

## Local Human Rights Committee

85 Sanger's Lane, Staunton, VA 24401

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Artea Ambrose, Human Rights Advocate

**Friday July 8, 2016**

**Board Members In Attendance:**

Jim Hall, Chair  
Mary Belle Weeks  
Joan Polzin

**Board Members Absent:**

Heidi Campbell  
Kenneth Alger II

**Affiliates in Attendance:**

Breezy Hill  
DePaul Community Resources  
Family Sharing, Inc.  
Wall Residences

Heart Havens  
Fidura & Associates  
ResCare/Blue Ridge Residential

**Meeting called to Order**

Mr. Jim Hall, Chair

- All present introduced themselves

**Public Comment**

- Veterans committing Suicide

**Approval of April 2016 minutes**

**Affiliate Presentations**

- **Augusta Health Cross Roads:** Present in October
- **Heart Havens: Cindy Gwinn-** 1 neglect allegation unfounded and closed.
- **Blue Ridge Residential:** Court Campbell- No complaints or allegations for the region in 2015. Served 17 sponsored residential individuals and 1 in-home individual in this region. They serve around 191 individuals across the state.
- **Breezy Hill:** Doug Desper- Works with adults with traumatic brain injuries. There were 0 allegations or complaints for 2015. Doug shared that they are still not receiving government funding. He stated most of his individuals are workman's comp cases. He also stated that the individuals that he serves are mostly from out of state because Virginia will not provide funding for brain injured people unless they go out of state.
- **Fidura & Associates:** Present in October

**Notification of New Location:**

- **DePaul Community Resources:** A current parent provider family that serves one individual will be moving to a new location. The new address will be at 5753 Penn Laird Drive, Penn Laird, VA. Licenser visited last week and seemed to like the home.
- **Wall Residences:** Valenzuela/Hailey sponsored residential home is transitioning to a group home. The address is 715 Rosser Ave. Waynesboro, VA. Licenser has visited this home.  
Scott McDorman 120 Ridgemore Drive, Raphine, VA. Transitioning from a 2 bed sponsored residential to a 4 bed group home.  
Don & Rebecca Vest: 168 Buffalo Gao Highway, Churchville, VA. Transitioning from a group home to a 2 bed sponsored residential. Licensing is scheduled to come this month.  
**New home:** Wanda Hall 101 Maple Drive, Verona, VA. Licensed and serving one individual.  
William Lyons 612 Fielding Place, Staunton, VA. Licensed and serving one individual.  
Koiner home will be moving to a new home at 129 Hickory Hill Road, Fishersville, VA.
- **Valley CSB:** Brenda Hanna is licensed and just moving to a new home. 569 Hilltop Drive, Staunton, VA. The old address is 718 Aintree Place, Staunton, VA.

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**Case Update**

- The Northwest Capital Region of the Office of Human Rights has developed a guidance document on points related to informed consent decisions that can be shared with anyone who requests this. To make the request, email [ana.hurt@dbhds.virginia.gov](mailto:ana.hurt@dbhds.virginia.gov).
- Our population is aging & many providers are finding themselves dealing with more medical complexity than in the past. Resources are available. As medical complexities increase, so too does the threshold for capacity to manage these decisions. Increase the circle of professional supports (including decision-making supports) as need be:
  - Provider roundtable meetings
  - CRC specialists (<http://www.dbhds.virginia.gov/professionals-and-service-providers/developmental-disability-services-for-providers/provider-development> )
  - RST
  - REACH
  - Increase in the number of BCBAs
  - Home Health agencies
  - DBHDS Safety alerts & Nurse consultant
  - Hospice agencies
- Providers are reminded to be proactive in seeking crisis stabilization supports. Please be aware of the challenges for people with ID/DD once they enter correctional systems.  
<http://aaidd.org/news-policy/policy/position-statements/criminal-justice#.V1C6FP4UVUF>  
If/when you must call the police, be advised that you can request a CRT trained officer.
- Providers must complete CHRIS investigations of abuse/neglect allegations per the regulations: **12VAC35-115-230. Provider Requirements for Reporting to the Department.**
  - A. 2. The director ...shall report each allegation of abuse or neglect to the assigned human rights advocate **within 24 hours** from the receipt of the allegation (see [12VAC35-115-50](#)).
  - 3. The investigating authority shall **provide a written report of the results of the investigation .... within 10 working days** from the date the investigation began unless an exemption has been granted by the department (see [12VAC35-115-50](#)).
- Provider requirements for reporting restraints (sections 100 & 110):  
*Be reminded, any/all use of restraints – for whatever reason (medical, behavioral, protective) must be reviewed by the LHRC.*
  - Overarching Guide (**12VAC35-115-110.C.19.b**) Documentation should reflect that the risks associated with NOT treating (or limiting) are greater than the risk associated with the use of the restraint or restriction.
  - Most restrictions (Section 50/Dignity) must be reviewed by a licensed professional, as well as a Human Rights Advocate. When in doubt, call.
  - Consider use of pg 9 of Part V, PCP forms (on the DBHDS website) for team review of safety restrictions.
- Because of the changes that are coming to the regulations, at this time, OHR does not see the necessity for providers to sign new affiliate agreements with the LHRC. However, if the committee feels it works best for them, and since the regulations have not yet changed, this is at the discretion of each committee. Please feel free to move forward as you see fit.
- On June 17, 2016, the Centers for Medicare and Medicaid services notified the Commonwealth that they require some additional time to review the Commonwealth's amendments to the three DD waivers. **Therefore, the anticipated date for the implementation of the DD Systems Redesign has changed to August 1, 2016.** The delay will have the following implications:
  - The implementation of all new services and the tiered reimbursement structure for new and existing services will be delayed.
  - Prevocational services will continue in July, until new waiver services are approved.
  - CSB slot selection committee will continue to operate to assign ID waiver turnover slots. DBHDS will continue to assign turnover DD waiver slots according to the existing process.
  - IDOLS will remain active for service authorization for the ID and DS waivers. **For DD Waiver service authorizations, KEPRO will still transition services authorization functions**

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**to DBHDS effective 7/1/16. Please reference 5/17/16 and 5/18/16 Medicaid Memos on this topic.**

- o Work on WaMS will continue and the delay will permit time for additional training. WaMS will not be used for service authorization until the amendments are approved.
- o WaMS trainings for train the trainer will be held as scheduled this week.
- o FEi Systems will still open their help desk on July 1 for users who will be enrolling in the system or who have accessed the online training materials and have questions.
- Weekly stakeholder calls will continue as scheduled. More information will be provided during this time,
- The following changes will occur on July 1, 2016 and **will not be affected by the delay:**  
CSBs will assume the responsibility for being the single point of entry for all individuals with DD. This means individuals who need to be screened for the DD Waiver also need to go through the CSBs to request a screening.
- OHR has hired Maynard Ritchie as a new advocate to cover WSH and CCCA. Ritchie has many years of experience and will be a great asset to the Human Rights office.

**Closed Session called to order at 9:45 am**

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

**Open Session called to order at 10:55 am**

- **Committee Member Interview:** Samantha Robinson submitted an application to become a member of the Valley LHRC. Samantha shared that her family currently lives in Stuarts Draft. She is a wife and a mother of a child that is blind and has cognitive disabilities. She stated she is impassioned by assisting families with knowledge.  
Samantha was interviewed by the committee members, as well as given information regarding what the LHRC's responsibilities. Samantha is very eager to become a member of the committee. Artea Ambrose will submit her application and the interview information to the Stat LHRC for approval.

**Meeting Adjourned at 11:00 am.**

**CHRIS Training taught by Artea Ambrose followed the Valley LHRC meeting.**

**\*\*Next Meeting October 7, 2016**