

STATE HUMAN RIGHTS COMMITTEE

Julie C. Allen, Chairperson
Springfield
David Boehm, Vice-Chairperson
Marion
Wil Childers
Hardy
Betty Crance
Fincastle
David Crews
Chatham
Monica Lucas
Richmond
Timothy Russell
Williamsburg



COMMONWEALTH of VIRGINIA
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NELSON SMITH, COMMISSIONER

Taneika Goldman
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State Human Rights Committee Meeting

VIRTUAL MEETING

Minutes

Thursday, April 13, 2023

DBHDS

Region 3

Catawba Hospital

5525 Catawba Hospital Drive

Gymnasium

Catawba, Virginia

24070

Zoom for Government

<https://dbhds.zoomgov.com/j/1617839100>

Meeting ID: 161 783 9100

Passcode: \$HRCMet1ng

Convene

9:00 a.m.

SHRC Members Present Physically Julie C. Allen, **Chair**; David Boehm, **Vice-Chair**; Will Childers; Betty Crance; Monica Lucas, Timothy Russell

SHRC Members Present Virtually David Crews

Staff Present Physically Taneika Goldman, State Human Rights Director
Mary Clair O'Hara, Associate Director for Facility Operations
Brandon, Facility Operations Manager
Mandy Crowder, Regional Advocate Manager
Hollie Carlisle, Human Rights Advocate
Mykala Sauls, Human Rights Advocate
Kli Kinzie, Executive Secretary

Staff Attending Virtually Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC
Ann Pascoe, Regional Advocate Manager
Riley Curran, Human Rights Advocate
Jen Anglin, Human Rights Advocate

Other DBHDS Staff Present Physically	Charles Law, Ph.D., Facility Director, Catawba Hospital
Other DBHDS Staff Present Virtually	Josie Mace, Director of Legislative Affairs Dr. Jonathan Anderson, Facility Director, Western State Hospital Gail Burford, Health Care Compliance Specialist, Western State Hospital Dr. Patrick Robertson, Director of Psychiatry, Western State Hospital
Others Attending in Person	Patti Childers, Member of the Public
Others Attending Virtually	Becka Herbig, Disability Rights Advocate, dLCV Ren Faszewski, Disability Rights Advocate, dLCV Paul Gladys, Deputy CEO, RI International Tammala Watkins, Virginia State Director, RI international Kristie Jones, Director of Adult Behavioral Health Services, Cumberland Mountain CSB Eric Greene, Clinical Director, Planning District 1/Frontier Health Julia Campbell, Quality Assurance Compliance Coordinator, Piedmont Community Services John Counts, Quality Improvement Manager, Highlands CSB Greg Preston, Executive Director, Piedmont Community Services Board Robinlyn Vandevander, Client Rights and Privacy Officer, Horizon BHA
Call to Order	At 9:04, Julie C. Allen, SHRC Chair, called the April 13, 2023, SHRC meeting to order and welcomed all to the meeting. A call for introductions took place prior to proceeding.
Approval of Agenda	At 9:08, the committee considered the agenda. <i>At 9:08, a motion was made by Monica Lucas and seconded by Betty Crance to approve the April 13, 2023, agenda. All members voted to pass the motion.</i>
Review of Draft Minutes	At 9:08, the SHRC reviewed the draft minutes of the March 2, 2023, meeting. <i>At 9:08, a motion was made by David Boehm and seconded by Timothy Russell. All members voted to pass the motion.</i>
Overview	At 9:09, Julie Allen introduced Charles Law, Ph.D., Facility Director for Catawba Hospital. Dr. Law provided a brief history of the Hospital and talked about the programs and populations served by the hospital and the community services boards in the surrounding area.
Public Comment	At 9:30, Julie Allen announced the public comment period and deferred to Ren Faszewski, Disability Rights Advocate, dLCV for a comment. Ms. Faszewski gave a statement about the variance requested by Western State Hospital (WSH). dLCV is opposed to the variance because it would take away a right that has been in the human rights regulation for 40 years based on one individual who was not a patient of the hospital. <i>No other public comments were offered.</i>

BREAK	At 9:32, Julie Allen called for a brief break.
Variance Request: Western State Hospital	At 9:40, the meeting reconvened. A call for introductions took place prior to proceeding. At 9:42, Dr. Jonathan Anderson, Facility Director, WSH, presented the request for a variance to 12VAC35-115-50 (C)(6)(a), Mail. The requested variance would allow staff to open individuals' mail in the nursing station where individuals and hospital cameras will have full view of the contents.
Variance Request: RI International	At 10:20, Paul Gladys, Deputy CEO, RI International, presented the variance request to 12VAC35-115-110 (C)(3), Use of Seclusion, Restraint and Time Out. The requested variance would allow access to a seclusion room for the RI Chantilly Crisis Center.
Presentation: General Assembly Update	At 10:51, Josie Mace, Director of Legislative Affairs, DBHDS, presented a PowerPoint presentation on "Legislative Affairs Post-Session Update". <i>(See addendum 1).</i>
CSB Roundtable	At 11:44, Taneika Goldman thanked CSB representatives for participating in the CSB Regional Roundtable discussion for region 3. A call for introductions took place. CSB staff talked about programs and services provided by their CSBs as well as one initiative they were proud of and a challenge they felt the SHRC may be able to address.
Information	At 12:05, Taneika Goldman notified the SHRC of upcoming variance requests for Kempsville Center for Behavioral Health, and Harbor Point Behavioral Health Center. The programs are re-applying for variances that will expire in September 2023 and will be reviewed at later meeting, following the required posting to the Register.
Staffing Announcement	At 12:06, Taneika Goldman acknowledged that Kli Kinzie, OHR Administrative Assistant, is retiring after 34+ years of state service effective June 1, 2023. Mrs. Goldman thanked her for her work in support of the SHRC and the Office of Human Rights.
Catawba Hospital Tour Debrief	At 12:07, SHRC members shared their thoughts and impressions of the tour of Catawba Hospital on the afternoon of April 12, 2023.
Variance: WSH (continued)	At 12:14, The committee continued its consideration of the Western State Hospital variance request. <i>At 12:18, upon a motion made by David Boehm and seconded by Timothy Russell the SHRC approved for a one-year period the variance allowing WSH to open mail behind the glass and in the presence of individuals. The variance will allow the removal of non-appropriate items for the safety of individuals, with specific reporting and accountability requirements: WSH is to collect data on the removal of non-appropriate items; and the facility is to report quarterly to the LHRC and SHRC on the use of the variance and the data collected. Julie Allen called for votes in roll call fashion. Timothy Russell, David Boehm, Betty Crance, David Crews and Julie Allen voted yes to approve the motion. Will Childers voted no.</i>

**Variance: RI
International
(continued)**

At 12:40, upon a motion by David Boehm the SHRC convened in closed session pursuant to VA CODE § 2.2-3711 (A) (4) (8) and (16), for the protection of the privacy of individuals in personal matters not related to public business, discussion of their medical records, and for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Upon a motion by David Boehm, the SHRC returned to open session. Upon reconvening in open session each member certified that, to the best of their knowledge, only matters lawfully exempted from open meeting requirements and only such matters related to the stated reason for going into closed session were heard, discussed, or considered.

Upon a motion by Timothy Russell and seconded by Betty Crance the SHRC voted to approve the variance as requested. Betty Crance, Julie Allen, and Timothy Russell voted yes. David Boehm, Will Childers, Monica Lucas, and David Crews voted no. The variance was not approved.

**Facility
Operations**

At 1:27, the committee received updates on OHR Facility Operations.

**Catawba Hospital
Reports**

At 1:27, Mykala Sauls, Human Rights advocate, presented her facility report on Catawba Hospital. *(See addendum 2).*

S/R & Death

At 1:33, Mary Clair O'Hara, Associate Director for Facility Operations, presented seclusion, restraint, and death data. *(See addendum 3).*

Violation Letters

At 1:41, Brandon Charles, Facility Operations Manager, presented the summary of violation letters. *(See addendum 4).*

VCBR Report

At 1:43, on behalf of Tony Davis, Brandon Charles presented the advocate's report on human rights complaints and seclusion and restraint for Virginia Center for Behavioral Rehabilitation. *(See addendum 5).*

LHRC Business

At 1:46, the SHRC considered LHRC business.

**LHRC Liaison
Reports**

At 1:46, Taneika Goldman reported that the OHR leadership team has been attending LHRC meetings with the goal of getting to at least one meeting per LHRC. While visiting, the team has been checking on the efficiency of current meeting technology/equipment. Will Childers asked about joining the team for LHRC meetings when possible.

**LHRC
Membership**

At 1:52, the SHRC considered LHRC membership.

At 1:52, upon a motion by Timothy Russell the SHRC voted unanimously to appoint Dominique Leon to the Rappahannock-Rapidan Area LHRC.

At 2:04, Timothy Russell made a motion not to move forward with the appointment of Kimberly MacPherson to the Rappahannock-Rapidan Area LHRC.

At 2:07, Upon a motion by David Crews the SHRC unanimously made the following appointments:

Region 2

Northern Virginia Regional LHRC

Appoint: Jocelyn Cohen

Region 4

Central Region LHRC

Appoint: Wanangwa Mkandawire

Reappoint: Ashley Lawson

Subcommittees	At 2:12, Julie Allen called for subcommittee reports.
Membership Subcommittee	<p>Will Childers and David Crews</p> <p>At 2:12, Will Childers requested changing the location of the May 18, 2023, meeting to Northern Virginia, so the committee has the opportunity to meet SHRC applicants in person. The committee agreed to hold the May 18 meeting in Northern Virginia and the June 22 meeting in Western Tidewater.</p>
Officer Subcommittee	<p>Will Childers</p> <p>At 2:23, Will Childers reported on behalf of the Officers Subcommittee. The subcommittee recommends David Boehm serve as SHRC Chair for the upcoming term and Monica Lucas to serve as Vice-Chair. Voting will take place at the May 18 or June 22 meeting.</p>
Bylaws Subcommittee	<p>Monica Lucas, Chair; Jennifer Kovack, Staff</p> <p>The Bylaws Subcommittee has nothing to report at this time.</p>
Policy Subcommittee	<p>David Boehm; Betty Crance; Mary Clair O'Hara, Staff</p> <p>The Policy Subcommittee has nothing to report at this time.</p>
Workplan Subcommittee	<p>David Crews</p> <p>The Workplan Subcommittee has nothing to report at this time.</p>
Other	<p>At 2:25, David Crews asked to be allowed to participate in the May 18, 2023, SHRC meeting virtually. Permission was granted.</p> <p>Betty Crance announced that she will not be able to attend the May 18 meeting.</p>
Adjournment	At 2:17, the April 13, 2023, SHRC meeting adjourned.

Next Meeting

May 18, 2023

Merryfield Center

Fairfax

Region 2