

# MINUTES

## APPALACHIAN COMMUNITY LOCAL HUMAN RIGHTS COMMITTEE

October 24, 2012

The Appalachian Community Local Human Rights Committee (LHRC) met on Wednesday, October 24, 2012.

### MEMBERS PRESENT:

Sandy Yates, Chair  
Nancy Thurman  
Frank Diamond  
Judy Padgett, Secretary

### OTHERS PRESENT:

Tammy Mabe, SWVTC Liaison  
Dr. Mark Witherspoon, Clinical Psychologist  
Deborah Lowe, Executive Secretary Senior  
B. J. McKnight, Human Rights Advocate  
Priscilla Mays, Community Services Worker

#### I. Welcome and Call to Order – Sandy Yates, Chair

- Sandy Yates, Chair, welcomed everyone and called meeting to order at approximately 2:05 p.m.

#### II. Approval of Agenda

- Dr. Witherspoon requested two corrections to the agenda
  - Delete Guidelines for Locked Living Units
  - Change Dr. Witherspoon's title to Psychology Director
- Frank Diamond made a motion that the agenda for the October 24, 2012, meeting of the LHRC be approved with the corrections. Motion was seconded by Nancy Thurman and all approved

#### III. Approval of July 25, 2012 Meeting Minutes

#### IV. Approval of Agenda

- Judy Padgett made a motion for approval of July 25, 2012 Meeting Minutes. Frank Diamond seconded the motion, which carried unanimously.

#### V. Approval of 2013 Public Meeting Schedule

- Nancy Thurman made a motion to approve the 2013 Meeting Schedule as presented.
- Frank Diamond seconded the motion which carried unanimously.

#### VI. Extension of Regulatory Time Frame pursuant to 12VAC35-115-180 (JS)

- Nancy Thurman made a motion to extend the regulatory time frame for individual/authorized representative appeal of facility corrective action plan for JS until the next scheduled meeting in January 2013.

**VII. Public Comment:** none

**VIII. Southwestern Virginia Training Center Reports**

- SWVTC Quarterly Report (July – September, 2012) – Tammy Mabe, SWVTC LHRC Liaison, and Larry Smith, Chief of Program Support Services
  - Tammy Mabe presented human rights complaint quarterly report.
  - Larry Smith presented his report on Abuse/Neglect investigations for the quarter.
    1. Tammy reviewed in more detail changes in policy and procedures as a result of case # 738-2012-025, as part of corrective action plan.
    2. LHRC requested an UPDATE at the next LHRC meeting for Case No. 738-2012-024 to review progress towards implementation of corrective active plan.
- Tammy gave an update on project to organize CORs in RLU offices to make filing system consistent campus-wide.
- Larry Smith presented an update on the facility's implementation of the corrective action plan regarding Case Nos. 738-2012-20 and 738-2012-21.
- Review of Living Unit Video Monitoring Plan – Larry Smith, Chief of Program Support Services
  - All consents have been obtained from individuals and the AR to use video monitoring. It will not be used in private areas.
- Nancy Thurman made a motion to accept Center reports with the update to Case No. 738-2012-024. Frank Diamond seconded the motion. Motion carried unanimously.
- SWVTC Discharge Planning Process – Priscilla Mays, Discharge Coordinator
  - Since last meeting there have been 2 discharges to the New River Valley area and the Center is actively working on a total of 15 individuals in various stages: 3 Mount Rogers CSB, 1 Cumberland Mountain, 1 New River Valley, 7-8 are looking at options for providers, 2 have been added to discharge list that are looking at provider options. Will meet or exceed goal of 15 individuals before the Fiscal Year ends.
- Dr. Witherspoon brought up concerns on a couple of cases regarding oversight of individuals. B. J. McKnight, Human Rights Advocate, interjected her Advocate's Report at this point in the meeting.

- B. J. reported the addition of a staff member in Office of Human Rights, Deb Lockhart, Statewide Human Rights Advocate, who will provide post-move monitoring across the state of VA. There is also an additional Licensing Specialist for Intellectual Disabilities who will serve our area and specialize in post-move monitoring bringing into compliance with monthly unannounced licensing monitoring.
- Dr. Mark Witherspoon, Psychology Director, presented proposed changes to SWVTC Instruction 570, Behavior Support Plans, Procedures, and Guidelines for Use of Restraint.
  - Nancy Thurman made a motion to approve the changes to SWVTC Policy 570 as presented and Frank Diamond seconded. The motion carried unanimously.

**IX. LHRC Membership**

- Applicant Interview (closed session)
  - Nancy Thurman made a motion to go into Closed Session, Judy Padgett seconded the motion, and with all approved, motion carried.
  - Following interview, Nancy Thurman made a motion to come out of Closed Session, and Judy Padgett seconded motion, which carried unanimously.
  - Once in Open Session, Nancy Thurman made a motion to recommend applicant to State Human Rights Committee. Frank Diamond seconded motion and motion carried with none opposed.
- LHRC Membership (professional interest vacancy)
  - Sandy Yates suggested forming a subcommittee of Judy Padgett and herself to recruit an applicant from professional community. Committee agreed.

**X. Other Business: none**

**XI. Adjourn**

- Nancy Thurman made a motion to adjourn the October 24, 2012, meeting of the ACLHRC. Judy Padgett seconded the motion, which carried with none opposed.

The next meeting of the ACLHRC is scheduled for January 23, 2013.

Respectfully submitted:

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Deborah Lowe, SWVTC Executive Secretary Senior

Approved:

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Sandy Yates, LHRC Chairperson