

STATE HUMAN RIGHTS COMMITTEE

Will Childers, Chairperson
Hardy
John Shepherd, Vice-Chairperson
Charlottesville
Betty Crance
Fincastle
Renee F. Valdez
Alexandria
Christopher Olivo
Yorktown



COMMONWEALTH of VIRGINIA

*Department of Behavioral Health and Developmental
Services*

*Post Office Box 1797
Richmond, Virginia 23218-1797*

NELSON SMITH, COMMISSIONER

State Human Rights Committee Meeting

Minutes

Thursday, January 16, 2025

DBHDS

Central Office

1220 Bank St.

13th Floor Conference Rm

Richmond, VA 22319

<https://events.gcc.teams.microsoft.com/event/f31449dd-eb60-4473-a8a5-32aed3b25cce@620ae5a9-4ec1-4fa0-8641-5d9f386c7309>

Meeting ID: 284 412 216 680

Passcode: 6aL6YM7r

Convene

9:00 a.m.

Taneika Goldman
State Human Rights Director
Taneika.Goldman@dbhds.virginia.gov

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SHRC Members Present Physically Will Childers, **Chair**; John Shepherd, **Vice Chair**, Christopher Olivo, Renee Valdez

SHRC Members Attending Virtually Betty Crance

SHRC Members Absent

Staff Present Physically Taneika Goldman, State Human Rights Director
Delisa Turner, Executive Administrative Assistant, Office of Human Rights
Mary Clair O'Hara, Associate Director for Quality and Compliance, OHR

Staff Attending Virtually Jennifer Kovack, Associate Director for Community Operations, OHR
Tony Davis, Human Rights Advocate, OHR
Riley Curran, Human Rights Advocate, OHR
Brandon Charles, Facility Operations Manager, OHR
Cassie Purtlebaugh, Regional Human Rights Manager, Region 1
Diana Atcha, Regional Human Rights Manager, Region 2
Thomas Jackson, Registered Peer Specialist, Western State Hospital (WSH)

Others Attending in Person Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC
D Bruce Ellsworth, Member of the Public
Mia Mayes, QMHP-A/C, Program Director, Viable Living
Veronica Archer, LMHP-R, Clinical Director, Viable Living

Others Attending Virtually Inga Schroeder, Member of the Public
Megan Caesar, Assistant Vice President of RTC Clinical Services, Youth For Tomorrow
Rebecca Herbig, Director of Litigation, disAbility Law Center of Virginia (dLCV)
Hannah Setzer, Sr. disAbility Rights Advocate, dLCV
Cynthia Lee, Authorized Representative
Elise Madison, Acting Deputy Director, Prince William Community Service Board (PWCCSB)
Jacqueline Jackson Turner, Division Manager, PWCCSB
Elizabeth Dugan, Quality Improvement Program Manager, PWCCSB
Kelly Robinson, Quality Improvement Specialist, PWCCSB
La'Shon Allen, Quality Assurance Manager, Provident Way, LLC
Ebony Harris, Executive Director, Provident Way, LLC
Sherri Roundtree, CEO/Owner, Provident Way, LLC
Adrienne Randall, Program Director, Easter Seals UCP of North Carolina & Virginia/REACH
Tonya Hurst, Operations Manager, HaynesView, LLC

Call to Order At 9:01, Will Childers, SHRC Chair, called the January 16, 2025, SHRC meeting to order and welcomed all to the meeting. A call for introductions were made.

Approval of Agenda At 9:03, the committee considered the agenda. John Shepherd motioned for approval. Christopher Olivo 2nd. The agenda was approved, unanimously.

Review of Draft Minutes	At 9:04, the committee considered the draft minutes from the December 12, 2024, meeting. Regarding the Public Comment section, John Shepherd asked if the topics of the public comment can be stated. Taneika Goldman with assistance from Karen Taylor informed that a generic statement can be listed for the public comment. Renee Valdez motioned for approval. John Shepherd 2 nd . The draft minutes were approved as final with the aforementioned changes, unanimously.
Western State Hospital:	At 9:06, the SHRC considered the revisions submitted by Western State Hospital, in response to the committee recommendations. Betty Crance motioned to accept the changes and approve Hospital Instruction Number 4000. Christopher Olivo 2 nd .
Central State Hospital Townhall Follow up:	At 9:11, Tony Davis gave an update to the Townhall hosted by the committee at Central State Hospital on December 11, 2024. The patients showed great appreciation to the committee for hearing their complaints/concerns. He gave updates concerning his follow up for various topics raised such as; the treatment teams review of privileges, CSH's COVID isolation policy, concerns about loss of personal property and false-positive alcohol test results, patient pay statements for on campus work and the implementation of a patient advisory council.
<i>BREAK</i>	At 9:24, Will Childers called for a brief break.
Public Comment:	At 9:30, Will Childers announced the public comment period. There was no public comment.
LHRC Liaison Reporting:	At 9:31, Will Childers inform the committee that he recently attended the virtual meeting for the Roanoke-Catawba LHRC. He strongly encouraged the committee to attend a LHRC meeting, schedule permitting. Taneika reminded the committee to contact the designated OHR staff prior to attending.
Variance Request:	<p>At 9:45, the SHRC considered the variance request for Youth For Tomorrow. Taneika Goldman explained the variance request and review process.</p> <p>Megan Caesar, Assistant Vice President of RTC Clinical Services, presented requests for a variance to 12VAC35-115-50(C)(7) Dignity (Use of Telephone) and 12VAC35- 115-50(C)(8) Dignity (Visitation) on behalf of Youth For Tomorrow. Betty Crance asked about any feedback from family and friends regarding the use of the proposed telephone policy. Renee Valdez asked about how calls are monitored. John Shepherd motioned to approve the variance as requested for 3 years, with the condition that the provider submit quarterly updates to the LHRC and annual updates to</p>

the SHRC. Renee Valdez 2nd the motion. The committee approved the variances with the stated conditions, unanimously.

Subcommittees: At 9:54, the SHRC considered reports from the subcommittees.

SHRC Appeals Procedures Workgroup John Shepherd and Betty Crance gave a brief update on their meeting with Andrea Milhouse, Regional Manager and Mykala Sauls, Human Rights Advocate to address SHRC appeal procedures. John Shepherd stated that the meeting was an introduction into the overall vision and how he would like the organization of the appeal to be different, with the overview first and then the findings. The staff made points about the complaints, and the group discussed how there is not a statute of limitations on complaints and how often the same complaint could be heard. Betty Crance stated that the OHR staff was very receptive to the committees' concerns and were agreeable to making the process more efficient. Jennifer Kovack informed the committee about next steps for the workgroup, regarding more meetings.

Policy Subcommittees The Policy Subcommittee had nothing to report.

Officer Subcommittee The Officer Subcommittee had nothing to report.

Membership Subcommittee Will Childers reported that one of the public commenters from a prior meeting had submitted an application. Taneika Goldman also shared that she received another application, referred by community stakeholder. Will explained that he would be following up with both potential candidates to discuss the possibility of an interview at the March 2025 meeting, in time to make recommendations for membership to the State Board at their April 2025 meeting.

Taneika Goldman spoke of the return for the Rights-Resources Subcommittee. Renee Valdez will join Taneika Goldman and Alonzo Riggins, Training and Development Coordinator, during a focus group being held in Northern Virginia. The focus group is in partnership with Region 2 Regional Quality Council. The goal is to increase the number of provider agencies that have Dignity of Risk policies and procedures. Renee Valdez will present her impressions of the information to the committee.

BREAK At 10:06, Will Childers called for a brief break.

Appeal: Prince William County LHRC Findings: At 10:17, the SHRC facilitated the appeal of the fact-finding and recommendations from Prince William County LHRC in the matter of CL v Prince William County Community Service Board (PWCCSB), Provident Way and Easter Seals UCP of North Carolina & Virginia/REACH. A call for

introductions took place by Will Childers prior to proceeding. In agreement with the preference of the Authorized Representative, the committee decided to review the appeals in open session.

Cynthia Lee, Authorized Representative, who initiated the appeal of a violation, presented virtually on the behalf of her brother, Bill. Jacqueline Jackson Turner, Division Manager, presented virtually on the behalf of Prince William County Community Service Board (PWCCSB). Sherri Roundtree, CEO/Owner, presented virtually on the behalf of Provident Way, LLC. Adrienne Randall, Program Director, presented virtually on the behalf of Easter Seals UCP of North Carolina & Virginia/REACH. Statements were heard from all parties regarding all appeals. Will Childers informed the parties that they would receive the findings of the SHRC in writing within 20 working days.

At 11:57, upon a motion by John Shepherd, and Christopher Olivo 2nd, the committee 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.

At 12:16, upon a motion by John Shepherd and Christopher Olivo 2nd, 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.

BREAK

At 12:18, Will Childers called for a brief break.

**Closed Session
Deliberation:**

At 12:32, upon a motion by John Shepherd, and Christopher Olivo 2nd, the committee 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.

At 1:06, upon a motion by John Shepherd and Renee Valdez 2nd, 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.

**Provider
Roundtable:**

At 1:07, the SHRC held a Regional Community Provider Roundtable session with representatives of Viable Living. Taneika Goldman facilitated the segway for the provider in attendance to share about themselves and their organizations, specifically about the services they offer, one initiative they are most proud of and if applicable, a challenge they believe the SHRC may be aware of and/or can assist with.

SHRC Interview: At 1:32, the committee interviewed a potential candidate for the SHRC. A call for introductions took place by Will Childers prior to proceeding.

At 1:39, Upon a motion by John Shepherd, and Renee Valdez 2nd, 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.

At 2:31, upon a motion by Renee Valdez and Christopher Olivo 2nd, 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.

Christopher Olivo motioned to uphold the findings of the LHRC, to add an SHRC finding of violation of 12VAC35-175(C)4 regarding Provident Way, LLC. and further recommend clarification of the human rights regulations related to the role of substitute decision makers and Provident Way LLC's discharge policy. Betty Crance 2nd. Motion passed.

John Shepherd motioned, that based on the interview, the committee will move forward with recommending the candidate for membership. Christopher Olivo 2nd. The motion passed unanimously.

Other At 2:39, Taneika Goldman reminded the committee about the public comment from Jennifer Spangler and acknowledged a copy of the JLARC Report she referenced. It was noted that the report specifically mentioned differences between state facilities and private psychiatric hospitals and contained the information referenced by Jennifer related to the Office of the State Inspector General. The committee considered potentially adopting a new workplan goal to review the role of private psychiatric hospitals relative to the current mental health crisis. She informed the committee that the Commissioner will attend the April 2025 meeting.

Adjournment At 2:41, the January 16, 2025, SHRC Meeting was adjourned.

Next Meeting

March 6, 2025

Region 2