

CENTRAL STATE HOSPITAL
LOCAL HUMAN RIGHTS COMMITTEE MEETING

DRAFT MINUTES

Central State Hospital

26317 W. Washington Street

Petersburg, Virginia 23803

Building 39, Library

August 5, 2011

8:30am Regular Meeting

Attendance: Hannibal Tuck, Chair; Jane Clayborne, Vice-Chair; Isabel Vartanian, Member; William Lightfoot, Member

Guests: Vicki Montgomery, Director Central State Hospital; Jennifer Barker, Director of Patient Relations and Staff Development; Reta Martin, Patient Relations and Staff Development; Teresa Langster, Patient Relations and Staff Development; Ronald Forbes, M.D., Medical Director; James Bell, Forensic Director; Walter Small, Human Rights Advocate Senior OHR; Carrie Flowers, Human Rights Advocate; Beverly Garnes, Human Rights Manager

Absent: Jillian Taylor, Secretary; Blondena Mallory, Member

I. Call to Order – Introductions

II. Minutes of June 3, 2011 Meeting

Action: The draft minutes for June 3, 2011 were approved with corrections made to individuals presenting topics and the deletions of May meetings, Directors Comments.

III. Public Comment : None

IV. LHRC Fact Finding Hearing RE: GM- Presented by Walter Smalls, Office of Human Rights

Mr. GM requested an open hearing.

Mr. Walter Small represented patient GM, Mr. Small contested that the hospital violated Mr. GM's rights by not honoring the patient's preference to have a gold tooth. Mr. Small argued that the gold tooth would restore the patients self esteem. Mr. Small further argued that the patient has the funds to pay for the gold tooth.

Central State Hospital opined GM's preference to have a gold tooth has been heard, acknowledged and the hospital has explained its constraints. Mr. GM is a capital defendant

admitted to Central State Hospital for restoration services. As a Maximum Security Facility any time a patient leaves the hospital the hospital must consider the risk to the public. Transporting high risk individuals off grounds for cosmetic services simply because it is the individual's preference cannot safely or reasonably be honored, nor is there any clinical indication to do so. Although GM has the funds to pay for the gold tooth, the hospital has expenses that they incur every time a patient is transported outside of the secure perimeter. These expenses cannot be reimbursed by the patient.

Action: The LHRC indicated that they would be providing a writing response to the Hospital and patient within 10 working days following the hearing.

V. New Business

- A. Monthly Variance Reports for April 2011 – Presented by James Bell, Director, Forensic Services.

Action: The Committee approved a motion to accept the monthly variance reports verbally reported by Mr. Bell for July 2011 concerning the four forensic variances. The committee further moved that the June 2011 variances are to be presented at the September 2011.

- B. LHRC Review of Research Proposals RE: 1) Factors contributing to Insanity Acquitees' Success and/or Revocation on Conditional Release; 2) Examination of Professional Practices in Evaluations of Mental State at the Time of Offense~ Presented by T. Sriram, M.D., CSH Research Committee Chair

Action: Due to T. Sriram, M.D., not being available at the meeting, the committee approved tabling the matter until September's meeting.

(Executive Session)

The committee approved a motion to move into Executive Session pursuant to VA Code 2.2-3711 (A), Paragraph 15, for the protection of the privacy of individuals and their records in personal matters not related to business.

The following subject matters were discussed in Executive Session:

Monthly Abuse Summaries – May and June 2011

Formal Human Rights Complaints – June and July 2011

Biannual Summary of Aggression Management Plans

Spit Guard Usage – June 2011

(Return to Open Session)

Upon reconvening on open session, the Central State Hospital Local Human Rights Committee certified that to the best of each member's knowledge, only public business matters lawfully

exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the closed session were discussed in closed session.

- C. Monthly Abuse Summary: May and June 2011 – Presented by Jennifer Barker, Director of Patient Relations and Staff Development

Ms. Barker presented the abuse data covering May and June 2011

Action: The Committee accepted the abuse data reports presented by Ms. Barker for May and June 2011.

- D. Formal Human Rights Complaints – June and July 2011 – Presented by Jennifer Barker, Director of Patient Relations and Staff Development

Action: The Committee approved a motion to accept Ms. Barker's report.

- E. Biannual Summary of Aggression Management Plans – Presented by Jennifer Barker, Director of Patient Relations and Staff Development

Action: The Committee approved a motion to accept Ms. Barker's report.

- F. Seclusion and Restraint Data Summary; Comparisons of S/R Incidents and Totals for July 2011 vs. June 2010 ~ Presented by Vicki Montgomery, Director/CEO, Central State Hospital

Ms. Montgomery presented the seclusion and restraint comparisons for June 2011 and July 2011. For June 2011, 87.2% of the populations had no orders for S/R. In July 2011, a small number of individuals continue to have an impact on S/R numbers. More specifically, 8 individuals represented more than 65% of the orders for July. Central State Hospital is continuing their efforts to reduce seclusion and restraint.

Action: The committee approved a motion to accept Ms. Montgomery's report for June 2011 and July 2011.

- G. Spit Guard Usage – Presented by Walter Small, Human Rights Advocate/OHR

Mr. Smalls reported there were two reported usage of the spit guard masks for June 2011, the usage was consistent with hospital policy and procedure governing the usage of the spit mask.

Action: The committee approved a motion to accept Mr. Small's report for June 2011.

Follow Up Business:

1. LHRC Follow-up RE: Update Concerning CSH Compliance with the Reporting Requirements for Use of Physical Restraints ~ Presented by Vicki Montgomery, Director, Central State Hospital

Ms. Montgomery reported that physical holds lasting less than 3 minutes are being captured as physical restraints, as included on the Seclusion/Restraint graphs presented.

Action: The committee approved a motion to accept Ms. Montgomery's report.

2. LHRC Follow –up RE: Abuse Case #0167 – Update Concerning Request for CSH to Develop a Protocol for removing Contraband from Unwilling Patients ~ Presented by Jennifer Barker, Director of Patient Relations and Staff Development

Per Ms. Barker, Hospital was asked to consider a protocol on how to safely remove a weapon from a patient. A work group was formed and the work group was unable to develop a procedure to safely remove a weapon. Ms. Barker presented this issue to Michael Partee, the creator of TOVA for assistance in the matter. Ms. Montgomery had also contacted other forensic secure sites and no one has a protocol in place for removing weapons from a resistive patient. Mr. Lightfoot suggested exploring groups that deal with non-violent crisis strategies. He is to pass the information on to Ms. Montgomery.

Action: LHRC approved a motion to accept Ms. Barker's report.

VII. Directors Comments

Prior to Directors comments Mr. Small distributed a petition for Fact Finding. Ms. Montgomery wanted to discuss the petition in that the hospital has not received a complaint from the consumer since December 2010 concerning the issue of his personal computer as presented in the petition. Mr. Small commented that the petition was not to be discussed. Ms. Montgomery had no other comments.

VIII. Adjournment

Next Meeting: October 7, 2011 – Building 113 – Main Conference Room

