

MINUTES
LOCAL HUMAN RIGHTS COMMITTEE
SOUTHWESTERN VIRGINIA TRAINING CENTER
March 26, 2008

PRESENT: Loretta Evans, Chairperson
 Charlotte Barkley
 Joyce Bunn
 Barbara Holmes
 Judy Padgett
 Dr. Ohlen Wilson

OTHERS PRESENT: B. J. McKnight, Human Rights Advocate
 Deborah Lowe, LHRC Secretary
 Karen Poe, Facility Liaison
 Rebecca Currin, Virginia Office of Protection and Advocacy

ABSENT: Betty Meredith, Vice Chairperson

The Local Human Rights Committee for Southwestern Virginia Training Center met on Wednesday, March 26, 2008, at 2:00 p.m. in Conference Room #2.

B. J. McKnight introduced guest Becky Currin, with the Virginia Office of Protection and Advocacy, for those who had not met her at last month's meeting.

Loretta Evans called the meeting to order.

On a motion by Barbara Holmes, and a second by Judy Padgett, the minutes from the February 27, 2008 meeting were unanimously approved.

Dr. Dale Woods, Director, presented Wilma Brown with a Certificate of Recognition and a gift of appreciation for her service to the LHRC.

B. J. McKnight distributed copies of the proposed Bylaws amendment draft and pointed out the changes. She asked that members review the draft prior to next month's meeting. If adopted by the SWVTC LHRC, the bylaws will be submitted to the SHRC for review and approval by the May 13, 2008 SHRC agenda deadline.

Charlotte Barkley had placed a call to B. J. McKnight asking the question of what authority LHRC members had to review and question medications prescribed. B. J. conducted training in Open Session referencing the new Human Rights Regulations Section 12VAC35-115-60. Services. B. 2., which states, "Providers shall ensure that all services, including medical services and treatment, are at all times delivered in accordance with sound therapeutic practice." The role of the LHRC is to review procedures or practices that may jeopardize the rights of individuals receiving medical services.

Barbara Holmes brought up a discussion of the authority of the LHRC to intervene if a resident does not want to participate in an active treatment activity, such as going to workshop, and exhibits behavior as a result of having to go, and is then given drugs to control behavior when simply eliminating the activity would eliminate the behavior. B. J. McKnight cited the Human Rights Regulations Section 12VAC35-115-60. Services. B. 5., which states, "Providers shall not deliver any service to an individual without a services plan that is tailored specifically to the needs and expressed preferences of the individual..."

In response to both questions and the authority of the LHRC Members, B. J. McKnight referenced Human Rights Regulations Section 12VAC35-115-250. Offices, composition, and duties. D. 5., which states, "Upon the request of the human rights advocate, provider, director, or an individual or individuals, or on its own initiative, an LHRC may review any existing or proposed policies, procedures, practices, or behavioral treatment plans that could jeopardize the rights of individuals receiving services from the provider with which the LHRC is affiliated..."

On a motion by Charlotte Barkley and a second by Barbara Holmes the Local Human Rights Committee entered Closed Session pursuant to VA Code 2.2-3711.A(4) and (15) for the purpose of reviewing the restrictive behavior plans and/or medication reviews of residents. Such review would necessarily involve discussion and consideration of mental and medical records which are confidential and exempted from the Freedom of Information Act.

After review in Closed Session of the reports and restrictive behavior plans and medication reviews, a motion was made by Dr. Wilson and seconded by Charlotte Barkley that the LHRC convene in Open Session. The motion carried.

Upon reconvening in Open Session, the Local Human Rights Committee unanimously certified that, to the best of each member's knowledge, only public business matters lawfully exempted 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.

On a motion made by Dr. Wilson and a second by Charlotte Barkley, the LHRC unanimously approved as presented individual programs presented by first names and register numbers for residents of Connections, New Horizon, and Pathways Cottages with two (2) recommendations and three (3) updates.

Larry Smith gave a report on Abuse/Neglect.

B. J. McKnight distributed the written Advocate's Annual Report to Committee members.

Karen Poe, Facility Liaison gave a report on Physical Management Plans. Karen announced Autism Training on April 18 from 9-4 at Crossroads Institute.

On a motion by Barbara Holmes and a second by Joyce Bunn, the meeting adjourned.

The next meeting of the LHRC is scheduled for Wednesday, April 23, 2008.

SWVTC:dal:03/31/2008