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| STATE HUMAN RIGHTS COMMITTEE | |  | |
| John Barrett, Chairperson  Richmond / Deltaville  Wil Childers, Vice-Chairperson  Hardy  David Boehm  Marion  Julie Dwyer-Allen  Leesburg  Monica Lucas  Richmond  Sandy Robbins  Valentines  Timothy Russell  Williamsburg  Megan Sharkey  Richmond  Cora Swett  Nokesville | COMMONWEALTH of VIRGINIA  *Department of Behavioral Health and Developmental Services*  *Post Office Box 1797* Richmond, Virginia 23218-1797 ALISON G. LAND, FACHE, COMMISSIONER | | Taneika Goldman  State Human Rights Director  Taneika.Goldman@dbhds.virginia.gov  Office of Human Rights  1220 Bank Street  Richmond, VA 23219  P.O. Box 1797  Richmond, VA 23218  www.dbhds.virginia.gov | |

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|  | **State Human Rights Committee Meeting**  ***MINUTES***  **Thursday, November 19, 2020**  VIRTUAL MEETING  Zoom for Government  **Administrative Session**  **8:30 a.m.** |  |  | | | | |
| **Members Present** | John Barrett, **Chairperson;** Will Childers, **Vice-Chairperson;** David Boehm; Julie Dwyer-Allen; Monica Lucas, Megan Sharkey; Cora Swett | | | | |  |  |
| **Members Excused** | Sandy Robbins, Timothy Russell | | | | |  |  |
| **Staff Present** | Taneika Goldman, State Human Rights Director  Karen A. Taylor, Senior Assistant Attorney General  Mary Clair O’Hara, Senior Human Rights Manager, Facility Operations  Carlton Henderson, Training and Development Coordinator  Carrie Flowers, Human Rights Advocate  Kli Kinzie, Executive Secretary | | | | |  |  |
| **Others Present** | Kenderly Franklin, Division Manager, Chantilly Site Service Source  Sara Zeinert, Behavior Analyst, Service Source | | | | |  |  |
| **Call to Order** | At 8:52, John Barrett, SHRC Chair, called the SHRC meeting to order. Chairman Barrett welcomed new member Megan Sharkey and called for introductions. | | | | |  |  |
| **Approval of Agenda** | At 8:55, the SHRC considered approval of the agenda.  *Upon a motion by David Boehm and seconded by Julie Dwyer-Allen the agenda was approved unanimously.* | | | | |  |  |
| **Announcements** | At 8:56, Taneika Goldman, State Human Rights Director, announced that Deb Lochart, previous State Human Rights Director, was taking extended leave from November 3, 2020, until her official retirement date of January 1, 2021. Mrs. Goldman was named State Human Rights Director on November 10, 2020.  Future SHRC meeting agendas will regularly highlight the Senior Human Rights Managers. Senior Manager of Facility Operations, Mary Clair O’Hara, was present this day to provide an overview of facility operations, and will be present at SHRC meetings moving forward. Jennifer Kovack, Senior Manager of Community Operations, also will be present regularly to provide the SHRC with updates on community initiatives.  Ruth Anne Walker, Director of Regulatory Affairs and State Board Liaison, Division of Quality Assurance and Government Relations, will discuss the periodic review process later in the morning. | | | | |  |  |
|  | **Regular Session**  **9:00 a.m.** | | |  |  | | |
| **Members Present** | John Barrett, **Chairperson;** Will Childers, **Vice-Chairperson;** David Boehm; Julie Dwyer-Allen; Monica Lucas, Megan Sharkey; Cora Swett | | | | |  |  |
| **Members Excused** | Sandy Robbins, Timothy Russell | | | | |  |  |
| **Staff Present** | Taneika Goldman, State Human Rights Director  Karen A. Taylor, Senior Assistant Attorney General  Mary Clair O’Hara, Senior Human Rights Manager, Facility Operations  Carlton Henderson, Training and Development Coordinator  Carrie Flowers, Human Rights Advocate  Kli Kinzie, Executive Secretary | | | | |  |  |
| **Others Present** | Kenderly Franklin, Division Manager, Chantilly Site Service Source  Sara Zeinert, Behavior Analyst, ServiceSource | | | | |  |  |
| **Call to Order** | At 9:00, John Barrett, Chairperson, called the November 19, 2020, State Human Rights Committee meeting to order. | | | | |  |  |
| **Draft Minutes Review** | The SHRC reviewed the draft minutes of the September 10, 2020, SHRC meeting.  *Upon a motion by Monica Lucas and seconded by David Boehm the minutes of the September 10, 2020, SHRC meeting were approved unanimously.* | | | | |  |  |
| **Presentation:** Service Source | At 9:03, Kenderly Franklin, Division Manager, Chantilly site Service Source, and Sara Zeinert, Behavior Analyst, ServiceSource, gave an overview of services provided by Service Source of Virginia. Service Source is a nonprofit program that facilitates services and partnerships to support people with disabilities and their families and caregivers. Sara Zeinert spoke about their mission to support employment and promote inclusion. She highlighted some of their efforts in support of persons on the autism spectrum and their families.  Kenderly Franklin talked about long term community integration in the counties supported by Service Source in Northern Virginia. Service Source has brought together a community of artists, musicians, dancers and yoga instructors to work with individuals in the area.  In response to the COVID pandemic, the organization is currently working on creating more virtual services, and continues to offer weekly online group sessions. In their efforts to overcome resistance to wearing masks, Service Source has developed a training video to incorporate into program sessions. They have been able to offer some individuals tablet PCs to enhance online virtual participation. Service Source is increasing in-home supports and working on creative solutions for individuals who are no longer able to come to day-support programs    All Service Source meetings continue to occur. Many meetings are held virtually. Within program settings, staff have separated tables and removed chairs to comply with standards for social distancing. The program is utilizing tracing techniques for COVID positive testers. | | | | |  |  |
| **VCBR Facility Report** | At 9:19, John Barrett called for the VCBR Facility Report. Carrie Flowers, Human Rights Advocate, presented the facility overview and seclusion and restraint for the reporting period of August and September, 2020. There were no resident injuries reported in August. There was an increase of nine transport restraints between August and September. There were no reports of seclusion for this period.  There were three abuse/neglect allegations reported in August, one of which was substantiated. There were ten abuse/neglect allegations in September. There were 26 human rights complaints during the reporting period, 23 at the formal level and 3 at the Director’s level. | | | | |  |  |
| **Public Comment Period** | At 9:23, Chairman Barrett called for public comments. *No Public Comments were offered.* | | | | |  |  |
| **Presentation:** Facility Operations | At 9:24, Mary Clair O’Hara, Senior Human Rights Manager, Facility Operations, provided an overview of facility operations. Ms. O’Hara daily reviews all incidents of injuries to all patients in the system. The disAbility Law Center of Virginia and the Office of the State Inspector General have access to the PAIRS system, where injuries and deaths are reported. All facility related deaths also go to the Facility Mortality Review Committee.  Mary Clair O’Hara reported on data reported to the Joint Commission and CMS. She spoke briefly about oversight and intervention on the use of restraints. SHRC Members were encouraged consider what topics they would like to hear more about. Members were interested in hearing about time frames for closing cases. | | | | |  |  |
| **Subcommittees** | At 9:42, John Barrett called for subcommittee reports.  Bylaws Subcommittee: Monica Lucas, Chairperson; Cora Swett; Jenifer Kovack, Staff  Monica Lucas reported on behalf of the Bylaws Subcommittee. Karen Taylor, Senior Assistant Attorney General has been working on the bylaws revision. Language is being added regarding virtual meetings.  Ms. Lucas is pleased to have Jennifer Kovack on the Bylaws subcommittee. She reported that Carlton Henderson, Training and Development Coordinator, has been a great help with developing initiatives.    Policy Subcommittee: Sandy Robbins, Chairperson; David Boehm, Jennifer Kovack, Staff.  David Boehm spoke on behalf of the Policy Subcommittee. There is nothing to report at this time.  Officer Subcommittee: Sandy Robbins.  The Officer subcommittee has nothing to report at this time.  Workplan / Membership Subcommittee: Julie Dwyer-Allen, Chairperson; Timothy Russell.  At 9:51, Julie Dwyer-Allen reported on behalf of the Workplan Subcommittee. Ms. Dwyer-Allen added Integrated Settings/DOJ Settlement to the Workplan. She asked members to consider what they do as they monitor services. She suggested adding Alternative Decision Making to the workplan. The SHRC may like to hear from the local ARC of Virginia or to discuss communication and LHRCs. Monica Lucas will be featured in a meeting to speak about HR Access. The Committee may add an indicator regarding the COVID pandemic and how it affects service settings and services delivery. | | | | |  |  |
| **LHRC Business** | At 9:55, the SHRC considered LHRC business. | | | | |  |  |
| **LHRC Membership** | Taneika Goldman led the discussion and presented recommendations for LHRC membership. The discussion was held in open session. | | | | |  |  |
| Consolidation and Appointments | *Upon a motion by Monica Lucas and seconded by David Boehm the SHRC unanimously approved the consolidation of Western State Hospital LHRC and Commonwealth Center for Children and Adolescents LHRC into Staunton Area LHRC, accepted the resignation of Mary Jane Billinger from Northern Virginia Regional LHRC, and made the following appointments.*  Region 1  Rappahannock-Rapidan LHRC  Reappoint: Betsy Reid  Region 4  Piedmont Geriatric Hospital LHRC  Appoint: Edward Helton  Metropolitan LHRC  Reappoint: Shaketa Draughn  Region 5  Southeastern Regional LHRC  Appoint: Valjean M. Roberts | | | | |  |  |
| **Periodic Review Process** | At 10:15, Ruth Anne Walker, Director of Regulatory Affairs and State Board Liaison, Division of Quality Assurance and Government Relations, provided an overview of the DBHDS State Board and the periodic review process. The DBHDS State Board is a policy making board, meaning that it promulgates policies and regulations. Ms. Walker shared a PowerPoint slideshow on the periodic review process  The presentation covered the implementation of the Administrative Processes Act. Regulations are filed with the Virginia Registrar, which publishes the changes and notifies of public comment forums. Regulatory review and change is conducted in accordance with prescribed guidelines. Processes are carried out with the least possible intrusion while regulations and policies are under review and being revised.  Agencies are required to have a public process to develop and effect regulatory changes, as well as inform other parties of any proposed changes.  Ruth Anne Walker talked about the Governor’s Executive Order. She encouraged the committee to go to the department web page to learn more about the process and the current initiatives underway. The Office of Human Rights can inform the SHRC of regulations under periodic review and report on the information maintained on the Regulatory Town Hall. | | | | |  |  |
| **Adjournment** | *At 10:27, having no further business to discuss the November 19, 2020, SHRC meeting adjourned. The next meeting is scheduled for December 17, 2020.* | | | | |  |  |

Respectfully Submitted,





John Barrett, Chairperson Kli Kinzie,

State Human Rights Committee Executive Secretary