

CHARLOTTESVILLE AREA LHRC

Approved Minutes

October 20, 2022

10:30 am

500 Old Lynchburg Road, Charlottesville, VA 22903

Join ZoomGov Meeting <https://dbhds.zoomgov.com/j/1601264863> Meeting ID: 160 126 4863

Passcode: LHRCmeet1!

MEMBERS PRESENT

John Shepherd – Committee Chairperson

Bruce Ellsworth- Committee Vice Chairperson

Jeffrey Jones- Committee Member

Mary Sue Kivlighan-Committee Member

Members Absent

Sarah Anderson –Committee Member

Mittie Harvey-Committee Member

Amy Hereford-Committee Member

OTHERS PRESENT

Lequetta Hayes – Human Rights Advocate, DBHDS Region 1

Artea Ambrose – Human Rights Advocate, DBHDS Region 1

Regina Smith-enCircle

Rebecca Drinkard-enCircle

Linda Smith-enCircle

Sarah Reed- Blue Ridge Residential

Jessica Mason-Blue Ridge Residential

Terry Stratton-Blue Ridge Residential

Justin Quintel- Blue Ride Residential

Megan Garland-Blue Ridge Residential

Megan Dora-Virginia Institute of Autism

Lauren Haskins-Virginia Institute of Autism

R.B- Interested Individual

F.T.-Interested Individual

W.W.-Interested Individual

B.R.-Interested Individual

H.Z.- Interested Individual

J.F.-Interested Individual

K.C.-Interested Individual

M.J.-Interested Individual

CALL TO ORDER

John Shepherd called meeting to order at 10:35AM.

ROLL CALL/ATTENDANCE

Those in attendance made introductions. Chair welcomed attendees.

APPROVAL OF AGENDA

Motion to approve agenda was made by John Shepherd and seconded by Bruce Ellsworth. Motion carried.

APPROVAL OF MINUTES

Motion to approve July 21, 2022, was made by John Shepherd and seconded by Mary Sue Kivlighan with needed corrections. Motion carried.

PUBLIC COMMENTS

None.

CHAIR ANNOUNCEMENTS

John Shepherd discussed recruitment. Mary Sue Kivlighan and Jeffrey Jones will give the advocate names of potential members for the CA LHRC.

ADVOCATE REPORT AND TRAINING

• Quarterly Complaint Statistics

For the quarter ending 9/30/2022 in Region 1:

- 50 Complaints involving allegations of ANE (CSB)
- 523 Complaints involving allegations of ANE (Providers)
- 8 Complaints not involving ANE (CSB)
- 18 Complaints not involving ANE (Providers)

This is an increase of 135 total complaints from Q2 to Q3. Of Q3's 599 total complaints, 34 allegations involving ANE were substantiated. This is a percentage of 5.67% substantiated cases, which is a decrease of 1.44% between Q2 to Q3 for ANE substantiated cases.

• Summary of current Variances for R1

There are no current variances for community-based providers in Region 1.

• Updates

We are currently beginning our recruitment efforts for the following LHRCs in Region 1:

- Charlottesville Area Local Human Rights Committee (meets in person in Charlottesville, VA, quarterly)

- 2 professionals (lawyers and other persons with interest, knowledge, or training in the mental health, developmental, or substance abuse services field)
- 1 healthcare provider
- 1 family member of an individual who has received services
- Rappahannock Rapidan Area Local Human Rights Committee (meets in person in Culpeper, VA, quarterly)
 - 2 professionals (lawyers and other persons with interest, knowledge, or training in the mental health, developmental, or substance abuse services field)
 - 1 individual who has received services within the past 5 years of appointment date
 - 1 healthcare provider
 - 1 family member of an individual who has received services

Please contact Cassie Purtlebaugh via email at cassie.purtlebaugh@dbhds.virginia.gov if you are interested in becoming a member of one of these committees.

• Upcoming Events

Visit the OHR page on the DBHDS website for updated training opportunities. Please see below for upcoming statewide training opportunities between now and December 13, 2022.

Thursday 10/20/2022	9:30a- 12:30p	Restrictions, Behavioral Treatment Plans, & Restraints <i>This training is designed to educate the learner on regulatory requirements related to the use of restrictions, behavioral treatment plans, and restraints.</i> REGISTER HERE
Thursday 11/17/2022	10:00a- 12:00p	Investigating Abuse & Neglect: An Overview for Community Providers <i>This training is designed as an overview of the investigative process, specific to the investigation of abuse and neglect.</i> REGISTER HERE
Thursday 12/8/2022	9:30a – 12:30p	The Human Rights Regulations: An Overview <i>This training is designed to provide the learner an in-depth review of the Human Rights Regulations. Providers will increase their understanding of the</i>

		<i>Office of Human Rights processes and the responsibilities of the provider as mandated by the Human Rights Regulations.</i> REGISTER HERE
Tuesday 12/13/2022 FACILITIES ONLY	10:00a – 3:00p	Facility Investigation Training (FIT) <i>This training is designed for new and seasoned facility investigators alike. The training will cover human rights processes, the DI 201, and investigative process.</i> REGISTER HERE

2022 SHRC Meetings

The SHRC will be meeting on the following remaining dates in 2022. For details regarding meeting information, please reach out to your assigned Advocate.

November 3, 2022

December 8, 2022

LHRC Trainings

We have started conducting quarterly virtual LHRC trainings for our assigned LHRCs. The trainings are recorded so that LHRC members can access the trainings and take competency tests to ensure they reviewed and understood the materials. Your advocate team is happy to provide you with continued training dates during the upcoming year!

OLD BUSINESS:

Provider review update presented by Advocate Artea Ambrose following recommendations by the committee at the July, 2022, meeting:

Individual #2-video monitor due to high elopement episodes. Individual #2 has window alarms and video monitor. The video monitor is off when the staff is on the same floor as the individual. If the staff must go to the basement for laundry, they will turn on the video monitor. Individual #3- video monitor due to aspiration. A specific aspiration protocol has been developed to describe what the individual looks like when they are aspirating. The staff have a clear understanding.

Individual #4- video monitor due to seizure disorder. A specific seizure protocol has been developed to describe what the individual looks like when seizing. The staff has a clear understanding of the protocol.

Individual #5- video monitor due to seizure disorder. A specific seizure protocol has been developed to describe what the individual looks like when seizing. The staff has a clear understanding of the protocol

Individual #6- wedge in bed due to aspiration. The wedge flows seamlessly with the mattress. It is medically necessary and there is an aspiration protocol in place. The staff clearly understands the protocol.

NEW BUSINESS

- enCircle-Next Friend
- Blue Ridge Residential-6 Restrictions
- Virginia Institute of Autism-Human Research

CLOSED SESSION

Upon a motion made by John Shepherd and seconded by Jeffrey Jones, the committee entered closed session pursuant to Virginia Code §2.2-3711, a.15 and §2.2-37.05.5 for the purpose to discuss Next Friend appointment and Restrictions.

- Based on discussion of the need for a Next Friend, it was determined that enCircle's Next Friend be approved with no recommendations. The committee wanted to further note that, when the individual was asked about the Next Friend, the individual smiled, which the committee accepted as the individual's approval.
- Based on the discussion of the need for a Restriction, it was determined that the Blue Ridge Residential Restriction be approved with no recommendations.
- Based on the discussion of the need for a Restriction, it was determined that the Blue Ridge Residential Restriction be approved with the following recommendation:
 - The statement, "The audio monitor is needed in case the individual needs to ask for help," should be added to the review form.
- Based on the discussion of the need for a Restriction, it was determined that the Blue Ridge Residential Restriction be approved with the following recommendation:
 - The advocate should review the seizure protocol to determine if all need components are included.
- Based on the discussion of the need for a Restriction, it was determined that the Blue Ridge Residential Restriction be approved with the following recommendations:
 - The words "Project Life Saver", and that the GPS system reports directly to the police department, should be added to the review form.
- Based on the discussion of the need for a Restriction, it was determined that the Blue Ridge Residential Restriction be approved with no recommendations
- Based on the discussion of the need for a Restriction, it was determined that the Blue Ridge Residential Restriction be approved with no recommendations.
- Based on the discussion of the need for Human Research, it was determined that Virginia Institute of Autism be approved with the following recommendation:
 - Virginia Institute of Autism should develop a form that will allow the individual to withdraw consent to participate in the Human Research.

RETURN TO OPEN SESSION

Upon reconvening in open session, each member certified that, to the best of each member's knowledge, only private business matters, lawfully exempted from statutory open session requirements and identified in the motion by which the closed session was convened, were considered in the closed session, namely Restrictions.

Bruce Ellsworth motioned, and Jeffrey Jones seconded the motion to implement the recommendations made in closed session:

John Shepherd-yes
Jeffrey Jones-yes
Mary Sue Kivlighan-yes
Bruce Ellsworth-yes

MEETING ADJOURNED

The next meeting will be held on January 19, 2023, at 10:30am. The meeting location TBD and virtual via Zoom for Healthcare. John Shepherd adjourned the meeting at 1:10p.m.