

**Approved**

LOCAL HUMAN RIGHTS COMMITTEE MINUTES  
EASTERN STATE HOSPITAL  
4601 Ironbound Road  
Williamsburg, VA 23187-8791

**September 16, 2010**

MEMBERS PRESENT: Jajala Schweiger, Chair; Steven Bennett, Co-Chair; Charles Loundemon; Alice Callahan; Ti'juana Gholson; John McMahon; Jason Intel; Joyce Smith and Robin Bristow.

MEMBERS ABSENT:

STAFF PRESENT: Stewart Prost, Human Rights Advocate; Carrie Flowers, Human Rights Advocate; Reginald Daye, Regional Advocate; Dennis Murray, Administrative Assistant, Director's Office, Darlene Evans, Acting Resident Relations Liaison and Lisa Webster, LHRC Facility Liaison-Support

GUEST PRESENT: Mark Steven, VOPA Representative, Seth Doherty, VOPA Intern, Paul J. Buckley, VOPA Managing Attorney and Julian Walker, Virginian Pilot

**1. Call to Order**

The Local Human Rights Committee meeting was called to order at 3:30 p.m. with Jajala Schweiger, Chair presiding, for the purpose of hearing business as presented on the agenda and such other transactions or matters that may be presented to the Committee.

**2. Agenda**

The September 16, 2010 agenda was reviewed.

Action: Motion was made by Mr. Loundemon and properly seconded by Ms. Callahan to remove #5 and place #6 as the Advocates Report. The LHRC approved the September 16, 2010 Agenda with the noted changes above. The motion passed unanimously.

**3. Minutes**

The July 15, 2010 Minutes of the LHRC meeting were reviewed.

Action: Motion was made by Mr. Loundemon and properly seconded by Ms. Callahan that the LHRC approve the July 15, 2010 Minutes as read. All were in favor. The motion passed unanimously.

**4. Hospital Directors' Reports**

Dennis Murray on behalf of Dr. Maxfield presented the July and August 2010 Disposition of the Abuse/Neglect Investigations Reports and the Facility Monthly Reports. Mr. Murray also presented the Formal and Informal Complaints Report for July and August 2010. (See the July and August 2010, LHRC packets).

*The Hospital Director's Report for July and August was accepted by committee members present.*

The concern regarding the timeliness of members receiving minutes and the concerns about peer to peer aggression was addressed and accepted by the members present.

**5. Peer/Peer – Follow-up -**

Mr. Roberts reported Peer/Peer process is going well. Ms. Webster will forward a copy of Policy 271-02 INCIDENT REPORT/BASELINE ANALYSIS AND REVIEW for review by the committee.

Action: It was requested that Policy 271-02 be placed on the agenda for the **September 15, 2010 LHRC Meeting. Deferred**

Action: Will report at the October 21, 2010 LHRC Report **OPEN**

**6. A motion was made by Mr. Intel and properly seconded by Mr. McMahon that the committee go into Executive Session to Review Specific Peer-Peer and VOPA Reports. All were in favor.**

The motion was made by Mr. Gholson and properly seconded by Ms. Bristow, and passed for the LHRC to go into executive session pursuant to Virginia Code 2.2-3711(A) 4 for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing of authorized representatives, hearing of behavior modifications and/or conducting a hearing pursuant to the regulations. **Refer to Executive Session Minutes.**

Motion was made by Ms. Gholson and properly seconded by Mr. Loundemon and passed that we go into open session. The LHRC unanimously certified that, to the best of each member's knowledge, only private business matters lawfully exempted from statutory open meeting requirements and only private business matters identified in the motion to convene the executive session were discussed in the executive session.

Steve Bennett            So certify

Jajala Schweiger        So certify

Charles Loundemon      So certify

John McMahon            So certify

Jason Intel                So certify

Alice Callahan            So certify

Ti'Juana Gholson         So certify

**7. Hearing Request by Mark Stevens on behalf of RH**

The LHRC Chair made a recommendation to hold a hearing for RH on October 21, 2010. The hearing will start at 9:30 a.m. on that date in Building 1 – Room 102. The scheduled LHRC meeting will start immediately following the hearing. Lunch will be provided.

Action:                    A motion was made by Mr. Loundemon and properly seconded by Mr. Intel that a hearing for RH will be held on October 21,

2010 at 9:30 a.m. in Building 1 Conference Room 102. All were in favor.

**8. Advocates Report**

Stewart Prost reported that the OHR has a new Advocate, Patricia Burnett (*Bradby*). She is currently in orientation and will be attending the October 21, 2010.

He also reported that the ESH LHRC has a full committee due to the most recent appointment of Ms. Robin Bristow.

**9. Open Forum**

Ms. Schweiger asked Mr. Murray if he could tell the committee more about the recertification. Mr. Murray expressed that he was not in a position to talk about the recertification except for what was made public.

Action: Mr. Murray stated that he would have someone come to next months meeting that was in the position to answer questions. Mr. Daye expressed that the committee could make a request in writing to Dr. Maxfield in order to have something official to respond to.

**10. Announcement(s):**

**11. Adjournment**

Having no further business, a motion was made by Ms. Schweiger and properly seconded by Mr. McMahon that the meeting be adjourned. The motion passed unanimously. The meeting adjourned at 4:17 p.m. **The next scheduled meeting will be held Thursday, October 21, 2010 in Building #1- Room 102 immediately after the hearing.**

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Jajala Schweiger, Chair

09/22/2010

/LW

cc: LHRC Members  
Hospital Director  
Human Rights Advocate  
Resident Relations Liaison/Resident Safety Coordinator

**Local Human Rights Committee  
Executive Session  
September 16, 2010**

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**Review of Specific Peer-Peer and VOPA Reports:**

1. **July Peer-Peer - 24B - How was head injury assessed?**  
Action: *Ms. Evans explained the nursing protocol for head injury assessments.*
2. **July Peer-Peer26B – How was resident moved, physically or emotionally?**  
Action: *Mr. Murray will report back to the Committee at the October 21, 2010 meeting.*
3. **Pharmacological Restraint/Medical Intervention Report data not entered on graph for June July and August.**  
Action: *Please see addendum with updated data.*
4. **Why was there an increase in Pharmacological Restraint/Medical Intervention Restraint numbers?**  
Action: *Mr. Murray will report back to the Committee at the October 21, 2010 meeting.*
5. **Building 2A2 August 9, 2010 – Page 15 regarding “allegation with peer earlier”. There is nothing about an allegation earlier.**  
Action: *Mr. Murray will report back to the Committee at the October 21, 2010 meeting.*
6. **Building 26C same victim with same aggressor this happen both in July and August.**  
Action: *Mr. Murray will report back to the Committee at the October 21, 2010 meeting.*
7. **Deaths in July and August concerned that resident are in their 50’s.**  
Action: *Mr. Murray will report back to the Committee at the October 21, 2010 meeting.*
8. **Building 25A concerned about injury on 8/8/10. Resident observed throwing himself against the wall hitting himself and falling to the floor and on 8/22/2010 resident made himself stumble intentionally. Is this normal behavior for resident?**

**The was a concern about the short timeframe between the two falls.**

Action: *Mr. Murray will report back to the Committee at the October 21, 2010 meeting.*

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Jajala Schweiger, Chair

09/22/10

/lw

cc: LHRC MEMBERS

Mr. Daye

Advocate

Hospital Director

Attachments:

These minutes are not subject to mandatory public disclosure in accordance with Code of Virginia 2.1-344.1.H. (1989, c.358)