



ARLINGTON LOCAL HUMAN RIGHTS COMMITTEE

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Arlington Local Human Rights Committee Meeting
July 25, 2016
7:00 p.m.

Minutes

LHRC members present: Alicia Guajardo, Sue Lowry, Christine Plummer, Angela Griffin

LHRC members absent: Michael Mullins

Staff present: Lana Hurt, Human Rights Advocate (Substitute by telephone)
Jan Longman, Substitute for LHRC Coordinator

Staff absent: None

Affiliates present: Arlington CSB, Community Residences, St. Colletta

Affiliates absent: Fellowship Health Resources

Guests: Lindsay Murphy, LHRC Candidate
Claudia Concha, LHRC Candidate
Alonda Love, LHRC Candidate

Meeting location: 2120 Washington Boulevard, Arlington

Meeting called to order at 7:07 p.m.

Public Comment: None

Introductions

The committee and attendees introduced themselves.

New and Old Business

- Draft minutes from the April 2016 meeting were reviewed. No changes were made. Sue Lowry moved to accept the minutes; Christine Plummer seconded the motion. The minutes were approved.
- **Training needs:** the committee discussed the need for training for its members.
 - Tim Simmons, our assigned human-rights advocate, had agreed to provide training at this meeting which did not occur. He also committed to providing

orientation packets for committee members to review before this meeting. This also did not occur. Lana Hurt committed to following up with Mr. Simmons to address delay.

- The Committee discussed a longer term aspiration to incorporate training as a standing agenda item for each LHRC meeting. Lana Hurt shared that the Office of Attorney General is developing training based upon upcoming regulatory changes.
- **Recruitment and Committee Membership**
 - Three LHRC candidates were interviewed and will be recommended for addition to the Arlington LHRC.
 - Michael Mullins needs to step down from the LHRC. Lana Hurt will adjust the roster.

Following the executive session at the end of the meeting, no additional business items were addressed.

Regional Advocate's Report

Lana Hurt provided the following information

- The Northwest Capital Region of the Office of Human Rights 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 лана.hurt@dbhds.virginia.gov.
- Our population is aging and many providers are finding themselves dealing with more medical complexity than in the past. Resources are available. As medical complexities increase, so too does the threshold for capacity to manage these decisions. Increase the circle of professional supports (including decision-making supports) as need be:
 - 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.
- Providers must complete CHRIS investigations of abuse/neglect allegations per the regulations:
 - Provider requirements for reporting restraints (sections 100 and 110): Be reminded, any/all use of restraints – for whatever reason (medical, behavioral, protective) must be reviewed by the LHRC.
 - 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.
- Because of the changes that are coming to the regulations, at this time, the Office of Human Rights 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. The committee can move forward as it sees 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. The delay will have the following implications:
 - The implementation of all new services and the tiered reimbursement structure for new and existing services will be delayed.
 - Prevocational services will continue in July, until new waiver services are approved.
 - 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.
 - 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.
 - 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.
 - WaMS trainings for train the trainer will be held as scheduled this week.
 - 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.
 - 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. This means individuals who need to be screened for the DD Waiver also need to go through the CSBs to request a screening.
- OHR has hired Maynard Ritchie as a new advocate to cover WSH and CCCA. Ritchie has many years of experience and will be a great asset to the Human Rights office.
- New regulations have been approved without comment by the SHRC. Next step is review by the Executive Branch. Expected new regulations somewhere between the end of September and November, but we cannot be sure of the timeline.

- CHRIS training last week at Region 10, well attended and helpful. Next CHRIS training will be July 29, 2016, at Fredericksburg Area LHRC, 10:30 a.m. All are welcome to attend if you are struggling with the CHRIS system. We are also recommending that you assign more than one staff to CHRIS entry for coverage when primary CHRIS staff is not available to input reports. Very important to stay within the reporting timeframes and guidance offered in regulations.
- Consolidation of UVA and Region 10 LHRC – Last Friday was the last independent UVA LHRC meeting before the first consolidation for Region 1-2. As a reminder, we have 21 LHRCs in this region. Five are state facilities, and the remaining 16 are community-based LHRCs which will be collapsed eventually into 6 committees if the proposal is accepted by the SHRC.

Quarterly Provider Incident Reports: The members reviewed the quarterly incident report from St. Colletta. Fellowship Health Resources was not in attendance to review their report as needed.

Executive Session: At 7:59 p.m., Sue Lowry read the committee into executive session with “I move that the Arlington Local Human Rights Committee go into executive session pursuant to Virginia Code, 2.2-3711.A., paragraph 15, for the protection of the privacy of individuals and their records in personal matters not related to Public Business.” The motion was seconded and all members certified.

Quarterly Behavior Plan Reports: The committee reviewed behavioral reports.

Confidentiality Statement: At 8:29 p.m., The Committee came out of Executive Session to vote on the plans. Christine Plummer stated: “Each member shall certify that to the best of their knowledge that only matters for the protection of the privacy of individuals and their records in personal business were heard, discussed, or considered.” Each member replied, “I so certify.” Behavioral plans will be approved via e-mail, since forms were not available and some questions arose regarding several of the plans.

Adjourn

Christine Plummer made a motion to adjourn, which was seconded by Alicia Guajardo. Meeting adjourned at 8:34 p.m.

Next meeting: October 24, 2016, 7 p.m.

Meeting location: 2120 Washington Boulevard, Arlington, VA 22204, room 112