

DRAFT MINUTES VIRGINIA HIGHLANDS LOCAL HUMAN RIGHTS COMMITTEE MEETING



**Tuesday, July 27, 2011
SWVMHI – “C” Building Conference Room
12:00 Noon**

MEMBERS PRESENT:

Deidra Mathena, Chair
Willie McFarlane
Mark Fendig
Rachel Jones

MEMBERS ABSENT:

Elouise Vaught
Jo Ann Johns

OTHERS PRESENT:

Cynthia McClaskey, Ph.D., Facility Director, SWVMHI
Colin Barron, Ph.D., Psychology Director, SWVMHI
Robyn Anderson, Community Services Director, SWVMHI
Ade Ladenika, M.D., Psychiatrist, Geriatric Services, SWVMHI
Leiann Smith, L.C.S.W., Clinical Social Worker, Geriatric Services, SWVMHI
David Mumpower, M.S.W., Clinical Social Worker, Geriatric Services, SWVMHI
Rick Bridges, Director, Marion Youth Center
Tonya Moore, Director of Nursing, Marion Youth Center
Janice Collins, Quality Assurance, Marion Youth Center
Jimmy Greer, Medical Records, Marion Youth Center
Nan Neese, Regional Human Rights Advocate
Lisa Berry, CPS, Secretary

CALL TO ORDER

The Local Human Rights Committee (L.H.R.C) was called to order by Deidra Mathena, Chairperson, at 12:13 P.M. on Tuesday, July 27, 2011, at Southwestern Virginia Mental Health Institute, “C” Building Conference Room.

APPROVAL OF MEETING MINUTES

A motion was made to approve the L.H.R.C. Meeting Minutes of June 9, 2011. The motion was seconded and unanimously approved.

SWVMHI

Barriers to Discharge Report (Open Session)

Robyn Anderson reviewed with the Committee the current Barriers to Discharge Report for patients within SWVMHI during the period of June 3 – July 21, 2011. Robyn provided the Committee with the team, unit, and CSB breakdown of patients who are currently on the list. The barriers to discharge involve multiple issues. Resources are impacting discharges as well. All RDAP monies have been exhausted, except in those CSBs where some very small pockets of money may become available should there be leftover money from another RDAP plan.

Seclusion/Restraint Review Of Y-T-D Data (Open Session)

Colin Barron, Ph.D., presented a review of the seclusion/restraint data for the period of May–June 2011. Dr. Barron reviewed those patients with an excessive number of incidents. Graphs were provided noting the supine restraint episodes, facility-wide episodes, in addition to the number of seclusion/restraint hours/episodes by ward.

Review of Informed Consent for E.C.T. Referral (Closed Session)

The motion was made and passed to go into Closed Session pursuant to Virginia Code §2.2-3711.A.(4) and (15), for the protection of privacy of individuals in personal matters not related to public business and to review medical records, namely to conduct a review pursuant to the 2004 Commissioner’s Memorandum relative to Referral for Electroconvulsive Therapy.

Dr. Ade Ladenika, Psychiatrist, Leiann Smith, L.C.S.W., Clinical Social Worker, and David Mumpower, M.S.W., Clinical Social Worker, were present to testify and respond to questions from the Committee.

Upon reconvening in public session, the Local Human Rights Committee unanimously certified that only public business matters lawfully exempt from statutory open meeting

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requirements, and only public business matters identified in the motion to convene the Closed session were discussed in the Closed session.

Having heard testimony about the justification for the proposed treatment and being presented with evidence specific to consent a motion was made by Rachel Jones that the LHRC determined that informed consent had been obtained from the Authorized Representative in accordance with the Human Rights Regulation. The motion was seconded by Mark Fendig, and it was unanimously approved.

Update re: Previous ECT Referral (Open Session)

Dr. Ladenika updated the L.H.R.C. on another patient who recently received E.C.T. He reported that treatments have been completed and the patient is doing well.

Review Of Policy #3033, Emergency Use Of Seclusion Or Restraint (Open Session)

Dr. Cynthia McClaskey presented revisions to Policy #3033, Emergency Use of Seclusion or Restraint, to the Committee. The new Departmental Instruction 214(RTS)11 was recently revised, and changes to this policy come in line with this D.I. The Committee requested something be added to the policy explaining a Psychiatric Advanced Directive. Dr. McClaskey noted that this might not be the policy to add this to, but it could go in another policy. The Committee also recommended that the client be given a demographic sheet that illustrates the types of seclusion and restraint utilized at the facility.

Dr. McClaskey to take comments into consideration before the final policy is disseminated.

Abuse/Neglect Report (Open Session)

Cynthia McClaskey, Ph.D., presented the Committee with a report of all the abuse and neglect incidents for the period of June 9 – July 26 , 2011. There were four investigations during this time period: 2 - physical (unfounded), 1 - sexual (founded), and 1 - unauthorized use of restraint (unfounded).

Formal Complaints (Open Session)

Cynthia McClaskey, Ph.D., reported there were no formal complaint allegations at the facility for the period of December 2010 through May 2011.

Facility Director Updates (Open Session)

The psychiatrist originally planning on starting in July backed out from coming, however, we have another psychiatrist who starts August 1, 2011, on the “A” Treatment Team, only leaving a psychiatry vacancy on the “C” Treatment Team. We continue to have a vacancy for the Internist position.

The Annual Consultative Audit did take place at SWVMHI last week, July 18-19, 2011. The audit consisted of team members from other state facilities (Catawba and Western State Hospital). They had some good suggestions and they said we did very well. The process will be revised somewhat next year with hopes of having consumers on the team.

Secretary Hazel came yesterday to the facility to meet with the CSB Directors and Executive Staff from SWVMHI. He had good ideas of things that might help our region. He stopped by the IDC as well. Secretary Hazel also visited the RAM event in Wise County over the weekend.

All of the vacant social work positions have been filled at the facility.

MARION YOUTH CENTER

The motion was made and passed to go into Closed Session pursuant to Virginia Code §2.2-3711.A.(4) and (15), for the protection of privacy of individuals in personal matters not related to public business and to review medical records, namely to conduct a review the Center's reports of specific incidents of Abuse allegations and restraint.

Abuse/Neglect Reports (Closed Session)

Janice Collins, Marion Youth Center, provided the L.H.R.C. with a report of abuse and neglect cases for the period of May and June 2011.

Seclusion/Restraint Review Of Y-T-D Data (Closed Session)

Janice Collins, Marion Youth Center, presented a review of the seclusion/restraint data for the period of May - June through 2011.

Complaints (Closed Session)

Janice Collins, Marion Youth Center, presented the L.H.R.C. with the complaints received during the period of May - June through 2011.

Upon reconvening in public session, the Local Human Rights Committee unanimously certified that 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.

Program Issues (Open Session)

Rick Bridges, Director, Marion Youth Center, presented the LHRC with happenings at the Center. He reported that the Summer School Program is going well, with a full academic school day. The positive part of offering this type of program is that it enables children who are in jeopardy of not passing the school year to do so. Veronica Price is the Special

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Education teacher and is doing well. The children are not in the classroom with the same teacher all day, as they change classrooms and teachers. The computer lab continues to be used, and MYC hopes to obtain at least seven additional computers.

In the last month, the Governing Board, that consists of Program Directors from Mountain State, has been visiting each other's facilities. The Advisory Board continues to meet and consists of area professionals, the Sheriff's Department, and the Wellness Center; there are around 30 people who are members of this board. It is a good way to network with professionals in the area. MYC started the Boy Scout Program in January, and three merit badges have been completed: fingerprinting, fishing, and citizenship. The Methodist Church here in Marion has helped tremendously with this program.

Current committees MYC have which are interdisciplinary include: Restraint Prevention Committee, Inventory Committee, Training Committee, Medical Records Committee, Employee Recognition Committee, and a Children's Committee (also consists of a subcommittee). Mr. Bridges noted that MYC has been working on enhancing training for the therapists.

MYC has some upcoming projects on the building they hope to complete this fall to include roofing and additional parking spaces.

MYC has purchased a neuro feedback system, and Dr. Hill is working on implementing this. Nan Neese, admitting no knowledge of this system, recommended that any new procedure or practice be reviewed with the Office of Licensing especially when initiating something perhaps not standard practice with children and adolescents. Mr. Bridges assured Ms. Neese he would contact his Licensing Specialist.

RIDGEVIEW PAVILION

Andra Savage, Clinical Director, was not present at today's meeting. She had originally planned to attend to report on a serious event that recently occurred at their facility, but she has not yet received the final disposition yet from DBHDS. Ms. Savage to report at the next LHRC meeting.

ADVOCATE/COMMITTEE ISSUES

Deborah Jones, Human Rights Advocate, is on leave, and Nan Neese is providing coverage until her return.

Nan Neese provided a brief overview of the new reporting forms. Quarterly and Annual reports will be completed and presented to the LHRC from providers. The CHRIS automated system will be launched to the all providers in the near future. It will first be piloted with the Community Services Boards.

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Nan announced that Christine Dye is the new Licensing Specialist replacing Steve Patrick.

Membership/Officer News

The appointment of Mark Fendig as a member to the committee for an additional term was approved by the SHRC. The SHRC also approved Deidra Mathena as Chair and Mark Fendig as Vice Chair for the next year. The committee currently has one member vacancy.

The SHRC approved the Bylaws presented to them by this Committee also, as well as approved the Committee's name change to Virginia Highlands Local Human Rights Committee from SWVMHI Local Human Rights Committee.

Election of LHRC Secretary was tabled until the next meeting.

NEXT MEETING DATE

The next L.H.R.C. meeting is scheduled to be held on **Thursday, September 8, 2011**, at 12:00 Noon on the grounds of SWVMHI.

ADJOURNMENT

The meeting was adjourned at 3:02 P.M.

Chair