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| STATE HUMAN RIGHTS COMMITTEE | |  |  | |
| John Barrett, Chairperson  Richmond / Deltaville  Ann Bevan, Vice-Chairperson  Mechanicsville  David Boehm  Marion  Will Childers  Hardy  Pete Daniel  Charlotte Court House  Julie Dwyer-Allen  Leesburg  Tesha Graham  Portsmouth  Monica Lucas  Richmond  Sandy Robbins  Valentines | COMMONWEALTH of VIRGINIA  *Department of Behavioral Health and Developmental Services*  *Post Office Box 1797* Richmond, Virginia 23218-1797 Mira E. Signer, Acting COMMISSIONER | | | Deb Lochart  State Human Rights Director  deb.lochart@dbhds.virginia.gov  Office of Human Rights  1220 Bank Street  Richmond, VA 23219  P.O. Box 1797  Richmond, VA 23218  www.dbhds.virginia.gov |

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|  | | State Human Rights Committee Meeting  ***MINUTES***  Thursday, July 11, 2019  Central Virginia Training Center  521 Colony Road  Building 8 Madison Heights, VA 24572 |  | |
|  | | **Administrative Session**  8:30 a.m. |  | |
| **Members Present** | John Barrett, **Chairperson;** Will Childers, **Vice-Chairperson;** David Boehm; Pete Daniel; Julie Dwyer-Allen; Monica Lucas; Sandy Robbins; and Cora Swett | | |  |
| **Members Excused** | Tesha Graham | | |  |
| **Staff Present** | Deb Lochart, State Human Rights Director  Taneika Goldman, Deputy State Human Rights Director  Karen Taylor, Senior Assistant Attorney General  Braden Curtis, Senior Assistant Attorney General  Lequetta Hayes, Human Rights Advocate  Jessica Gaines, Virginia Management Fellow  Deb Smith, Director of Community Integration and Transition Supports  Sheila Snead, Community Integration and Transition Supports  Kli Kinzie, Executive Secretary | | |  |
| **Others Present** | George F. Daniel, Charlotte Court House  Lynne Fleming, Associate University Counsel, UVA  Elliott Harding, Esq., Attorney for HC | | |  |
| **Call to Order** | At 8:35, John Barrett, Chairperson, called the administrative session of the July 11, 2019 State Human Rights Committee meeting to order. | | |  |
| **Approval of Agenda** | At 8:35, the SHRC considered the agenda.  *Upon a motion by David Boehm and seconded by Pete Daniel the agenda was approved unanimously.* | | |  |
| **New Member** | At 8:36, John Barrett and Deb Lochart, State Human Rights Director, welcomed new member Cora Swett. | | |  |
| **Correspondence and Information** | At 8:38, Deb Lochart, State Human Rights Director, discussed correspondence and information provided in the meeting packet. The committee received notice of a Central State Hospital Variance request. After public posting and following a public comment period the variance will be presented to the SHRC for review.  The committee received a copy of SHRC Appeal Case 19-01. | | |  |
| **July 10 Tours** | At 8:42, Taneika Goldman reported on the July 10 SHRC tours of Virginia Center for Behavioral Rehabilitation and Piedmont Geriatric Hospital. | | |  |
| *BREAK* | *At 8:48, Chairperson Barrett called for a brief break.* | | |  |
|  | | **Regular Session**  9:00 a.m. |  | |
| **Members Present** | John Barrett, **Chairperson;** Will Childers, **Vice-Chairperson;** David Boehm; Pete Daniel; Julie Dwyer-Allen; Monica Lucas; Sandy Robbins; and Cora Swett | | |  |
| **Member Excused** | Tesha Graham | | |  |
| **Staff Present** | Deb Lochart, State Human Rights Director  Taneika Goldman, Deputy State Human Rights Director  Karen Taylor, Senior Assistant Attorney General  Braden Curtis, Senior Assistant Attorney General  Lequetta Hayes, Human Rights Advocate  Jessica Gaines, Virginia Management Fellow  Deb Smith, Director of Community Integration and Transition Supports  Sheila Snead, Community Integration and Transition Supports  Kli Kinzie, Executive Secretary | | |  |
| **Others Present** | George F. Daniel, Charlotte Court House | | |  |
| **Present via Telecom** | Cheryl Young, Human Rights Advocate | | |  |
| **Present for the Appeal** | William Russell, Assistant Nurse Manager, UVA 5East  Lynne Fleming, Associate University Counsel, UVA  Elliott Harding, Esq., Attorney for HC  HC, Individual  Sherry Zehr, Support for HC | | |  |
| **Present for the Appeal via Telecom** | Zachery Dameron, MD.  Co-Chair Department of Psychiatry, UVA | | |  |
| **Present for Welcome / Overview** | Dick Roberts, Facility Director, Central Virginia Training Center | | |  |
| **Call to Order** | At 9:02, John Barrett, Chairperson, called the July 11, 2019 State Human Rights Committee meeting to order. | | |  |
| **Draft Minutes Review** | The committee reviewed the draft minutes of the May 30, 2019 SHRC meeting.  *Upon a motion by Pete Daniel and seconded by David Boehm the minutes of the May 30, 2019 SHRC meeting were unanimously approved.* | | |  |
| **Welcome / Facility Overview** | At 9:03, Dick Roberts, Facility Director, Central Virginia Training Center, welcomed the committee and all present to the training center. Mr. Roberts provided some history about the facility and grounds. He discussed the number of current individuals living at the center and the services offered to residents onsite as well as in the community. Mr. Roberts provided the committee with an artifact from CVTC, a book written by a former resident. | | |  |
| **Public Comment Period** | At 9:23, John Barrett announced the public comment period. *No public comments were offered.* | | |  |
| **Appeal** | At 9:30, the SHRC considered the appeal of HC and UVA 5East. SHRC Members present were John Barrett, Chairperson; Will Childers, Vice-Chairperson; Julie Dwyer-Allen; David Boehm; Pete Daniel; Monica Lucas; Sandy Robbins; and Cora Swett.  HC was present for the appeal. She was accompanied by her friend Sherry Zehr. HC’s attorney, Elliott Harding, Esq., presented the case on her behalf. Lequetta Hayes, Human Rights Advocate, was present to provide technical support. William Russell, Assistant Nurse Manager, UVA 5East; and Lynne Fleming, Associate University Counsel, UVA, were present on behalf of the program. Zachery Dameron, MD.  Co-Chair Department of Psychiatry, UVA, joined the appeal by audioconference.  Also present for the appeal were Deb Lochart, State Human Rights Director; Taneika Goldman, Deputy State Human Rights Director; Karen Taylor, Senior Assistant Attorney General; Braden Curtis, Senior Assistant Attorney General; and Kli Kinzie, Executive Secretary.  Others present in the room were Jessica Gaines, Fellow; George Daniel, Interested Person; Dick Roberts, Facility Director, CVTC; Debra Smith, Director of Community Integration and Transition Supports; and Sheila Snead, office of Community Integration and Transition Supports. At the request of the individual the hearing was conducted in open session.  Parties to the case presented their summary statements and responded to questions from the committee.  Chairman Barrett announced that the SHRC will issue a decision to be transmitted to the parties within 20 working days. | | |  |
|  | *At 10:03, upon a motion by Will Childers and seconded by Pete Daniel the SHRC convened in closed session pursuant to Virginia Code § 2.2-3711(A)(1) for the purpose of discussion of matters lawfully exempt from the Freedom of Information Act.*  Upon reconvening in open session, the State Human Rights Committee certified that to the best of each member’s knowledge, 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. | | |  |
|  | *Upon a motion by Sandy Robbins and seconded by David Boehm the SHRC upholds the LHRC finding #3 of no violation of 12VAC35-115-50(C)(3), Dignity. The SHRC agreed with the LHRC that a bedside table is not an assured right.*  *The SHRC also recommends that UVA develop and provide a crosswalk that would identify and clarify changes made to the Multidisciplinary Team Assessment and Planning Policy.* | | |  |
| **Update from OAG** | At 10:16, Braden Curtis, Senior Assistant Attorney General, provided a summary of the Settlement Agreement for the benefit of the new committee members. | | |  |
| **Facility S/R** | At 10:49, Cheryl Young, Human Rights Advocate joined the meeting via audioconference to present the VCBR Quarterly Report for April - June 2019. Ms. Young provided a summary of the use of seclusion and restraint, and allegations of abuse and neglect and human rights complaints. There were no reports of seclusion in VCBR for this time frame. | | |  |
| **Subcommittee Reports** | At 10:58, John Barrett asked for subcommittee updates.  Workplan / Membership Subcommittee: Will Childers, Chairperson; Julie Dwyer-Allen.  Will Childers asked members for recommendations on presenters for the upcoming year.  Bylaws Subcommittee: Monica Lucas, Chairperson; Tesha Graham, Taneika Goldman, Staff.  At 10:59, Monica Lucas reported on the activities of the Bylaws subcommittee. In addition to developing recommendations for modifications to the SHRC bylaws, the subcommittee is looking at the LHRC Bylaws in order to bring about more consistency.  Policy Subcommittee: Sandy Robbins, Chairperson; David Boehm, Taneika Goldman, Staff.  At 10:59, Sandy Robbins reported that the policy subcommittee will soon have a draft FOIA policy to share.  Officers Subcommittee: Pete Daniel, Chairperson; Sandy Robbins.  The officers subcommittee has nothing to report at this time. | | |  |
| **LHRC Business** |  | | |  |
| LHRC Liaison Reporting | At 11:00, John Barrett called for Liaison reports.  Pete Daniel said he plans to attend a meeting of the Piedmont Geriatric Hospital LHRC. David Boehm attended the June 18 Southwest LHRC meeting. LHRC members worked well together. | | |  |
| **LHRC Tour** | At 11:03, Taneika Goldman, Deputy State Human Rights Director, reported on LHRC tours. At the Roanoke LHRC meeting held at Catawba Hospital, the agenda included community behavior plans as well as the appointment of a Next Friend. The LHRC had great conversation in closed session. There was a quorum present. Mrs. Goldman noted that the committee did a good job of explaining why they were going into closed session. She also noted that there was a complaint about the department web page. Will Childers, Vice Chair, was present and had positive comments about the LHRC meeting.  Taneika Goldman and Will Childers attended a meeting of the Central Virginia Regional LHRC meeting. During the meeting concerns were voiced about individuals moving into different and sometimes smaller or more congregated residential environments within the training center as the center gets closer to closing and how this affects the individuals’ quality of life and treatment. The LHRC has a good composition. Will Childers reported that one of the LHRC members has a daughter that has resided at CVTC since the age of 6. The mother said she would not change anything. She is happy and invested in the community moves. Will Childers said it is good to hear the human story since transitions and thresholds can be very difficult.  Taneika Goldman and David Boehm attended a Virginia Highlands LHRC meeting at Southwestern Virginia Mental Health Institute. It was good to see that the LHRC Chair was mentoring the Vice Chair. Mrs. Goldman appreciated that the committee functioned well and that members’ specialties and expertise were obvious from the dialog during the meeting. The LHRC stayed within their purview and asked pertinent questions.  Taneika distributed the updated Tour Guide spreadsheet. | | |  |
| **Lunch** | At 11:16, Chairman Barrett called for a brief break. | | |  |
| **LHRC Business** | At 11:28, the meeting resumed.. | | |  |
| LHRC Membership | The SHRC considered LHRC membership.  *Upon a motion by Sandy Robbins and seconded by Monica Lucas the SHRC convened in closed session pursuant to Virginia Code §2.2-3711(A)(1) for the purpose of discussion and consideration of matters lawfully exempt from the Freedom of Information Act, namely to consider local human rights committees membership.*  Taneika Goldman presented LHRC resignations and recommendations for appointment.  Upon reconvening in open session all members of the SHRC certified that to the best of each member’s knowledge, 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.  *Upon a motion by David Boehm and seconded by Julie Dwyer-Allen the SHRC unanimously acknowledges the resignation of Wesley Way from the Western State Hospital LHRC .*  *Furthermore, the SHRC unanimously makes the following reappointments in Region 2:*  *Northern Virginia Hospitals LHRC*  *Reappoint: Ms. Susan Haenisch and Steven Hornstein* | | |  |
| **Executive Summary** | At 11:30, Sandy Robbins acknowledged the Executive Summary. Copies were provided to the committee at the last meeting. The report was informative and well presented. Deb Lochart and John Barrett will attend the DBHDS State Board meeting on July 17 to present the Executive Summary.  Monica Lucas talked about the human rights poster updates. Deb Lochart has provided Ms. Lucas with a pictorial guide that explains rights simply. Jessica Gaines, Fellow, has been appointed as Monica Lucas’ staff on the project. The updated poster is expected to be a user friendly notice that can be distributed statewide. | | |  |
| **Adjournment** | *At 11:36, having no further business to discuss the July 11, 2019 SHRC meeting adjourned. The next meeting will be held on September 12 at Southeastern Virginia Training Center.* | | |  |

Respectfully Submitted,

John Barrett, Chairperson Kli Kinzie,

State Human Rights Committee Executive Secretary