

DRAFT  
MOUNT ROGERS COMMUNITY SERVICES BOARD

LOCAL HUMAN RIGHTS COMMITTEE

MINUTES

November 4, 2014

The Mount Rogers Local Human Rights Committee met on Tuesday, November 4, 2014 in the E. W. Cline, Jr. Building in Wytheville, Virginia.

MEMBERS PRESENT:

Ms. Loretta Evans  
Ms. Jennifer Haga  
Ms. Pat McClane  
Ms. Danita Moore

MEMBERS ABSENT:

Ms. Chris Bird  
Ms. Judy Burkett, Chairperson  
Ms. Mary Coulson

OTHERS PRESENT:

Ms. Dona Blair  
Ms. Jamie Bunn  
Ms. Denise Burnette  
Ms. Anna Csaky-Chase  
Ms. Paula DuPrey  
Mr. Chris Felts  
Ms. Jean Felts  
Ms. Whitney Felts  
Mr. Jerry Felts

Ms. Wendy Gullion  
Ms. April Hutchens  
Mr. John Lovill  
Ms. Nan Neese  
Ms. Tina Privett  
Ms. Jennifer Tilson  
Ms. Rita Viars  
Ms. Keri Wagg

I. CALL TO ORDER

Ms. Pat McClane, Vice Chairperson, called the meeting to order.

II. INTRODUCTIONS

Each individual gave an introduction and the organization affiliation.

III. PUBLIC COMMENT

No public comments were presented at the Mount Rogers Local Human Rights Committee meeting.

IV. APPROVAL OF THE AGENDA

Ms. Danita Moore moved to approve the Agenda of the Mount Rogers Local Human Rights Committee as presented and was seconded by Ms. Loretta Evans, which passed unanimously.

V. APPROVAL OF AUGUST 5, 2014 MINUTES

Ms. Nan Neese requested that the committee consider corrections to the August 5, 2014 Minutes. Those were: (1) Ms. Neese extended a welcome to the committee members to attend the State Human Rights Committee meeting that was scheduled to be held at the Catawba Hospital in September. And (2) Ms. Neese commented on the article from the desk of Dr. Deborah Ferguson, Commissioner for the Department of Behavioral Health and Developmental Services.

MOTION: Ms. Danita Moore moved to accept the August 5, 2014 Minutes as corrected.

Ms. Jennifer Haga seconded the motion, which passed unanimously.

VI. REPORT FROM REGIONAL ADVOCATE

Ms. Nan Neese reported that the State Human Rights Committee met at the Catawba State Hospital in September.

Ms. Neese announced that Mr. Sam Dillon, who served on the Southwest Local Human Rights Committee, was appointed by the State Board to serve on the State Human Rights Committee.

Ms. Neese announced that Ms. Deborah Lochart was appointed Director of the Department's Office of the Human Rights. Ms. Neese commented that the training center discharge process continues.

Ms. Neese extended her appreciation to Wendy Gullion for offering to host a Regional Human Rights Committee member training at Mount Rogers CSB after the first of the year. The Catawba Local Human Rights Committee is hosting a regional training on December 10, 2014 beginning at 10:00 a.m. - 2:00 p.m. Ms. Neese extended an invitation for Committee members and providers to attend the training.

Ms. Neese reminded Committee members of the annual training requirement. Additionally, the Committee members are required to receive training about the Freedom of Information Act annually. Ms. Neese conducts a refresher training of the Freedom of Information Act each year for Committee members and to interested providers. Ms. Neese noted that the training focus will be placed on the implementation of restrictions and what constitutes restrictions or limitation of rights as well as how to conduct a hearing.

Ms. Neese recognized Ms. Wendy Gullion for providing the informative slideshow on the provider facilities.

VII. EXTENDED AFFILIATIONS

A. Mount Rogers Community Services Board

- Youth and Family Services – Ms. Jennifer Tilson presented a request to extend the current affiliation with the Mount Rogers Local Human Rights Committee to include the following Intensive Care Coordination Services at the following locations:
  - Wythe Youth and Family Services, 540 West Main Street, Wytheville, VA 24382
  - Fernwood Youth and Family Services, 6999 Carrollton Pike, Suite B, Galax, VA 24333

Ms. Nan Neese made a recommendation to the Committee to accept a withdrawal from Mount Rogers Community Services Board to extend affiliation of the Intensive Care Coordination Services. Ms. Neese further stated the Department of Behavioral Health and Developmental Services has postponed mandated licensing of the Intensive Care Coordination Services at this time.

MOTION: Ms. Danita Moore moved to accept the withdrawal to extend affiliation with the Mount Rogers Local Human Rights Committee for Intensive Care Coordination Services as presented.

Ms. Loretta Evans seconded the motion, which passed unanimously.

- B. Felts Supports for Living, LLC – Mr. Christopher Felts presented a request to add two new Sponsored Residential Provider homes to the existing affiliation with the Mount Rogers Local Human Rights Committee for two homes; one located in Carroll County and the other one in Grayson County. The following locations have a proposed start date of December 15, 2014:

Kimberly Nichols, 577 Hickory Lane, Galax, VA 24333  
Ellen “Jane” Choate, 8022 Pipers Gap Road, Galax, VA 24333

MOTION: Ms. Loretta Evans moved to accept the request to add two new Sponsored Residential Provider homes to the Felts affiliation as presented.

Ms. Danita Moore seconded the motion, which passed unanimously.

## VIII. AFFILIATION'S CONCLUSION

### A. Mount Rogers Community Services Board

- Mr. John Lovill presented a notification to conclude affiliation with Mount Rogers Local Human Rights Committee for the following Sponsored Residential homes.

Anita Kirby-Smith – 136 Lavender Road, Max Meadows, VA 24360 – effective August 1, 2014.

Anita Williams – 178 Turkey Knob Road, Fries, VA 24330 – effective October 1, 2014.

MOTION: Ms. Jennifer Haga moved to accept the notification for Mount Rogers Community Services Board to conclude affiliation with the Mount Rogers Local Human Rights Committee for the Sponsored Residential homes as presented.

The motion was seconded by Ms. Loretta Evans, which passed unanimously.

## IX. AFFILIATION RESOLUTION FOLLOW-UP: APPALACHIAN COMMUNITY SERVICES

Ms. Nan Neese made a recommendation for the conclusion of affiliation for Appalachian Community Services with the Mount Rogers Local Human Rights Committee.

The conclusion of this affiliation passed unanimously.

## X. 3<sup>rd</sup> QUARTER 2014 REPORTS AND UPDATES

- A. Life Center of Galax – Ms. Dona Blair requested to table the Human Rights Report until the next meeting. Ms. Blair presented the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter Reports for the Life Center of Galax.
- B. Positive Options in Living – Ms. Tina Privett presented the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter Reports for Positive Options in Living.
- C. Mount Rogers Community Services Board – Ms. Wendy Gullion presented the 3<sup>rd</sup> Quarter Report for Mount Rogers Community Services Board.
- D. New River Treatment Center – There was no representative from the New River Treatment Center present; however the 3<sup>rd</sup> Quarter Report was submitted to the Committee members by mail for review.

MOTION: Ms. Loretta Evans moved to accept the 3<sup>rd</sup> Quarter Report for New River Treatment Center as presented.

Ms. Danita Moore seconded the motion, which passed unanimously.

- E. Twin County Regional Hospital – There was no representative from the Twin County Regional Hospital present; however the 3<sup>rd</sup> Quarter Report was submitted to the Committee members by mail for review.

MOTION: Ms. Jennifer Haga moved to accept the 3<sup>rd</sup> Quarter Report for Twin County Regional Hospital as presented.

The motion was seconded by Ms. Danita Moore, which passed unanimously.

- F. Felts Supports for Living, LLC - Mr. Chris Felts presented the 3<sup>rd</sup> Quarter Report for Felts Supports for Living, LLC.

MOTION: Ms. Jennifer Haga moved to accept the 3<sup>rd</sup> Quarter Reports as presented.

Ms. Loretta Evans seconded the motion, which passed.

#### XI. CLOSED SESSION

Upon a motion by Ms. Danita Moore and seconded by Ms. Pat McClane the Mount Rogers Local Human Rights Committee convened in closed session pursuant to VA Code 2.2-3711. A. (4) and (15) for the purpose of protecting the privacy of individuals in personal matters not related to public business and the discussion of medical and mental records, namely to conduct a review of proposed next-friend authorized representative designations for two individuals and a services plan involving restraints.

The Committee reconvened the public meeting and each member individually certified that to the best of their knowledge only matters lawfully exempt from open meeting requirements were heard, discussed, or considered.

MOTION 1: Having heard and reviewed the evidence presented, including but not limited to testimony from Paula DuPrey, Support Coordinator, and Ms. Denise Burnette, the LHRC finds the Director's designation of Ms. Burnette as MRCSB 110414-A's Next Friend AR complies with the Human Rights regulation.

The motion was made by Ms. Loretta Evans, seconded by Ms. Danita Moore, and passed unanimously. The LHRC

made a formal recommendation that the individual's sister receive a written notice of this designation.

MOTION 2: Having heard and reviewed the evidence presented, including but not limited to testimony from April Hutchens, Support Coordinator, the LHRC finds the Director's designation of Ms. Sheila Miller as MRCSB 110414-B's Next Friend AR complies with the Human Rights regulation on the condition that Ms. Miller appear before the Committee at its February 2015 meeting to accept the duties and responsibilities of an AR.

The motion was made by Ms. Loretta Evans, seconded by Ms. Danita Moore, and passed unanimously.

MOTION 3: In the case of 110414-C (PH) the LHRC accepts notice of these potentially restrictive measures but finds that these restraints for protective purposes may not constitute a "behavioral program". The Committee will consider approval pending further review of the justification for use by the Provider and/or the addition of other measures such as locks on inside doors, installation of alarms or audio monitoring.

The motion was made by Ms. Loretta Evans, seconded by Ms. Danita Moore, and passed unanimously.

## XII. ADJOURNMENT

There being no further business, the meeting was adjourned.

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Ms. Pat McClane, Vice Chairperson