

DRAFT

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

February 17, 2011

MEMBERS PRESENT: Jajala Schweiger, Charles Loundermon; John McMahon;
Robin Bristow; Steven Bennett, Co-Chair; and Alice Callahan.

MEMBERS ABSENT Tijjuana Gholson; Jason Mintel and Joyce Smith

STAFF PRESENT: Jack Wood, Hospital Director – CEO; Dick Roberts, Resident
Relations Liaison; Stewart Prost, Human Rights Advocate;
Walter Small, Human Rights Advocate; Reginald Daye,
Regional Advocate, Region V, Mark Stevens, VOPA
Representative and Lisa Webster, LHRC Facility Liaison-
Support

1. Call to Order

The Local Human Rights Committee meeting was called to order at 10:40 a.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 February 17, 2011 agenda was reviewed.

Action: Motion was made by Ms. Bristow and properly seconded by Ms. Callahan to approve the ESH LHRC Agenda for February 17, 2011. The motion passed unanimously.

3. Minutes

The February 17, 2011 Minutes of the LHRC meeting were reviewed.

Action: Motion was made by Ms. Bristow and properly seconded by Mr. Loundermon that the LHRC approve the January 20, 2011 Minutes as read. All were in favor. The motion passed unanimously.

4. Eastern State Hospital Reports

Jack Wood, Hospital Director- CEO presented the Disposition of the Abuse/Neglect Investigations Reports and the Facility Monthly Reports. He also presented the Formal and Informal Complaints Report for January 2011. (See the February 2011, LHRC packets).

Revision of Hospital of Report

Mr. Wood reported that the Hospital Report will be revised in order to show 12 months of data and assure graphs are consistent.

Letter Regarding Medication Administration Without Informed Consent

Mr. Wood explained to the members that regulations request that the hospital meet restraint criteria. If a patient refuses medication and is not in an emergency situation, the law does not allow you to give medication over objection. Mr. Wood stated that he would be working with Mark Stevens, VOPA Representative and the Human Rights Advocate to modify the hospital policy.

The Eastern State Hospital's Report for January 2011 was accepted by committee members present.

5. Follow-up Vote on Implementation of SHRC Decisions Regarding LHRC Structure and the Cooperative Agreement.

A motion was made by Mr. Loundermon and properly seconded by Mr. McMahon to continue with ten scheduled meeting per year to allow for training and hearings and meet four times per year and continue to function with a membership of nine. The vote was unanimous.

A motion was made by Mr. Bennett and properly seconded by Ms. Callahan to adopt the Cooperative Agreement and the affiliates will be required to attend four meetings per year.

Action: Chair will send a letter to Mr. Daye to be sent to the SHRC regarding the ESH LHRC's decision.

Election of Secretary to the LHRC

A motion was made by Ms. Bristol and properly seconded by Mr. Loundermon to nominate Joyce Smith as Secretary to the ESH LHRC with the condition that she accepts or not at the March 17, 2011 meeting. The committee voted (5) for and (1) nay by Mr. Bennett who voted against on principle.

Action: Deferred until March 17, 2011 meeting.

6. Absenteeism

There was discussion about absenteeism according to the ESH LHRC Committee's bylaws.

A motion was made by Mr. Loundermon and properly seconded by Mr. McMahon that the chair send a letter to Ms. Gholson regarding her intentions of continuing her membership on the committee.

7. Advocate Report

Mr. Daye introduced Walter (Buddy) Small) from Central State Hospital who will be filing in 2 days a week at ESH. Mr. Prost continues to fill in three day a week.

Training on how a complaint is handled was deferred until the March 17, 2011 Meeting. FOIA and Fact-finding conferences will also be provided by the Office of Human Rights through out the year.

8. Review/Deliberation of Fact-finding Hearing for JR for Clarification by Request of

the SHRC

A motion was made by Ms. Schweiger and properly seconded by Mr. Loundermom

that the committee go into Executive Session to review the deliberation of the fact finding hearing for JR for clarification requested by the SHRC. All were in favor.

The motion was made by Ms. Callahan and properly seconded by Mr. McMahon 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. Callahan and properly seconded by Mr. Loundermom 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.

Jajala Schweiger So certify

John McMahon So certify

Alice Callahan So certify

Robin Bristow So certify

9. Open Forum
NA

10. Announcement(s):
NA

11. Adjournment

Having no further business, a motion was made by Ms. Callahan and properly seconded by Mr. McMahon that the meeting be adjourned as a sub-committee. The motion passed unanimously. The meeting adjourned at 12:58 p.m. **The next scheduled meeting will be held Thursday, March 17, 2011 in Building #2 2nd Floor- Room 1201.**

Jajala Schweiger, Chair

02/28/2011

/LW

cc: LHRC Members
Hospital Director
Human Rights Advocates
Patient Relations Liaison/Patient Safety Coordinator

