among the children while keeping them engaged in a predictable and safe environment. | | |  |
|  | At 9:15, John Barrett called for a brief break. | | |  |
| **Cal to Order** | At 9:19, John Barrett re-convened the meeting. Chairman Barrett welcomed Sharon Price-Stroble, DBHDS State Board Member.  Sharon Price-Stroble thanked the committee for the welcome. She thanked Deb Lochart, State Human Rights Director, for her keeping the Board informed. Ms. Price-Stroble regularly attends meetings of the Executive Directors as well as other events as a representative of the Board.  A call for introductions took place prior to proceeding. | | |  |
| **Public Comment** | At 9:24, Chairman John Barrett announced the public comment period.  Tina Stelling, Chairperson of Western State Hospital (WSH) LHRC, and member of NAMI Central Shenandoah Valley (CSV); Renee Hummell, Secretary of CCCA LHRC, and member of NAMI CSV; and Heidi Campbell, former Chairperson of WSH LHRC, and current member of NAMI CSV; were present to make public comments.  Tina Stelling addressed the SHRC. As a former member of the Shenandoah Area LHRC, she came before the SHRC to voice her concerns on behalf of consumers and as a person active in advocating for individuals receiving services. Ms. Stelling presented her perspective on the consolidation of three local human rights communities covering a very large area of the state. She and other LHRC members are concerned about the coverage of rights protections.  Ms. Stelling said there has been some confusion since the promulgation of the current human rights regulations. Some of this is due to the turnover of human rights staff at the department. Local human rights committees are still learning a new way of doing business. Ms. Stelling encouraged SHRC members to attend LHRC meetings to be a supportive presence.  Rene Hummell, CCCA LHRC, reported that she has been involved with LHRCs since the 1990s. She is concerned about rights protections, especially for the youth of CCCA, who are in and out of the facility so quickly. She spoke highly of a former patient advocate for CCCA.  Heidi Campbell, former Chairperson of the WSH LHRC, presented her views. She had been involved with the LHRC through the shift from the old regulations to the current regulations. She voiced her concerns about the changes in the system. | | |  |
| **Facility Overview:** Western State Hospital | At 9:33, Maynard Ritchie, Human Rights Advocate, CCCA and WSH, presented the Facility Overview Report for WSH covering the time period of July - September 2018. Mr. Ritchie reported on incidents of seclusion and restraint, both physical and mechanical, and on abuse and neglect allegations. There were 3 restrictive treatment plans reviewed by the LHRC.  As the human rights advocate for CCCA, Mr. Ritchie stops by the facility a few times a week to walk the halls and check on the children. He establishes communication with each of them and just talks with them in a friendly way that fosters trust. While doing so he has seen some very good things, such as teenagers making brownies in the cooking area and staff (PNA’s) reading bed-time stories to the little ones.  Mr. Ritchie provides technical support to CCCA LHRC and WSH LHRC. He agrees with Tina Stelling that there is a learning curve with the changes in the regulations, but with training and assistance from Taneika Goldman, Deputy Human Rights Director, and Cassie Purtlebaugh, Regional Human Rights Manger, he has learned a great deal and the LHRCs are well supported. | | |  |
| **Other** | At 9:43, John Barrett reported that he met with Deb Lochart and Taneika Goldman to discussed VCBR RAC meetings and other issues regarding VCBR. Taneika Goldman said the SHRC will receive quarterly advocate reports from VCBR Advocate Cheryl Young to keep the committee informed of systemic concerns, policies and initiatives.  Deb Lochart will talk with the Attorney General’s Office about having Braden Curtis come to an SHRC meeting to give his presentation on the DOJ Settlement Agreement. | | |  |
| **Subcommittee Reports** | At 9:48, John Barrett asked for subcommittee updates.  Membership Subcommittee: Will Childers, Chairperson; Julie Allen.  SHRC applicant Cora Swett has been informed of the recommendation for her appointment to the SHRC. Ms. Swett’s recommendation will go to the State Board for consideration in April along with recommendations for reappointment of Sandy Robbins and Julie Dwyer-Allen.  Bylaws Subcommittee: Monica Lucas, Chairperson; Tesha Graham, Taneika Goldman, Staff.  At 9:49, Monica Lucas proposed updates to the SHRC bylaws. The subcommittee will have a draft document ready for review at the April meeting. The subcommittee will review the LHRC model bylaws and report back to the SHRC.  Policy Subcommittee: Sandy Robbins, Chairperson; David Boehm, Taneika Goldman, Staff.  At 9:52, Sandy Robbins proposed updates to Departmental Instruction (DI) 209, Ensuring Access to Language and Communication Supports. The subcommittee recommended that the DI be reviewed by appropriate department staff to make language and references current. Sandy Robbins reported that David Boehm suggested that facilities have Facility Instructions (FI) in place that are specific and relevant to each facility. The subcommittee will work with Karen Taylor, Senior Assistant Attorney General, on developing a FOIA policy for the SHRC and the LHRCs.  Officers Subcommittee: Pete Daniel, Chairperson; Sandy Robbins.  At 9:57, John Barrett asked Pete Daniel to make recommendations for Officers at the April or May SHRC meeting. | | |  |
| **LHRC Business** | At 9:58, the SHRC considered LHRC business. | | |  |
| LHRC Liaison Reporting | SHRC members received clarification about attending LHRC meetings in different catchment areas, and they were reminded to contact LHRCs about their plans to attend meetings. | | |  |
| LHRC Membership | At 10:02, the SHRC considered LHRC membership.  *Upon a motion by Ann Bevan and seconded by Pete Daniel the SHRC convened in closed session pursuant to Virginia Code §2.2-3711(A)(1) for the purpose of discussion and consideration of matters lawfully exempt from the Freedom of Information Act, namely to consider human rights committees and membership.*  Taneika Goldman presented LHRC resignations and recommendations for appointment.  Upon reconvening in open session all members of the SHRC certified that to the best of each member’s knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the closed session, were discussed in the closed session.  *Upon a motion by Ann Bevan and seconded by David Boehm the SHRC unanimously moved on the following actions:*   * *The SHRC accepts the resignation of Ms. Rita Shelton from Charlottesville Area LHRC and thanks her for her service;* * *The SHRC unanimously appoints Ms. Precious Etheridge to Southeast Alliance LHRC.* | | |  |
|  | The office appreciates being notified of resignations. Ann Bevan asked to have rosters included when resignations are submitted. | | |  |
| **Initiatives** | At 10:32, pursuant to concerns that were brought forward today, Taneika Goldman proposed the development of an advisory committee and a list serve to facilitate a more fluid involvement of the SHRC on the LHRC level. There was also discussion and planning related to SHRC members visiting LHRC meetings during the next quarter.  *Upon a motion by Monica Lucas and seconded by Will Childers the SHRC voted unanimously to support the appointment of an advocacy committee and the development of a list serve to aid in facilitating a more fluid involvement of SHRC members on the LHRC level.* | | |  |
| **Adjournment** | *At 10:40, the March 7, 2019 SHRC meeting adjourned.* | | |  |

Respectfully Submitted,

John Barrett, Chairperson Kli Kinzie,

State Human Rights Committee Executive Secretary