

LHRC Meeting Minutes
August 11, 2016
Rockbridge Area Local Human Rights Committee
Sheridan Livery
35 N. Main Street, Lexington VA 24450
12pm

Present: Robin Telsch, Lana Hurt, Artea Ambrose, Betty Crance, Nancy Simmons, Al Davis, Greg Hornback, Jean Kelser, Cheryl Wong, Ellen Watts, Carolyn Beverly, Angela Beverly, Janet Boller, Genevieve Brown

Absent: Donna Bright, Debbie Shafer, Alan Shafer

Introduction of LHRC members and attendees

Feb 2016 minutes' amendment approved. May 2016 minutes approved.

Human Rights Advocate's comments:

Lana Hurt and Artea Ambrose:

- 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 lane.hurt@dbhds.virginia.gov
- Our population is aging & 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 BCBAs
 - 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.

<http://aaidd.org/news-policy/policy/position-statements/criminal-justice#.V1C6FP4UVUF>
 - If/when you must call the police, be advised that you can request a CIT trained officer.
- 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](#)).

- Provider requirements for reporting restraints (sections 100 & 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 pg 9 of Part V, PCP forms (on the DBHDS website) for team review of safety restrictions.
- 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. 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 did occur on July 1, 2016 and **were not affected by the delay:**
CSBs assumed 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.
- Consolidation of UVA and Region 10 LHRC has occurred as the 1st consolidation for Region 1-2. As a reminder, we have 21 LHRCs in this region. 5 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.
- Mock Hearing and other training options for LHRC were discussed. Date is TBD by committee and advocates.

News and Comments from Affiliates and guests: Provider updates- discussed Waiver Changes.

Provider Quarterly Reports:

- Rockbridge Area Community Services
- Commonwealth Lifespan Services
- Grand Anne Residences
- Humankind
- ACTS, LLC
- Building Bridges group home- recently licensed for one year. Has 3 residents now.

LHRC Re Appointment of current members and recruitment for Consumer members:

Jean Kelser interviewed for membership to Rockbridge Area LHRC. Ellen Watts has been re-appointed for a 3 year term. Continue to recruit for members to LHRC.

New Business: None.

Forthcoming Meeting Times:

- The November meeting will be November 10 @3pm at 241 Greenhouse Road; Room 256, Lexington, VA 24450.
- February 9, 2017 @ 3pm at 241 Greenhouse Road; Room 256, Lexington, VA 24450.

Note taker: Genevieve Brown