DRAFT
Piedmont Geriatric Hospital
Local Human Rights Committee
Meeting Minutes

July 29, 2010

The Piedmont Geriatric Hospital (PGH) met on July 29, 2010 to conduct fact finding conferences/hearings for GR, CW and CT.

GR was advised of his right to an open or closed hearing and he opted to have an open hearing. The Committee notes in the record that the Piedmont Geriatric Hospital Local Human Rights Committee is concerned about the preservation of patient privacy and the confidentiality of medical records. For this reason, the Committee wishes to record that the right to a closed hearing has been reviewed with GR and that he is authorizing the disclosure of information that would otherwise be exempt from public dissemination.

The Committee conducted the fact finding conference/hearing for GR in open session pursuant to his request.

PGH LHRC Members in attendance: John K. Fyfe, Chair, James Dyson, David Patterson and Patricia Fyfe-Horne

Others presents: GR, complainant, Walter Small, Human Rights Advocate Senior-PGH/VCBR, Cheryl Young, Resident Complaints Manager-VCBR, Dr. Mario Dennis, Director of Behavioral Services-VCBR, Sherry Miles, Regional Advocate (technical assistant) and Beth Lee, Human Rights Advocate Senior-CVTC (observer)

After reviewing submitted evidence and hearing testimony from GR, the Committee determined his rights were not violated as outlined in 12VAC 35-115-60.B.5 Services. As well, the Committee determined that VCBR did not violate GR's rights as outlined in 12VAC35-115-50.C.6. Dignity. The Committee determined that VCBR did not violate GR's rights as outlined in 12VAC35-115-100.A.1.a. Restrictions on freedoms of everyday life.

The Committee recommendations were as follows:

1. VCBR adhere to all specific timeframes concerning the development and implementation of treatment plans.
2. VCBR clearly indicate to residents the purpose of each document the resident is signing.
3. VCBR clearly indicate to residents when the resident should expect the next phase of treatment plan development and implementation.

4. VCBR revise their current treatment plan policy to include specific timeframes that the resident can expect to see his treatment plan implemented.

CW was unable to attend the hearing due to a scheduling conflict but provided documentation to the Committee stating he wanted Walter Small, Human Rights Advocate Senior to represent him in his absence. Prior to the hearing, CW was advised by Mr. Small of his right to an open or closed hearing and CW opted to have an open hearing. The Committee notes in the record that the Piedmont Geriatric Hospital Local Human Rights Committee is concerned about the preservation of patient privacy and the confidentiality of medical records. For this reason, the Committee wishes to record that the right to a closed hearing has been reviewed with CW via Mr. Small and that he is authorizing the disclosure of information that would otherwise be exempt from public dissemination.

The Committee conducted a fact finding conference/hearing for CW in open session pursuant to his request.

PGH LHRC members in attendance: John K. Fyfe, Chair, James Dyson, David Patterson and Patricia Fyfe-Horne

Others presents: CW, complainant was not present and requested Walter Small Human Rights Advocate Senior represent him, Walter Small, Human Rights Advocate Senior-PGH/VCBR, Cheryl Young, Resident Complaints Manager-VCBR, Dr. Mario Dennis, Director of Behavioral Services-VCBR, Sherry Miles, Regional Advocate (technical assistance) and Beth Lee, Human Rights Advocate Senior-CVTC (observer)

After reviewing submitted evidence and hearing testimony from Mr. Small representing CW, Ryan Ervin, Security Officer, Dawud Abdusslaam, Security Officer, Duncan Benton, Security Officer (transporting officer) and Chad Houser, Security Director-VCBR, the Committee determined VCBR did violate CW's rights as outlined in 12VAC35-115-50.A.Dignity. The Committee determined VCBR did follow the search policy but felt staff actions were excessive and unnecessary considering the situation.

The Committee recommendations were as follows:

1. VCBR provide CW, within 5 working days of the receipt of these findings, with a written formal apology concerning this incident with a copy to the PGH LHRC Chair and Human Rights Advocate Senior.
2. VCBR develop a new search policy that will be less misunderstood and abused by staff particularly when residents are returning from medical procedures and includes medical staff presence during searches.
3. VCBR submit a draft search policy to the PGH LHRC Chair with copy to the Human Rights Advocate Senior within 5 working days of receipt of these findings.

4. When the new search policy is developed that all staff are retrained in a timely manner to policy changes.

The Committee was scheduled to conduct a fact finding conference/hearing for CT but on their own motion continued the hearing past the twenty day timeframe due to issues with quorum past 4pm. One member had to leave for work thus leaving the committee without quorum. CT's hearing was re-scheduled for Monday, August 2, 2010 at 1pm.

The Committee determined that the request for fact finding conference/hearing by JR should not be heard as JR had not completed the complaint process before requesting a fact finding conference/hearing. JR was advised of this decision via a letter from the PGH LHRC Chairperson.

The meeting was adjourned.