

Central Region LHRC

Virtual Meeting

January 15, 2025

Minutes

Members Present:

Edward Helton, Chair, Prince Edward

Bonnie Green, Vice Chair, Chesterfield

Charita Threatt, Secretary, Chesterfield

Londella Hamilton, Member, Chesterfield

**Members Absent**

Deborah Greene

Wanangwa Mkandawire

Robyn Scott

Others Present

Bridgette Bland, Office of Human Rights, Region 4

Amya Henderson, Office of Human Rights, Region 4

Andrea Wharam, Jewish Family Services

Quian Price, Associate Administrator, Poplar Springs Hospital

Amy McCorkill, Counseling Advocacy and Associates

Andrea Banks, Jewish Family Services

Franklin Fox, Jewish Family Services

**Providers Present**

Poplar Springs Hospital (several members)

Jewish Family Services

CALL TO ORDER

Edward Helton, Chairperson, called meeting to order at 9:42am January 15, 2025 meeting. We do have a quorum for today's meeting that was held virtually.

ROLL CALL/ATTENDANCE

Those in attendance made introductions. Members stated their names and location as stated above with the virtual meeting.

#### APPROVAL OF AGENDA

9:44am, motion made to accept the agenda.

Edit to agenda New Business, Petitioner vs District 19 CSB outside of 20 days.

Bonnie made motion to accept the agenda with amendment, Londella seconded motion. All in favor.

Approved.

#### APPROVAL OF MINUTES

No corrections noted. Londella made a motion for the minutes to be approved, Bonnie seconded motion. All in favor. Minutes approved.

#### PUBLIC COMMENTS

There were no public comments.

#### CHAIR ANNOUNCEMENTS

No announcements from chair.

#### ADVOCATE REPORT AND TRAINING

##### **Advocate Comments, Region 4, 4th Quarter, 2024**

☐ Quarterly Complaint Statistics are reported from the previous quarter.

For the quarter ending 12/31/2024 in Region 4:

- **30** Complaints involving allegations of ANE (CSB)
  - **405** Complaints involving allegations of ANE (Providers)
  - **9** Complaints not involving ANE (CSB)
  - **73** Complaints not involving ANE (Providers)
- 517 Total Complaints Received**

Of Q4's 517 total complaints in region 4, 128 allegations involving ANE were substantiated, 7 violations were found regarding complaint not involving ANE. (543 complaints received in Q3).

#### LHRC Recruitment

Please contact Regional Human Rights Advocate, Andrea Milhouse via email at [andrea.milhouse@dbhds.virginia.gov](mailto:andrea.milhouse@dbhds.virginia.gov) if you know of anyone interested in becoming a member of Region 4's LHRCs or the SHRC.

#### **Updates:**

- There is an open [public comment forum](#) for 30 days on this DRAFT Noncontroversial Streamlining, Clarifying, and Regulatory Reductions to Chapter 115. In accordance with Governor Youngkin's [Executive Directive 1](#) to remove "regulations not mandated by federal or state statute, in consultation with the Office of the Attorney General, and in a manner

consistent with the laws of the Commonwealth,” the DBHDS Office of Human Rights reviewed the human rights regulations to identify noncontroversial amendments and developed a draft for consideration as fast track actions. Goals of the DRAFT revision to the Human Rights Regulations are to increase individuals’ access to due process and rights protection, to make the regulations easier to understand, and to improve administrative and program efficiencies to facilitate both provider compliance and increased availability of Human Rights advocates for direct involvement with individuals receiving services. Here is the link for the PDF of Chapter 115, Periodic Review Response DRAFT - [DRAFT Noncontroversial Regulatory Reductions to Chapter 115](#)

- Call or text 988 or find help online at [988va.org](https://988va.org) for themselves or a friend or family member who may need crisis support.
- Next SHRC meeting is January 16, 2025: Central Office – Richmond, Virginia
- **LHRC Training Offerings:** Opportunities for training should occur during the Advocate Comment period of each LHRC meeting. If you have questions related to LHRC training, please contact your LHRC Advisor, Bridgette Bland. New Member Orientation/Refresher: LHRC Composition and Responsibilities (includes Robert’s Rules of Order) – Conducted via Teams w/OHR Training and Development Coordinator
- Complaints and Appeal Hearing Process (Mandatory - **at least annually**)
- Overview of Human Rights Regulation (Mandatory - **at least annually**)
- FOIA (Mandatory - **at least annually**)
- LHRC Review Forms (Mandatory - **at least annually**)
- Behavioral Support Plan Review
- Dignity
- Research
- Authorized Representatives/Next Friend
- Variances
- Restrictions on Freedoms of Everyday Life

#### **Upcoming 2024 SHRC Meetings**

January 16, 2025: Central Office – Richmond, Virginia

March 6, 2025: - Region 2

April 10, 2025: - Region 4

May 22, 2025: - Region 1 -Lexington

June 26, 2025: -Region 3- Marion

August 14, 2025: -Region 5 – Virginia Beach

September 25, 2025: -Region 2

October 23, 2025: -Region 1- Winchester

December 11, 2025: Region 5- Williamsburg

The SHRC is required to meet at least 8 times a year. Unless special circumstances apply, administrative sessions normally convene at 8:30AM. Regular sessions normally convene at 9:00AM and run until all agenda items are addressed. Portions of meetings are held in closed session. Appeals are normally scheduled for late morning.

No training was provided.

#### OLD BUSINESS

Update Provider Restriction Review: Monitoring device for seizures, Amy McCorkill, Counseling Advocacy Associates, presented.

No follow-up questions were presented by the committee.

#### NEW BUSINESS

Fact finding hearing Jewish Family Services Legal Guardian for SM vs. Poplar Springs Hospital.

#### Open SESSSION

Ed Helton Welcomed to Fact Finding Hearing.

All attendees introduced themselves again along with the LHRC committee members.

Edward Helton, Chair Prince Edward

Bonnie Green, Vice Chair

Charita Threatt, Secretary Chesterfield

Londella Hamilton, Member

Andrea Banks, Jewish Family Services

Andrea Wharam, Jewish Family Services

Frank Fox, Jewish Family Services

Quian Price, Associate Administrator, Poplar Springs Hospital

Michael Triggs, Chief Executive Officer, Poplar Springs Hospital

Amber Nesbitt, Director of Risk Management, Poplar Springs Hospital

Sheona Tibbs-Morton, Patient Advocate, Poplar Springs Hospital

Andrea Milhouse, Regional Advocate Manager, Office of Human Rights, Region 4 (Observed process)

Bridgette Bland, Office of Human Rights, Region 4, Technical Advisor to the petitioner/ Legal Guardian

Amaya Henderson, Office of Human Rights, Region 4, LHRC Technical Advisor to the LHRC

Review of Rights of the client/ Legal Guardian for an open or closed hearing.

Legal Guardian Andrea chose an open hearing.

Edward Helton Chair noted: "May it be noted for the record that the Central Region local human rights committee is concerned with the preservation of client privacy and confidentiality of medical records. For this reason, we wish to assure at this time that the right to a closed hearing pursuant to the Code of

Virginia 2.2-3711 (A) (15), paragraph 15 has been thoroughly reviewed with the complainant on behalf of the subject of the record, Andrea Banks, is authorizing the disclosure of information that would be exempt from public dissemination.”

Testimony for Andrea Banks, Jewish Family Services, Legal Guardian for SM.

Hearing called S. McCutcheon, was sexually assaulted by another resident during her stay at Poplar Springs Hospital and under their care. On October 28, 2024, client gave details to Ms. Banks before nurse Jasmine gave specifics about what happened. Ms. Banks reported that the nurse called to inform her that S.M. was involved in sexual interactions in the bathroom. She reported that the nurse was laughing and stated that she was not in trouble but they (SM and peer) were separated in group. 1 hour later SM was spoken to and stated that she was “raped” and was “burning down there” (nurse helped her to call staff at JFS). She was questioned if she wanted to do it. Ms. Banks stated that S.M. was level of functioning and diagnosis ID, DD and MH and functioned at the age of a 12-year-old.

Ms. Banks informed nurse Jasmine that she needed to see a doctor but was told by Jasmine that she could not see medical today (4:30pm). She was reportedly transported to the hospital to have a rape kit done and that she could not see the doctor until the next day. ( She reported that S.M was screaming). Ms. Banks reported that SM could not be talked to without JFS. It was reported that the police questioned the client and Poplar Springs was aware.

Ms. Banks reported that she was taken to Southside Regional Medical Center, but a rape kit could not be performed. She was then transported to St. Mary’s and was treated like a victim. She reported that St. Mary’s had a forensics person on staff and reported S.M. had a tear in her vulva and dry substance that was determined to be blood. She reported that she returned to the facility at 3am and was not able to keep her eyes open. She added that client regularly sees an OBGYN and was not sexually active as she was hurt by her father and her brother as a child. She reported Negligence for denying medical attention.

Poplar Springs Hospital testimony

Michael Triggs, Chief Executive Officer, Poplar Springs Hospital

Poplar Springs stated that they did not have a copy of the guardianship paperwork that they can’t have a conversation without a physician. He said that she it did not include the police but in the event of a rape incident police were contacted.

They reported that every 15 minutes at a minimum staff made rounds, and they lock bedroom doors. He reported that there are established procedures however, there are gaps in the practices. The alleged peer was allowed to have his door open. They reported that SM was friendly and hugged a staff member. They reported that SM walked in male peer’s room.

Poplar Springs staff stated that had no knowledge of the nurse laughing. Poplar Springs acknowledged TDO vs voluntary was inaccurate in the service record.

Closing statement from Jewish Family Services.

Closing statement from Poplar Springs

**Closed (Executive) Session**

A motion was made by Bonnie Green to go into closed session, seconded by Charita Threatt and approved by all.

(Amended) Deliberations regarding findings made in closed session.

#### RETURN TO OPEN SESSION

11:52am Bonnie Green made a motion, Charita Threatt seconded to return to open session.

Londella Hamilton made a motion to come out of closed session, Charita Threatt seconded and approved by all.

Upon reconvening in open session, each member certified that, to the best of each member's knowledge, only private business matters, lawfully exempted from statutory open session requirements and identified in the motion by which the closed session was convened, were considered in the closed session, namely, to deliberate findings for fact-finding hearing.

#### MEETING ADJOURNED

Next regular meeting will be held on February 19, 2025, at 9:30am at 7810 Winterpock Road Chesterfield, Va. 23832.

Upon a motion made by Edward Helton and seconded by , the meeting adjourned at 11:53am meeting adjourned.

Respectfully Submitted,

Charita Threatt, Secretary

Central Region Local Human Rights Committee