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LOCAL HUMAN RIGHTS COMMITTEE MINUTES
EASTERN STATE HOSPITAL
4601 Ironbound Road
Williamsburg, VA 23187-8791

Deleted: September 18

October 16, 2008

MEMBERS PRESENT: Steven Bennett, Chair; Robin Bristow; John McMahon;
Jajala Schweiger; Joyce Smith; Mary Ellen Rickmond
and Jason Mintel

MEMBERS ABSENT: Emma Rhyne, Co-Chair; Doris Foreman

STAFF PRESENT: John Favret, Hospital Director; Gianna Mitchell, Human
Rights Advocate; Lisa Webster, LHRC Liaison Support
and Mark Stevens, VOPA

1. **Call to Order**

The Local Human Rights Committee meeting was called to order at 10:35
a.m. with Steven Bennett, Chair presiding, for the purpose of hearing
business as presented on the agenda and such other transactions or matters
that may be presented to the Committee.

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Chair in welcoming Ms. Mary E.
Rickmond and Mr. Jason Mintel to the
Committee

2. **Agenda**

The October 16, 2008 Agenda was reviewed.

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Action: Motion was made by Ms. Smith and properly seconded by
Ms. Schweiger that the LHRC approve the October 16,
2008 Agenda as written. The motion passed unanimously.

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3. **Minutes**

Minutes of the September 18, 2008 LHRC meeting were reviewed.

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Action: Motion was made by Ms. Schweiger and properly seconded
by Mr. McMahon that the LHRC approve the September 18,
2008 minutes with noted changes. The motion passed
unanimously.

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4. **Hospital Directors' Reports**

Mr. Favret presented the September 2008 Disposition of the Abuse/Neglect
Investigations Report; Facility Monthly Report and the Formal and Informal
Complaints Report (see the October 16, 2008, LHRC packet).

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***Follow-up-**

In support of discharge/housing issue, Mr. Bennett drafted a letter of support with guidance from Ms. Mitchell and presented it to the committee for their input.

Action: The letter was finalized, forwarded to the Commissioner, State Human Rights Director and HPR-V Chair of the Portsmouth Department of Behavioral Healthcare Services, (Closed)

There was discussion about the Barriers for Discharge and the Progress the CSB is making. Ms. Mitchell will find out who distributes this information and bring it before the committee at the November meeting.

The committee members present accepted the Hospital Directors' Report for September 2008 with noted changes.

5. Policy Review – Electronic Monitoring of At Risk Residents - Draft

Michael Frazier, SW presented a draft of the policy to the committee. The committee members present accepted the concept of the Electronic Monitoring system. There was one abstention.

7. Update: Christmas Party for the Geriatric Residents
Ms. Webster has not received names of residents and their gift request from Ms. Leggett. The party will be held on Thursday, December 18, 2008 at 1:30 p.m. in the new Geriatric Building.

Action: Ms. Webster will continue to contact Ms. Leggett to get a list of residents and their gift request by the next scheduled LHRC Meeting.

8. Announcement(s):
Ms. Mitchell made the following announcements:

- SHRC to be held in the new Geriatric Building at ESH Friday, October 24, 2008.
- By February 2009 you will be able to look Human Rights Issues electronically.

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The motion was made by Mr. McMahon properly seconded by Ms. Rickmond, and passed for the LHRC to go into executive session pursuant to Virginia Code 2.2-3711(A) 4 for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing of authorized representatives, hearing of behavior modifications and/or conducting a hearing pursuant to the regulations. **Refer to Executive Session Minutes¶**

¶ Motion was made by Mr. McMahon and properly seconded by Ms. Bristow and passed that we go into open session. The LHRC unanimously certified that, to the best of each member's knowledge, only private business matters lawfully exempted from statutory open meeting requirements and only private business matters identified in the motion to convene the executive session were discussed in the (... [1])

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□ There will not be any Human Rights Training due to the budget cuts,

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9. **Adjournment-**

Having no further business, a motion was made by Ms. Bristow and properly seconded by Mr. Mc Mahon that the meeting be adjourned. The motion passed unanimously. The meeting adjourned at 12:35 p.m. **The next scheduled meeting will be held Thursday, November 18, 2008 in Building #33- Room 106 at 10:30 a.m.**

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Steven Bennett, Chair

10/30/08

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/lw

cc: LHRC Members
Hospital Director
Patient Safety Officer/Complaint Liaison
Region V Human Rights Director
Human Rights Advocates

Local Human Rights Committee
Executive Session
September 18, 2008

The motion was made by Mr. McMahon properly seconded by Ms. Bristow, and passed for the LHRC to go into executive session pursuant to Virginia Code 2.2-3711(A) 4 for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing of authorized representatives, hearing of behavior modifications and/or conducting a hearing pursuant to the regulations.

1. **ECT Hearing – S.B.**

Dr. Tirumalasetti attended the ECT Hearing on behalf of S.B. S.B. has currently gone through 12 series of treatments. The treatment team members have seen improvement (reduction in agitation after first series.) and feel she would benefit from additional ECT Treatments.

Action: There was evidence of: AR's -Consent for Treatment and Second Opinion. The committee accepted the request for 12 additional ECT Treatments. The vote was (6) for (1) abstained.

Members present were concerned with the number of treatments and length of ECT treatments.

2. **ECT Hearing** – E.B.

Dr. Nguyen attended the ECT Hearing on behalf of E.B. E.B. has currently gone through 12 series of treatments. The treatment team members have seen improvement and feel she would benefit from additional ECT Treatments.

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Action: There was evidence of the AR's -Consent for Treatment **not** being in compliance (incomplete). There was evidence of a Second Opinion.

The committee found the Consent for Treatment not to be in compliance with the requirements of the Human Rights Regulations in addition they rejected the request for 12 additional ECT Treatments. The vote was unanimous.

Steve Bennett, Chair

09/30/08

/lw

cc: LHRC MEMBERS

Mr. Daye

Advocate

Hospital Director

Attachments:

These minutes are not subject to mandatory public disclosure in accordance with Code of Virginia 2.1-344.1.H. (1989, c.358)

S.B.

The motion was made by Mr. McMahon properly seconded by Ms. Rickmond, and passed for the LHRC to go into executive session pursuant to Virginia Code 2.2-3711(A) 4 for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing of authorized representatives, hearing of behavior modifications and/or conducting a hearing pursuant to the regulations.

Refer to Executive Session Minutes

Motion was made by Mr. McMahon and properly seconded by Ms. Bristow and passed that we go into open session. The LHRC unanimously certified that, to the best of each member's knowledge, only private business matters lawfully exempted from statutory open meeting requirements and only private business matters identified in the motion to convene the executive session were discussed in the executive session.

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| Steve Bennett | So certify |
| John McMahon | So certify |
| Jason Mintel | So certify |
| Joyce Smith | So certify |
| Jajala Schwieger | So certify |
| Robin Bristow | So certify |
| Mary E. Rickmond | So certify |

6. ECT Hearing – E.B.

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Executive Session Minutes

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| Robin Bristow | So certify |
| Mary E. Rickmond | So certify |

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After a brief discussion the committee decided to follow the same
arrangements as last year for Geriatric Christmas Party.

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