

**LOCAL HUMAN RIGHTS COMMITTEE**

07/18/16

- Present: Greg Czynszczon, Ph.D, Acting LHRC Chair  
Carolyn Marion, LHRC Member  
Lana Hurt, DBHDS/OHR Advocate  
Maynard Ritchie, OHR/WSH-CCCA Advocate  
Erin Haase, *Affiliate: Family Pres. Svcs. Inc.*  
Karyn Nicolai, *Affiliate: VHBC & VSS*  
Nicki Shepard, *Affiliate: Compass Counseling Svcs.*  
Jim Rankin, *Affiliate: NCG, Inc.-Staunton/H'burg*  
Teresa Bouthillier, *Affiliate: Intercept/MHS & IHS*  
Kelly Brandon, *disAbility Law Center of Virginia (dLCV)*  
Jeffrey Aaron, Ph.D., CCCA Fac. Dir.
- Renee Hummell, LHRC Member  
Susan Richardson, LHRC Member  
Cassie Purtlebaugh, DBHDS/OHR Regional Advocate
- Jessica Sibold, *Affiliate: Family Pres. Svcs. Inc.*  
Mike Hamilton, *Affiliate: Liberty Point*  
Erika Bischof, *Affiliate: Compass Counseling Svcs.*  
Heather Belcher, *Affiliate: Intercept Youth Svcs.-Shen. House*  
Kurt Holsopple, *Affiliate: Crossroads Counseling Ctrs.*  
Jenny Heilborn, *disAbility Law Center of Virginia (dLCV)*  
Pam White, CCCA LHRC Liaison

Absent: Sarah Russell, LHRC Member

Minutes Prepared by: Pamela White, CCCA Liaison

Approved by:   
Renee Hummell, Secretary

CURRENT AGENDA	FUTURE AGENDA
1. Call to Order; Review of Minutes	1. Call to Order; Review of Minutes
2. General: Affiliated Programs	2. General: Affiliated Programs
3. Advocate's Report	3. Advocate's Report
4. CCCA Facility Director's Report	4. CCCA Facility Director's Report
5. Adjourn	5. <b>The next regular CCCA LHRC meeting has been scheduled for 10/17/16 @ 10:00am.</b>

1. Greg Czynszczon, Ph.D, Acting LHRC Chair called the meeting to order with roundtable introductions of all present and a review of the CCCA LHRC minutes of 04/18/16.

Action: The motion was made by Renee Hummell-Member that the CCCA LHRC minutes of 04/18/16 be approved as presented and seconded by Susan Richardson-Member; the motion passed unanimously.

2. **Affiliations: Annual Reports**

Dr. Czynszczon acknowledged the Annual Reports submitted by Jim Rankin-*Affiliate: NCG, Inc.-Staunton/Harrisonburg*, Teresa Bouthillier-*Affiliate: Intercept/MHS & IHS* and Nicki Shepard-*Affiliate: Compass Counseling Svcs.*

Action: The CCCA LHRC accepted the reports as presented.

**Affiliations: Requests**

Heather Belcher-*Affiliate: Intercept Youth Svcs.-Shen. House* requested to have a new location added to the existing affiliation with the CCCA LHRC. Intercept Youth Services Inc will be opening a girls group home in Timberville, Virginia. This will be an 8-bed facility housing girls between the ages of 12-18 years, with a tentative date for opening the first week of September 2016.

Erin Haase-*Affiliate: Family Pres. Svcs. Inc.* requested an affiliation for an expansion in services to provide Therapeutic Day Treatment in Riverheads High School in Augusta County.

Mike Hamilton-*Affiliate: Liberty Point* requested affiliation for an expansion in services for an 8-bed residential group home serving young adults ages 18-21 years. This group home would be close in proximity to *Liberty Point*.

Action: The CCCA LHRC thanked Ms. Belcher, Ms. Haase, and Mr. Hamilton for the program updates noting the expansion of services.

3. Cassie Purtlebaugh-DBHDS Regional Advocate began the Advocate's Report by announcing that the Northwest Capital Region of the Office of Human Rights (OHR) has developed a guidance document on points related to informed consent decisions that can be shared with anyone who requests this. To make the request, email [ana.hurt@dbhds.virginia.gov](mailto:ana.hurt@dbhds.virginia.gov). She introduced Maynard Ritchie as a new DBHDS/OHR advocate to cover both WSH and CCCA, noting that "Ritchie" has many years of experience and will be a great asset to the Human Rights office. Mr. Ritchie shared that he had been with the Va. Department of Juvenile Justice previously and was orienting himself to patients and operations at both facilities.

Ms. Purtlebaugh commented that our population is aging & many providers are finding themselves dealing with more medical complexity than in the past. There are several resources available from OHR. She added that as medical complexities increase, so too does the threshold for capacity to manage these decisions. Efforts to increase the circle of professional supports (including decision-making supports) as need be include:

- Provider roundtable meetings
- CRC specialists (<http://www.dbhds.virginia.gov/professionals-and-service-providers/developmental-disability-services-for-providers/provider-development>)
- RST
- REACH
- Increase in the number of BCBA's
- Home Health agencies
- DBHDS Safety alerts & Nurse consultant
- Hospice agencies

Providers are reminded to be proactive in seeking crisis stabilization supports. Please be aware of the challenges for people with ID/DD once they enter correctional systems. If/when you must call the police, be advised that you can request a CRT trained officer.

Ms. Purtlebaugh reviewed several statutes and reiterated that providers must complete CHRIS investigations of abuse/neglect allegations per the regulations: 12VAC35-115-230. Provider Requirements for Reporting to the Department.

- A. 2. The director ...shall report each allegation of abuse or neglect to the assigned human rights advocate **within 24 hours** from the receipt of the allegation (see [12VAC35-115-50](#)).
3. The investigating authority shall **provide a written report of the results of the investigation .... within 10 working days** from the date the investigation began unless an exemption has been granted by the department (see [12VAC35-115-50](#)).

Regarding the provider requirements for reporting restraints (sections 100 & 110), she cautioned: *Be reminded, any/all use of restraints – for whatever reason (medical, behavioral, protective) must be reviewed by the LHRC and meet the following criteria.*

- Overarching Guide (**12VAC35-115-110.C.19.b**) Documentation should reflect that the risks associated with NOT treating (or limiting) are greater than the risk associated with the use of the restraint or restriction.
- Most restrictions (Section 50/Dignity) must be reviewed by a licensed professional, as well as a Human Rights Advocate. When in doubt, call.
- Consider use of page 9 of Part V, PCP forms (on the DBHDS website) for team review of safety restrictions.

Ms. Purtlebaugh added that because of the changes that are coming to the regulations, at this time, OHR does not see the necessity for providers to sign new affiliate agreements with the LHRC. However, if the committee feels it works best for them, and since the regulations have not yet changed, this is at the discretion of each committee. Please feel free to move forward as you see fit.

On June 17, 2016, the Centers for Medicare and Medicaid services notified the Commonwealth that they require some additional time to review the Commonwealth's amendments to the three DD waivers. **Therefore, the anticipated date for the implementation of the DD Systems Redesign has changed to August 1, 2016.**

3. (Continued) Ms. Purtlebaugh commented that the delay will have the following implications:
  - o The implementation of all new services and the tiered reimbursement structure for new and existing services will be delayed.
  - o Prevocational services will continue in July, until new waiver services are approved.
  - o CSB slot selection committee will continue to operate to assign ID waiver turnover slots. DBHDS will continue to assign turnover DD waiver slots according to the existing process.
  - o IDOLS will remain active for service authorization for the ID and DS waivers. **For DD Waiver service authorizations, KEPRO will still transition services authorization functions to DBHDS effective 7/1/16. Please reference 5/17/16 and 5/18/16 Medicaid Memos on this topic.**
  - o Work on WaMS will continue and the delay will permit time for additional training. WaMS will not be used for service authorization until the amendments are approved.
  - o WaMS trainings for train the trainer will be held as scheduled this week.
  - o FEi Systems will still open their help desk on July 1 for users who will be enrolling in the system or who have accessed the online training materials and have questions.
  - o Weekly stakeholder calls will continue as scheduled. More information will be provided during this time.

The following changes will occur on July 1, 2016 and will not be affected by the delay: CSBs will assume the responsibility for being the single point of entry for all individuals with DD. Individuals who need to be screened for the DD Waiver also need to go through the CSBs to request a screening.

Ms. Purtlebaugh announced the following training opportunities and announcements:

- o A Mock LHRC Hearing Opportunity. OHR Advocates in Region 1/2 are providing hearing trainings to any interested LHRCs in anticipation of increase in hearings with new HR regulations. We are happy to do this for this LHRC if the committee members so request it. Send email to Cassie/Artea/Lana if you would like to request training for your LHRC.
  - o CHRIS Training at Region 10 CSB on Thursday, July 21, at 10am. All are welcome!
  - o The Human Rights Regulatory Package (aka, the new regs!) have been approved by the SHRC with no changes. The next step is Stage 3 – Executive Branch Review.
  - o Annual training for human rights is the responsibility of the director (and/or his/her designee), as well as new hire training in human rights.
4. Jeffrey Aaron, Ph.D.-CCCA Facility Director provided the Director's Report, stating that CCCA ended Fiscal Year (FY) 2016 with 762 admissions, noting that private provider beds were purchased for an additional 256 admissions that were diverted from CCCA for a total of 1018 hospitalizations. He added that the average Length-of-Stay for FY2016 was 15.5 days, down from 17.0 for the previous year.
  5. Dr. Czynszczon requested a proposed slate of officers for the CCCA LHRC.

Action: The CCCA LHRC nominated, passed motions and elected the following slate of officers:

- o Chair: Greg Czynszczon, Ph.D
- o Vice Chair: Susan Richardson
- o Secretary: Renee Hummell

6. CCCA LHRC having no further business, the motion was made by Dr. Czynszczon and seconded by Susan Richardson-Member to adjourn; the motion passed unanimously.