

MINUTES

**STATE MENTAL HEALTH, MENTAL RETARDATION
AND SUBSTANCE ABUSE SERVICES BOARD**

August 19, 2008

**Henrico Area Mental Health & Retardation Services
Glen Allen, VA**

Members Present: Daniel E. Karnes, **Vice Chair**; Catherine M. Hudgins, Mary J. McQuown, Ananda K. Pandurangi, M.D. and Kathryn A. Smith

Members Absent: Cheryl Ivey Green and Ruth G. Jarvis

Staff: Jewel Crosby, Executive Secretary, State MHMRSAS Board
Charline Davidson, Director, Office of Planning & Development
Paul Gilding, Director, Office of Community Contracting
Jim Martinez, Director, Office of Mental Health Services
Meghan McGuire, Communications Manager, Office of Legislation & Public Relations
James Reinhard, M.D., Commissioner, Office of the Commissioner
Ruth Anne Walker, Legislation Manager, Office of Legislation & Public Relations
Margaret Walsh, Director, Office of Human Rights

Others: Charles Davis, M.D., Facility Director, Central State Hospital
Ray Gudum, Past Chair, VACSB
Jane Hickey, Senior Assistant Attorney General Chief, Office of the Attorney General
John Lindstrom, Director, Assessment, Emergency & Medical Services, Richmond Behavioral Health Authority (RBHA)
Michael O'Connor, Executive Director, Henrico Area Mental Health & Retardation Services
Edrys Rines, Customer Service Center Manager, Central State Hospital
Jamie Trosclair, Executive Director, The Arc of Virginia
Kirby Wright, Chair, State Human Rights Committee

Call to Order: Daniel Karnes, Vice Chair, called the meeting to order at 10:13 a.m. Mr. Karnes welcomed those in attendance and introductions were made.

Michael O'Connor, Executive Director, welcomed attendees to the Henrico CSB and shared general housekeeping information. Mr. O'Connor presented an overview of services from the Henrico CSB. Catherine Hudgins expressed an interest in obtaining a copy of his presentation. Mr. O'Connor stated that he would forward a copy of the presentation to the Board's Secretary to be distributed to the members.

Agenda: *Upon a motion from Mary McQuown and seconded by Catherine Hudgins, the Board unanimously approved the August 19, 2008 revised draft agenda as presented. 5-Yes; 0-No.*

Minutes: *Upon a motion from Mary McQuown and seconded by Catherine Hudgins, the Board unanimously approved the June 3, 2008 minutes as corrected. 5-Yes; 0-No.*

Public Comments: Written comments from M & J C were submitted and shared with the Board. (Attached) The Board requested implementing a mechanism for follow-up reporting addressing the status of all written public comments submitted to the Board.

Jamie Trosclair, Executive Director, The Arc of Virginia, provided information on current activities at The Arc. She shared information with the Board on the movie, "Tropic Thunder", a DreamWorks film, offensive portrayal of people with intellectual disabilities. Ms. Trosclair encouraged board members to go to the Arc of Virginia's website to hear the message from Jill Egle, Co-Executive Director of The Arc of Northern Virginia in response to the film. The Arc is calling for a National Rally for Respect beginning August 13-17.

**Report of the Policy
Development and
Evaluation
Committee:**

Charline Davidson reported on behalf of the Committee. The Committee met on Sunday, August 17, 2008 at the Virginia Crossings Hotel & Conference Center. The Committee discussed and reviewed three policies that had completed field review for public comments:

- State Board Policy 4018 (CSB) 86-9 – Community Services Performance Contracts
- State Board Policy 1021 (SYS) 87-9 - Core Services
- State Board Policy 4010 (CSB) 83-6 – Local Matching Requirements for Community Services Boards and Behavioral Health Authorities

Ms. Davidson reported that it had been some time since these policies were last updated. Paul Gilding, Director of Community Contracting, as the key staff for the three policies, had attended the Policy Development and Evaluation Committee meeting and reported on proposed changes to update statutory references, reflect current terminology such as individuals with a "substance use disorder" or "intellectual disability," and incorporate background information that provides a more complete context for the policies. In its discussion of State Board Policy 1021 (SYS) 87-9, the Committee asked that the "limited services" reference identify the specific

services in this category (motivational treatment, consumer monitoring, and assessment and evaluation services).

Committee members also recommended that all three policies be revised to use “individuals receiving services” instead of “consumers” and to change language describing the population groups to “individuals with mental health or substance use disorders or an intellectual disability.”

The Committee recommended that the full Board adopt these policies, as amended, but postpone this action until the October 7 meeting because the policies were not included in the previous mailing.

The Committee also discussed the proposed State Board Policy 1044 (SYS) 08 Board and Agency Interoperability and expressed concerns as to whether a policy is the most effective mechanism to implement the interoperability concept. Committee members supported the concept of the proposed policy but felt that it might fall beyond the scope of the services. Board members supported the importance of developing collaborative relationships with other Boards and agencies and agreed that this should be included in its work plan. Members discussed a number of strategies for implementing this concept, including seeking an endorsement of the interoperability concept from the Secretary of Health and Human Resources and inviting members of other state boards and executive branch agency heads to meet with the Board to discuss common interests and opportunities for promoting partnerships and collaborative services and other assistance for individuals with a mental illness, intellectual disability, or substance use disorder. Members requested that staff draft a letter to be shared at the October meeting inviting other state board members and executive branch state agencies to future State Board meetings.

Upon a motion from Catherine Hudgins and seconded by Mary McQuown the Board agreed unanimously to include the interoperability concept in their work plan and have staff draft a letter and invitation for the board's review at the next Board meeting. 5-Yes; 0-No.

Charline Davidson presented and summarized the Public Participation Guideline Regulation for adoption. The regulations promote public involvement in the development, amendment, or repeal of state regulations. Virginia Code §2.2-4007.02 requires every rulemaking body in Virginia to adopt Public Participation Guidelines and to use them as guidelines in the development of its regulations. This law was modified during the 2008 General Assembly session to standardize the public participation process.

Agencies are being asked to either adopt the model public participation guidelines issued by the Department of Planning and Budget or to file the proposed regulatory action by December 1, 2008.

Upon a motion made from Mary McQuown and seconded by Kathryn Smith the Board unanimously adopted the 12 VAC 35-12 Public Participation Guidelines as an exempt regulatory action while simultaneously repealing the current 12 VAC 35-11 Public Participation Guidelines. 5-Yes; 0-No.

**Planning & Budget
Committee:**

Charline Davidson reported on behalf of the Committee. The Committee met on Sunday, August 17, 2008 at the Virginia Crossings Hotel. The Committee revisited its discussion from this past January regarding approaches for monitoring the implementation of the Comprehensive State Plan. These approaches included.

- Written quarterly reports on the implementation of the Governor's initiative;
- An annual compilation of selected Agency Strategic Plan and Service Performance Measures; and
- Presentations to the State Board on selected topics addressed in the Comprehensive State Plan.

The Committee looked at the annual compilation of agency performance measures and recommended presentations for future board meetings. Topics included OIG findings related to community children and adolescent services and state hospital recovery experiences; progress on implementing an electronic health record; cultural competencies and workforce development; services for veterans; criminal justice diversion; workforce initiatives; intellectual disability services and initiatives such as Positive Behavioral Supports and College of Direct Support; and community integration of MH and SA services.

**Board Liaison
Report:**

Kathryn Smith reported that she attended the Southside Behavioral Consortium meeting in July and participated in a yard sale hosted by the day support program in her area to raise funds for consumer weekend outings.

Mary McQuown reported that she attended the System Leadership Council meeting and in the peer community, they are focusing on the \$750,000 RFP for peer provided services. They are working with Joy Yeh to move on the priority list.

Catherine Hudgins reported that she attended an event acknowledging direct care worker's awareness. There was an opportunity to acknowledge the work of the direct care workers across the various disabilities as well as hear concerns they may have.

Ms. Hudgins also attended a pre-released opening of her area Detention Center, a program that is used by the local CSB. The program identifies 20-30 days out, individuals in the system with key concerns that may need addressing upon their release. The purpose is to make sure they have available resources in place upon their release such as mental health, health or housing service.

Dr. Pandurangi reported that he had written an article in the Virginia Society of Psychiatry newsletter sharing information on activities of the State Board and encouraging members to contact the Board Secretary if they wish to attend future State Board meetings to present comments or submit written comments.

Dan Karnes informed board members that the Governor's Office has identified two candidates for consideration in filling the vacant slots on the State Board. Currently, there are two vacancies on the board due to resignations from Linda Bartlett and Victoria Cochran.

**Employee
Recognition:**

Edrys Rines, Customer Service Center Manager, Central State Hospital, was commended and presented a resolution for 50 years of service at Central State Hospital from the State Board and Commissioner.

**Commissioner
Report:**

Dr. Reinhard continued with updates from the board's annual planning session on Monday, August 18. Dr. Reinhard gave a brief summary to the board on the mental health reform. He informed Board members that Jim Martinez, Mental Health Director, would be presenting additional information and updates at the board meeting on the mental health law reform. The Commissioner commended Jim Martinez and Jane Hickey, Office of the Attorney General on the work on code changes and presentations provided across the Commonwealth addressing the mental health reform initiative.

Dr. Reinhard informed the Board on the intellectual disability waiver slots reporting that 600 slots were allocated for the biennium and the first 400 were distributed among the 40 CSBs in July. The remaining 200 will be disbursed to the urgent waiting list in April 2009. A spreadsheet identifying disbursement of the slots will be sent to board members.

The Commissioner reported that the JLARC study on substance abuse treatment has been completed. Copies of the report will be sent to the Board.

State Human

Rights Committee: Mr. Kirby Wright, Chair, State Human Rights Committee, summarized activity of the Committee and shared an overview of the 2007 Annual Report.

VACSB Report: Ray Gudum, Past Chair, reported on behalf of the VACSB Board. Copies of the brochure announcing the 2008 Public Policy Conference scheduled on October 1-3 in Roanoke were distributed along with a summary of the VACSB priorities.

The meeting adjourned for lunch at 11:55 a.m. and reconvened at 12:20 p.m.

Staff Updates: Jim Martinez summarized activity and shared updates on the mental health reform. Mr. Martinez shared briefly the history of the development of the Commission on Mental Health Law Reform appointed by the Chief Justice of the Supreme Court. He presented an overview of new services, training, forms, monitoring & reporting and information on the work of the Commission on Mental Health Law Reform.

Other Business: The next scheduled meeting of the State Board will be held on Tuesday, October 7, 2008 in Burkeville.

Daniel E. Karnes, Vice Chair

Jewel C. Crosby, Secretary

August 13 2008

M & J C

Dear Board Member,

My wife and I are writing you today on our behalf and the behalf of the adult intellectually disabled. For two years we have been preparing and obtaining the proper training that the state of Virginia requires to be licensed providers through an organization called "F. S., LLC." We understand that transitioning an individual from a group home or institution to a private home gives that individual the opportunity to perhaps live in more of a family environment, empowering them to make their own choices and decisions, to achieve personal goals and experience the freedom of life that many of us take for granted every day.

My wife and I have been married for twelve years. Our home has always been open to those in need, children or adults. That's our heart, and we believe our purpose. Before we were married, J. served as a big sister for Big Brothers Big Sisters of Harrisonburg. As a single parent, I worked full time for the City of Harrisonburg, after gaining full custody of my son D. at the age of two years old. In the twelve years of our marriage, J., D. and I have shared a loving relationship, in a Christian based home. Our son D., now almost twenty-three, served one and a half years as a jailer for Rockingham County Sheriff's Department, and now serves our country as a cavalry scout in the U. S. Army.

You see, we believe all things are possible. Time after time we've seen lives changed. It has been by God's grace that we, J. and I have been freed to take our eyes off of ourselves and invest our time and lives in others less fortunate. We do believe we're called to share our lives with the adult intellectually disabled. It would be a privilege and a rewarding life for us and the individuals we seek to live in our home.

After successfully completing the proper training (some of it twice), and meeting an individual who could benefit from such programs, we have been refused the opportunity to share our gifts and talents with those that are in need of that family environment. I, M.C. have two misdemeanor assaults on my record of 17 and 22 years ago.

After researching and reading the DMHMR rules and regulations, it would be easy for some to accept and graciously not pursue such a life of service; but you see, as I mentioned earlier, this is who we are. My life, and now, my wife and I are continually serving those needing assistance, and we will continue to do so in whatever capacity we can. My question is, "Is there any change in policy or regulations that could take place with DMHMR that doesn't hinder or prevent one such as myself from fulfilling a call to share in the lives of others through the Medicaid Waiver program?" We all have a past- some things recorded and for some, a lot not recorded. Our lives have been and are now an open book. I am not ashamed of my past. Those circumstances in our past do have an impact on who we are today- mine being that of adversity, and recognizing as an adult that adversity makes me realize from Whom my strength comes. It was God that kept me in those times, and has given me the strength and the ability to be a servant today.

Approved: October 7, 2008

I want to thank you for reading this letter, for in doing so, you have heard our hearts. If there is something more we can do or perhaps meet with you (the Board), we would greatly appreciate it.

Living the Great Adventure,

M and J C

**STATE MHMRSAS BOARD
Retreat Minutes**

August 18, 2008

Wyndham Virginia Crossings Hotel
Glen Allen, VA

Attendees:	<u>Board Members</u>	<u>Staff</u>	<u>Others</u>
	Daniel Karnes	Jewel Crosby	Mary Vail Ware, Facilitator
	Catherine Hudgins	Charline Davidson	
	Mary McQuown	Heidi Dix	
	Anand Pandurangi	Meghan McGuire	
	Kathryn Smith	Ray Ratke	
		James Reinhard	
		Teja Stokes	
		Ruth Anne Walker	

Daniel Karnes welcomed all attendees at 9:15 a.m. and introductions were made.

Heidi Dix, Assistant Deputy Secretary of Health & Human Resources, provided updates the on 2008 Review and Future goals from the Secretary.

Ms. Dix also informed the board generally of the status of the Governor's budget and the proposed cuts and adjustments for the next biennium. Ms. Dix informed the board of the Higher Education Conference to be held in November, which will have information sharing on mental health threat assessment.

The Vice Chair called for a break at 9:50 a.m.

The planning session resume at 10:05 a.m.

Commissioner Reinhard provided updates to the Board on department activities related to the Governor's budget, Central Office Organizational Chart, CO Regional Realignment, the North Highland Project, the department's name change proposal, Part C, announcement of the Cultural Competency & Linguistic Director and the Department of Veterans' Services Wounded Warrior program. Documents were distributed with detailed information on the various topics discussed.

- A press release was formally announced stating the 1.5% budget reductions for FY09-10. There was nothing new for Central Office or the facilities; in Central Office, savings from FY08 will be used to cover the FY09 reduction and there are plans to keep some vacant positions open in FY10. Facilities submitted individual plans for their 1.5% reductions.

- The Governor's Working Group on Early Childhood Initiatives announced that the state lead agency for Part C would transfer from DMHMRSAS to the Department of Health. The change is a step toward Governor Kaine's goal of coordinating all early childhood programs under one Office of Early Childhood Development to support all of Virginia's young children.
- DMHMRSAS has recently been exploring ways to enhance access and services to Virginia's multicultural consumers by improving cultural and linguistic competencies. The Department has taken a major step by establishing a new Office of Cultural and Linguistic Competence within Central Office. The office will lead efforts to provide improved services to multicultural consumers and work toward eliminating gaps within the state's mental health, intellectual disability and substance-use disorder system. The newly hired director is Cecily Rodriguez, who has worked with Limited English Proficient (LEP) immigrants and refugees for more than 15 years in Texas, Mexico and Virginia.
- Commissioner Reinhard announced that Mark Vita would be the new project lead from North Highland replacing Roberta Keller, the first North Highland staff assigned to work with the department on the organizational assessment project. Mark has been actively involved in the interview process at DMHMRSAS and has already implemented a transition plan to take over as project lead with our agency. Commissioner Reinhard recommended having Mark Vita attend the October meeting to present to the board.
- The Commissioner updated the board on the DVS Wounded Warrior Program that supports and coordinates services for veterans with stress related and traumatic brain injuries resulting from service in a combat area. The program ensures the veterans and their families receive appropriate assessment, treatment, and support.
- The Commissioner informed Board members that DMHMRSAS has had its current name for more than 20 years. During that time, many states have updated their agencies' names to reflect current values and perceptions and to address feelings about certain language and biases. In addition, during that time, many people including legislators and advocates have complained about the Department's name being unwieldy and far too long. Thus, the time for giving this department a new, more current name has arrived.
- The Joint Commission on Health Care recently requested that the Secretary of Health and Human Resources, in cooperation with external stakeholder groups, implement a plan for a lead agency to serve individuals with autism and autistic spectrum disorders.

The planning session adjourned for lunch at 12:00 p.m. and reconvened at 1:00 p.m.

Mary Vail Ware, Facilitator, led the Board in setting their 2008-09 priorities and goals for the year. Priorities were set to support identified measures and indicators from the Comprehensive Plan.

Board members began by addressing housekeeping issues identifying the 2008-09 meeting dates of the State Board.

The Board discussed the schedule for 2008-09. Board members in attendance agreed to schedule meetings in proximity to the Metro Richmond area to save on cost associated with overnight travel for staff. Members agreed to host the Volunteer Luncheon every other year instead of every year as previously scheduled. Board members agreed to re-examine the criteria requirements for award recipients and to look into alternative funding to support the event. The next Volunteer Luncheon will be held in 2010. The board meetings for the remainder of 2008 through December 2009 are as follows:

2008

- Tuesday, October 7
- Tuesday, December 2

2009

- Tuesday, January 13
- Tuesday, April 7
- Tuesday, June 2
- Sunday-Tuesday, September 13-15 (Retreat)
- Tuesday, November 17

Proposed Agenda Topics for Future Meetings

- Workforce and HPO (High Performance Organization) Implementation
- Children & Adolescent Services (Inspector General Report)
- Reflected Priorities on Agenda Items
- Intellectual Disability
- Autism
- Input on Substance Use Disorders
- Effects of Mental Health Law
- Criminal Justice

Approved: October 7, 2008

Mary Vail Ware polled each Board member as to why they became interested in volunteering on the State Board. She reviewed last year's priorities and accomplishments and then led the board through the process of setting priorities for the upcoming year.

These identified priorities will be set out in work plan timeline documented by staff.

Daniel Karnes, Vice Chair

Jewel Crosby, Executive Secretary