

I. Call to Order

Chairperson, Mr. Randy Johnsey called the meeting to order.

II. Welcome and Introductions

Introductions were made. Mr. Johnsey opened the floor for public comment. Scott Worley, Creative Family Solutions requested temporary affiliation through February 2008, to provide In-Home Services, in Marion, to two consumers. Motion was made by Ms. Elvera McLees and seconded by Ms. Tracy Mullins to grant temporary affiliation to Creative Family as requested. Motion carried.

Ms. Peggy Ball announced that Amanda Bostic-Price and Sherry Dye will be replacing her as staff representatives for DePaul Family Services.

III. Approval of Minutes

The minutes of the June 20, 2007 meeting were reviewed. Motion was made by Dr. McLees and seconded by Ms. Mullins, to approve the minutes as presented. Motion carried.

IV. Advocate's Report

Ms. Nan Neese, Regional Human Rights Advocate provided the Committee with the following updates:

- **The State Human Rights Committee's newsletter "Human Writes"** Spring and Summer issues are now available on the Department of Mental Health, Mental Retardation and Substance Abuse Services' (DMHMRSAS) web site. Our own Chairman, Mr. Johnsey, is featured.
- **The LHRC/SHRC Human Rights Seminar** for human rights committee members was held on September 13-14. There was representation by the Southwest Virginia Regional Human Rights Committee.
- **The revised Human Rights Regulations** became effective 9/19/07. They are available on the DMHMRSAS web site. Each affiliate should have received a letter from the Department's Office of Human Rights providing compliance schedule, a DVD reviewing the changes, and a notice of training opportunities.

Currently, all affiliates are expected to be, in at least practice, compliant with the new regulations. Ms. Neese encouraged all new providers and any one who has had compliance issues with Human Rights policies in the past, to attend the training. She indicated it would also be helpful to those who are in the process of revising their policies. Registration is through the

DMHMRSAS. The last training opportunity in this region will be 10/30/07 at the Institute.

To demonstrate compliance with the regulatory changes affiliates will have to submit a letter by 3/1/08, verifying that the necessary policy revisions have occurred. Advocates may request specific policies or topic areas for review. Any questions may be forwarded to Ms. Neese. A list of questions and answers will be developed and available on the DMHMRSAS web site at a later date.

- **At the December meeting** affiliates will be expected to sign up for the meeting at which they will provide the Committee with their Annual Human Rights Activity Report. The report will cover the 2007 calendar year.
- **All Annual Human Rights Activity Reports for 2007** must be submitted to Ms. Neese by no later than 2/28/07. The completed reports should be forwarded to Ms. Lorie Horton on an as needed basis for the mailing to the Committee.
- **Annual Seclusion/Restraint Reports for 2007** are due to the DMHMRSAS by 1/15/08. A copy of the report is also to be sent to Ms. Neese
- **The SwVHRC budget** report was made by Franklin Horton, Cumberland Mountain CSB. The Committee has \$2,989.98 in its budget. As this is more than sufficient to cover all anticipated expenses, Mr. Horton recommended that for all current affiliates the fee be waived for 2008. Only new applicants would be charged the \$150 fee. Motion was made by Ms. Mullins and seconded by Dr. McLees to approve Mr. Horton's recommendation as made. Motion carried. Mr. Horton will send out a notice that the fee for 2008 has been waived.
- **The Affiliation Agreement** for each affiliate will be updated to list each service/location affiliated with the Committee.
- **A more formal notification process to the Committee of license modification** is expected to be required by DMHMRSAS license. Any change will be provided in writing. At this time, any affiliate who either adds a new location/service, or makes any other modification to their license, must send formal notice, in the form of a letter, to the Committee.
- **The next meeting** was changed to December 12, 2007 due to the holidays.

V. Rules of Conduct

There were no rules of conduct submitted for the Committee's review.

VI. Policy and Procedure Review

As requested at the previous meeting, Ms. Sandy Horn presented the specific Restraint and Seclusion Policy for Clearview. It clarifies the definition of a licensed professional, who can order restraint, and the reporting requirements. It was noted that as required, policy meets the standards under the previous regulations. Motion was made by Dr. McLees and seconded by Ms. Mullins to accept the policies. Motion carried.

VII. Request for Affiliation

Ms. Beverly Yates, Dickenson County Behavioral Health, requested the Committee add Mental Health Support Services for adults to their affiliation. Motion was made by Ms. Mullins and seconded by Dr. McLees to approve Dickenson County's request. Motion carried.

VIII. Reporting of Human Rights Activities by Affiliates

Mr. Sid Rhoton, provided the Committee with the Human Rights Activity Report for Mountain Connections Inc. The new service was recently granted full license status. A brief general discussion occurred between the Committee and Mr. Rhoton. Mountain Connections current census is 10 individuals with 4 staff. Mr. Rhoton requested that due to privacy issues, that any further discussion, occur in Executive Session. It was the consensus of the Committee that further discussion would be postponed until the December meeting and to occur in Executive Session.

There was no representation from Heartland South Inc. A letter from Ms. Linda Horn stated that she had resigned from Heartland South Inc., but it gave no other details nor provided the requested Activities Report. Motion was made by Dr. McLees and seconded by Ms. Mullins directing Ms. Neese to send a notice, on their behalf, indicating that above deficit must be corrected at the 12/12/07 meeting, or Heartland South Inc's affiliation would be terminated.

IX. Review of Behavioral Plan

Motion was made by Dr. McLees and seconded by Ms. Mullins that the Southwestern Virginia Regional Human Rights Committee go into closed session, pursuant to VA Code § 2.2-37711. 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: (1) conduct a review of behavioral plan submitted by DePaul Family Services, (2) discuss committee membership, and (3) review two requests for extensions in the complaint resolution process.

Motion was made by Dr. McLees and seconded by Ms. Mullins to reconvene into open session. Motion carried.

Upon reconvening in open session, motion was made by Dr. McLees and seconded by Ms. Mullins that all the members be individually certified, that only such public business matters identified in the motion for closed session were heard, discussed and considered. Motion carried. Each member then in turn so certified.

Motion was made by Dr. McLees and seconded by Ms. Mullins to approve the behavioral plan for DPFS-Age25-F submitted by DePaul Family Services, with the conditions that the section addressing physical restraint be removed, the revision be provided to the Committee at the 12/12/07 meeting, and the plan be review in 6 months, which will be the June 2008 meeting. Motion carried.

Motion was made by Dr. McLees and seconded by Ms. Mullins to grant a 15 day extension to the complaint resolution process to both Clearview and Highlands Community Services. Motion carried.

X. Adjournment

Being no further business, Mr. Johnsey adjourned the meeting at 4:15pm.

Respectfully Submitted:

Lorie Horton,
Staff Liaison

Randy Johnsey,
Committee Chairperson