

Local Human Rights Committee

85 Sanger's Lane, Staunton, VA 24401

Artea Ambrose, Human Rights Advocate

Friday October 7, 2016

Board Members In Attendance:

Jim Hall, Chair
Mary Belle Weeks
Joan Polzin
Heidi Campbell
Samantha Robinson

Board Members Absent:

Kenneth Alger II

Affiliates in Attendance:

Community Living Services
DePaul Community Resources
Family Sharing, Inc.
ResCare/Blue Ridge Residential
Wall Residences

Fidura & Associates
ResCare/Creative Family Solutions
Valley Community Services Board

Meeting called to Order

Mr. Jim Hall, Chair

- All present introduced themselves
- Welcome Samantha Robinson to the Committee

Approval of July 2016 minutes

Public Comment

- Approved 2017 meeting schedule

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| January 13, 2017 | Family Sharing Wall Residences Augusta Health Crossroads |
| April 14, 2017 | DePaul Community Resources (All Programs) Heart Havens Hall Community Services |
| July 14, 2017 | ResCare/Blue Ridge Residential Breezy Hill Fidura & Associates |
| October 13, 2017 | Community Living Services ResCare/Creative Family Solutions The Arc of Augusta Valley CSB |

- **Committee Members Needed:** Jim Hall (chair) and Heidi Campbell's terms will expire June 30, 2017. If you know of anyone that would be interested in being on the Valley LHRC committee have them contact Megan Snyder and plan to attend the January 2017 meeting. Also consumers are needed to the committee. If you have any consumers that you feel would do a good job on the committee have them attend the January 2017 meeting.
- Jennifer Fidura presented on behalf of VNPP: CCC+ will roll out next year. This is the newest of the managed care for DBHDS.

Affiliate Presentations

- **Augusta Health Cross Roads:** No one to present
- **Fidura & Associates:** Provides two group homes in this area, each home has four beds. Once home is full and the other supports two individuals. They have had two deaths in the past year. Both individuals

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receiving hospice care and were expected. Shameda Olson is the new Manager for this area as Monica Rodriguze is now the Manager in the Richmond area.

- **Community Living Services:** Serves 29 individuals in Day program and 27 individuals in 7 group homes. Also had 1 death that was expected. Individual had been with CLS for 14 years. 2 APS investigations and all were unfounded. Staff are trained annually, Individuals and Guardians are informed of their human rights upon admissions and annually thereafter. CLS Group Homes and Day program has cameras in all common areas. Cameras are not present in bathrooms and bedrooms.
- **Creative Family Solutions:** 17 individuals served and also one death. The death was unexpected and the individual was at home and was not being served at time of death. There was 2 Human Rights Investigations. One was a confidentiality concern as a staff was mailing weekly notes and they arrived open and some notes missing. Staff sent husband to take individual grocery shopping. Staff was fired and all other employees received training.
- **Valley CSB:** Served 4500 individuals. All staff are trained at orientation and annually. 21 allegations and 8 allegations were founded. Artea Ambrose was involved in all cases.

Notification of New Location:

- **Valley CSB:** Sarah Blackwell- 1539 Middle River Road, Staunton, VA. 24401
- **Wall Residences:** Leto/Stakey, 87 Featherstone Drive, Lyndhurst, VA. Started 10/1/16
Harrigan, 797 Lee Jackson highway, Staunton, VA. Becoming licensed as a group home.
Licensing has visited and the home is working on becoming licensed.

Case Update: Artea Ambrose:

- Enhancements were made to Virginia's electronic human rights and serious incident reporting system (<https://delta.dbhds.virginia.gov/delta/>) on **Friday, September 2, 2016**. Providers were asked not to enter any serious incidents into the CHRIS system that day between the hours of 6:30am-10:30am, but if providers did enter information during that time, please re-check the system to ensure the incident was properly entered.
- The Proposed Regulations are moving through the Final Stage - Executive Branch Review: Secretary of Health and Human Resources' review was completed 9/21/2016 and the Governor's Office review is in progress. All information about the proposed regulations is available on the Virginia Town Hall web site:<http://townhall.virginia.gov/L/ViewStage.cfm?stageid=6810>
- **CHRIS GUIDANCE:** Do not submit CHRIS reports for complaints/potential neglect incidents that involve companies other than your own. The purpose of CHRIS is to allow monitoring of internal investigations and/or corrective action – not notice of other incidents. When reporting on other agencies, call APS.
- When the issue involves **Logisticare**, please follow their internal protocol for complaint (see attachments)
- Be reminded that if you neglect identifying whether or not the individual/AR agrees with your findings decision (last box, investigation tab), data may be lost & OHR will see a blank screen.
 - o This decision should be documented via a letter that goes out to the AR and includes information regarding right to appeal & process for appealing.
- Be advised that **elopement** should be reported as potential neglect.
- **Pharmacological Restraint** – see definition in regulations / "...administered involuntarily for the emergency control... imminent risk..."
 - o Be advised, "involuntarily" implies capacity to refuse.
 - o If person lacks capacity, PRN medications used for control should be reviewed by LHRC as a restraint (12VAC35-115-110.18.C. "*Prior to the implementation of any behavioral treatment plan involving the use of restraint or time out, the provider shall obtain approval of the LHRC.*")
 - § SUGGESTION: Attach a doctor's order that is operationalized (i.e. includes specific behavioral indicates so medical judgement is precluded) and allows some time for alternative interventions to be ruled out.
 - Affiliates questioned the pharmacological
- FOIA Training will be provided to the LHRCs soon. There have been a few changes to codes. Advocates will be receiving training on the new codes and will then be able to provide FOIA training to committee members.

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Closed Session called to order at 10:30am

****All information presented in closed session was reviewed by the committee and approved.****

Meeting Adjourned at 11:00 am.

****Next Meeting January 13, 2017**