

## **Draft**

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

**June 18, 2009**

MEMBERS PRESENT: Steven Bennett, Chair; Emma Rhyne, Co-Chair; Robin Bristow; Joyce Smith; Jajala Schweiger and Jason Mintel

MEMBERS ABSENT: John McMahon;

STAFF PRESENT: John Favret, Hospital Director; Dick Roberts, Patient Safety/Complaint Liaison Officer; Willie Barnes and Brian Whitley, Human Rights Advocates; Lisa Webster, LHRC Liaison Support

**1. Call to Order**

The Local Human Rights Committee meeting was called to order at 10:30 a.m. with Steven Bennett, 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 June 18, 2009 agenda was reviewed.

Action: Motion was made by Ms. Bristow and properly seconded by Ms. Smith that the LHRC approve the June 18, 2009 Agenda as written. The motion passed unanimously.

**3. Minutes**

Minutes of May 21, 2009 LHRC meeting were reviewed.

Action: Motion was made by Ms. Schweiger and properly seconded by Ms. Bristow that the LHRC approve the May, 2009 minutes as amended. The motion passed unanimously.

**4. Hospital Directors' Reports**

Mr. Favret presented the May 2009 Disposition of the Abuse/Neglect Investigations Report and the Facility Monthly Report. Mr. Roberts presented the Formal and Informal Complaints Report for May 2009. (See the June 18, 2009, LHRC packet).

Mr. Favret announced that the SHRC upheld the committee's decision regarding the CS Fact Finding Hearing held February 19, 2009.

The committee members present accepted the Hospital Directors' Report for May 2009.

***Follow-up-***

**Seclusion/Restraint Report**

Mr. Favret announced that the Seclusion/Restraint Report will be continued once the program is working properly. Currently the Utilization Review Coordinators are checking the nursing documentation and counting the number of hours by hand. Mr. Roberts announced that a work group has been formed and data should start being recorded by 1 July 2009. ***Open***

**Osawatomie Hospital Study (OHS)**

Mr. Favret and Mr. Roberts presented the committee with a comparison of the OHS to the ESH Seclusion/Restraint Index. The committee recommended that a graph showing the average index from month to month be available at the next meeting. **Open**

**5. Ward (*Program*) Rules – Hancock Geriatric Treatment Center (HGTC)**

The Program Rules were presented to the committee by James Reese, Social Work Director for HGTC.

A motion was made by Ms. Bristow and properly seconded by Ms. Schweiger to accept the Program Rules with noted changes to rule numbers #2 and #4. Recommendations were made to have the Program Rules posted with large print and change the title from Ward Rules to *Program Rules*. The motion passed unanimously.

**6. Quarterly Review of Restrictive Behavior Plan for AM (See Executive Session Minutes)**

The motion was made by Ms. Schweiger 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.**

The motion was made by Ms. Smith and properly seconded by Ms. Bristow 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
Emma Rhyne	So certify
Jason Mintel	So certify
Robin Bristow	So certify
Jajala Schweiger	So certify
Joyce Smith	So certify

**7. Interview for ESH LHRC Membership**

The motion was made by Ms. Schweiger 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.**

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Steve Bennett	So certify
Emma Rhyne	So certify
Jason Mintel	So certify
Robin Bristow	So certify
Jajala Schweiger	So certify
Joyce Smith	So certify

**8. Open Forum**

**Tour of HGTC- Concern about treatment by HGTC Staff.**

A member reported that after a LHRC meeting on April 16, 2009, two LHRC members and the HRA took a tour of the HGTC. A staff member became irate when they recognized a member who has a family member that resides on one of the Pods. Mr. Favret stated that he would look into the situation. **Open**

**Update – Rudeness displayed by staff when visiting family member-. A**

LHRC member is very concerned about the staffs' rudeness on three different occasions when visiting her family member in the HGTC. The most recent incident occurred when family from out-of- state was not allowed to visit their family member's room. The LHRC member would like to have some specific clarification of what the program rules are regarding family visitation.

Action: A motion was made by Ms. Smith and properly seconded by Ms. Bristow to request that the LHRC members review all hospital polices that reference " Family Visitation" at the next LHRC meeting. All were in favor. **Open**

**9. Election of Officers**

Mr. Bennett was nominated and accepted the nomination to continue to carry out the duties of the ESH LHRC Chair. Ms. Schweiger was nominated and accepted the nomination to carry out the duties of the ESH LHRC Co-Chair.

Action: A motion was made by Ms. Bristow and properly seconded by Ms. Smith that the committee accept the nominations of Mr. Bennett as Chair and Ms. Schweiger as Co-Chair of the ESH-LHRC

Committee. The motion passed unanimously.

A recommendation was made not to nominate a Secretary to the ESH LHRC and to continue with the yearly nomination of a Chair and Co-Chair as written in the ESH LHRC Bylaws and approved by the SHRC July 15, 2005. All were in favor.

**10. Announcement(s):**

Mr. Bennett announced that Ms. Gholson has been approved by the SHRC to become a member of the ESH LHRC.

LHRC Members recommended that only the Chair and Co-Chair receive letter(s) stating that the nominee(s) membership has been approved by the SHRC. The Chair or Co-Chair will announce the appointment at the upcoming meeting.

Action: Ms. Barnes, HRA will share the committee's recommendation with Reginald Daye, Regional Advocate.

Mr. Bennett announced that copies of the SHRC decision for the CS hearing will be mailed to members in the July LHRC packet.

Mr. Bennett announced the demise of a former LHRC member Mr. Richard Adams who served on the committee from March 2005 to May 2008. Mr. Bennett will send condolences to the family on behalf of the committee.

*The Committee and staff thanked Ms. Bristow for all of her hard work and dedication to the ESH LHRC throughout the years.*

**11. Adjournment-**

Having no further business, a motion was made by Ms. Bristow and properly seconded by Ms. Rhyne that the meeting be adjourned. The motion passed unanimously. The meeting adjourned at 12:55 p.m. **The next scheduled meeting will be held Thursday, June 18, 2009 in Building #1- Room 102 at 10:30 a.m.**

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Steven Bennett, Chair

06/23/2009

/lw

cc: LHRC Members- Hospital Director - Patient Safety Officer/Complaint Liaison  
Region V Human Rights Director

Local Human Rights Committee  
Executive Session  
June 18, 2009

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**1. Ward (Program) Rules – Hancock Geriatric Treatment Center (HGTC)**

The Program Rules were presented to the committee by James Reese, Social Work

Director for HGTC. Ms. Barnes, HRA noted that the correct name for the rules should be used as specified in the regulations. The committee reviewed the Program Rules and made recommendations.

Recommendations: Correct the name of the rules from Ward Rules to Program Rules and assure rules are posted.

Action: A motion was made by Ms. Bristow and properly seconded by Ms. Rhyne to approve the Program Rules with noted recommendations and changes to items #2 and # 4. All were in favor.

**2. Quarterly Review of Restrictive Behavior Plan for A.M.**

Dr. Cairns met with the ESH LHRC to present an updated Behavioral Plan for A.M. Dr. Cairns reports that A.M. has made considerable progress and the plan is still in place if A.M. needs it again. The next quarterly update is due in September of 2009.

Action: A motion was made by Ms. Smith and properly seconded by Ms. Bristow to accept the updated Behavioral Plan for A.M. All were in favor.

Ms. Barnes, HRA, will contact Dr. Cairns to inform her about the committee's approval to continue the Behavioral Plan for A.M. as written. In addition, she will check with Dr. Cairns to assure a plan is in place for A.M. when she moves to the new building.

**3. Interview for ESH LHRC Membership**

Charles Louderman was interviewed by the ESH LHRC Members present.

Action: A motion was made by Ms. Rhyne and properly seconded by Ms. Bristow that Mr. Louderman be recommended to the SHRC for membership to the ESH LHRC. All were in favor. The vote was unanimous.

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

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Steve Bennett -Chair

06/24/08/08

/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)

