

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

August 22, 2006
The Inn at Virginia Tech
Blacksburg, Virginia

- Members Present: Victoria Huber Cochran, **Chair**; Daniel E. Karnes, **Vice-Chair**; Cheryl Ivey Green; Ruth G. Jarvis; Kathryn A. Smith; David Trinkle.
- Members Absent: Linda S. Bartlett; B. Hunt Gunter
- Staff: Raymond R. Ratke, Deputy Commissioner
Charline Davidson, Director, Office of Planning and Development
Wendy Brown, Office of Planning and Development
Paul Gilding, Director, Office of Community Contracting
Martha J. Mead, Director, Office of Legislation and Public Relations
Leslie Anderson, Director, Office of Licensure
Margaret Walsh, Director, Office of Human Rights
Ruth Anne Walker, Office of Legislation and Public Relations
Jane Hickey, Office of the Attorney General
Jewel Booker, State Board Secretary
- Call to Order: The Chair called the meeting to order at 10:15 a.m.
The Chair called for introductions.
- Agenda: The agenda was corrected and approved with the following changes: adding the report of the Personnel Committee after the Planning and Budget Committee. Upon a motion by Cheryl Ivey Green and seconded by David Trinkle, the Board unanimously voted to accept the amended agenda.
- Minutes: The minutes of May 5, 2006, were approved as presented. Motion made by Daniel Karnes and seconded by Ruth Jarvis.
- Public Comment: Donnie E. Wheatley, Executive Director, Boys Home Inc., Covington gave public comments. Mr. Wheatley commented on the Emergency Regulations regarding Standards for Interdepartmental Regulation of Children's Residential Facilities. Mr. Wheatley presented written comments to the Board and explained concerns of the Association of Children's Residential Facilities.

Report of the Evaluation Committee

Daniel Karnes, Committee Chair, reported for the Committee. The Committee recommended that the Family Support Policy #1026 be rescinded. Upon motion of Daniel Karnes and seconded by David Trinkle, the Board unanimously voted to rescind the Family Support Policy #1026.

The Committee recommended that the Community Care Network & Other Managed Care Arrangements Policy #2008 be rescinded. Upon motion by Daniel Karnes and seconded by Cheryl Ivey Green the Community Care Network Policy #2008 was rescinded.

The Committee recommended that Policy #1014, Provision of Forensic Services be carried over for further work. (No voting action required).

Mr. Karnes reported that the Committee would reconvene on September 19 to continue work on the Forensic Services Policy. In addition, the Committee is beginning work on a policy regarding the provision of gero-psychiatric services.

Report of Planning and Budget Committees

Charline Davidson, Committee Staff, reported for the Committee. Ms. Davidson stated that the Committee discussed the priority areas identified at the Board Retreat on August 21. The core concept of the Board's priorities can be categorized under an umbrella of Transformation – Phase II. The Committee discussed potential priorities in the development of the strategic plan and budget. One concern was the abilities of communities to reintegrate people who are discharged from state hospitals and who are released from the criminal justice system. Housing concerns and interagency responsibilities were also discussed along with education on Medicaid funding for Board members. The final draft executive summary of the System Transformation Data/Outcomes Measures Work Group Report was distributed.

Personnel Committee

Martha Mead reported that the Personnel Committee consisting of Victoria Cochran and Cheryl Ivey Green, assisted by herself and Ruth Anne Walker, completed the process of interviewing candidates for the State Board Executive Secretary vacancy. The pool of candidates interviewed by the Committee included a number of individuals with high quality credentials.

Upon careful review and consideration Jewel Booker was selected for the position. Ms. Booker brings a wealth of experience from Richmond Behavioral Health Authority where she was the Executive Assistant to the Executive Director and Secretary to RBHA's Board of Directors. The Board unanimously voted to confirm Jewel Booker as Executive Secretary to the State Board.

Commissioner's Report

Deputy Commissioner Raymond R. Ratke reported to the Board on the Transformation Initiative and resources distributed to community services. Several regions discussed proposals back in February and have now reached agreement on funding initiatives.

Resources were redirected to programs such as crisis intervention, jail services, Programs of Assertive Community Treatment, and private inpatient beds purchase. Additional community resources will provide a 10% increase in congregate living services through the mental retardation waiver. In addition to funding going to the community, Mr. Ratke shared that 80 additional waiver slots were allocated. Discussion on distribution of funding is ongoing. Resources were also allocated for consumers who are ready to leave state facilities to move into the community, including additional resources in regions where facilities will be downsized. Services for children and adolescents will be increased to include additional funding for services to children in juvenile detention centers. Children benefiting from the Part C Early Intervention Services will also receive additional funding.

The Governor's Transformation Initiative proposes to rebuild four state facilities creating state of the art facilities that will provide new structures for programs as well as residential care. The facilities are Eastern State, Southeastern Virginia Training Center, Central Virginia Training Center, and Western State Hospital. A consultant, Dr. William Ronco, was hired to assist with the design process and is very skilled with stakeholder inclusion. Victoria Cochran suggested Board member, Hunt Gunter, could provide valuable assistance to this process given his real estate expertise.

Frank Tetrick is chairing the Services Development committee and is monitoring the development and changes in community services. Board members were extended an invitation to attend the committee's next meeting.

There is a need to put additional information in the community regarding facility capacity. Ruth Jarvis raised the concern of the strain on the community when beds are unavailable. State hospitals and communities are encouraged to come together to determine how to handle consumers most appropriate to be placed in state facilities. The Department has been asked by the Governor to develop a couple of key measures to track progress. One measure is the number of persons served in intensive community services per state facility bed used. Mr. Ratke indicated that this measure will show the clear relationship between changes in the community and effects on facility services.

Recognitions

A resolution was presented on behalf of the State Human Rights Committee commending Mr. Bobby Tuck for his service during his term of July 1, 2003 to June 30, 2006. The Board unanimously voted to present Mr. Bobby Tuck with the commending Resolution.

The Board chair called for a five-minute break at 11:32 a.m. with the meeting reconvening at 11:37 a.m.

VACSB Report

Mary Ann Bergeron, Executive Director, of the Virginia Association of Community Services Boards, (VACSB) presented legislative and budget priorities and provided handouts including their upcoming 2006 Public Policy Conference schedule.

Annual State Human Rights Committee Report

Dr. Michael Marsh, Chairman, State Human Rights Committee, presented the Annual Report of the State Human Rights Committee. In addition, Dr. Marsh recommended appointment and reappointment of two (2) members to the State Human Rights Committee.

The Board appointed Christina Delzingaro (Term - July 1, 2006 – June 30, 2009). Motion was made by Kathryn Smith and seconded by Daniel Karnes to appoint Christina Delzingaro to the State Human Rights Committee.

The Board reappointed Dr. Angela S. Brosnan (Term - July 1, 2006 – June 30, 2009). Motion was made by Kathryn Smith and seconded by Daniel Karnes to reappoint Dr. Angela S. Brosnan to the State Human Rights Committee.

Regulatory Review Margaret Walsh, Director of the Office of Human Rights, discussed the Public Hearings process for the Human Rights Regulations and the regulatory review documents.

Ms. Walsh reviewed the draft of the 60-day public comment period document for the proposed revisions of the Human Rights Regulations. Board members were asked to volunteer in the role of hearing officers at upcoming public hearings scheduled in various locations around the state.

Leslie Anderson, Director of the Office of Licensure explained the process for adoption of the emergency regulations on the Interdepartmental Regulation of Children’s Residential Facilities. In additional, Ms. Anderson presented the emergency regulations to establish standards for evaluation of the need and appropriateness for issuance of new licenses for providers of treatment for persons with opioid addiction. A motion was made and seconded to adopt the following emergency regulations:

- Providers of Treatment of Opioid Addiction.
- Standards for Interdepartmental Regulation of Children’s Residential Facilities.
- Emergency Regulations for Summary Suspension.

There are two scheduled public hearings for the Opioid Regulations. Board members were encouraged to volunteer for the hearings.

Motion was made by Kathryn Smith and seconded by David Trinkle to submit a Notice of Intended Regulatory Action (NOIRA) to update the following regulations:

- 12 VAC 35-190-10 et seq. Regulations Establishing Procedures for Voluntarily Admitting Persons Who are Mentally Retarded to Mental Retardation Facilities
- 12 VAC 35-200-10 et seq. Regulations for Respite and Emergency Care Admissions to Mental Retardation Facilities

The Board voted unanimously to approve the NOIRA.

Central State Hospital Walking Trail Dedication

John Donovan an avid hiker and former employee of CSH would spend a lot of his vacations hiking. It was his dream to retire and hike across country, while attempting to fulfill his dream, John was discovered missing. After an extended search, his remains were found.

Dr. Ronald Forbes, Medical Director at Central State Hospital and others at the facility are planning a ceremony to dedicate a walking trail in the memory of John Donovan on October 18 at Central State Hospital. The Planning Committee extended invitations to Board members to join in the memorial event of the trail dedicated to Mr. Donovan.

Martha Mead suggested having the event on the morning on October 18 and asked Board members to respond regarding their availability.

Staff Update

Under Section 37.2 of the Code of Virginia the Board is required to submit an annual report to the Governor by October 1 identifying priorities and activities of the Board. Martha Mead stated that she would produce the report for review and approval by Board members prior to submission to the Governor and the General Assembly.

Adjournment

There being no further business before the Board and upon motion made and seconded, the Board voted to adjourn at 12:25 p.m.

Victoria Huber Cochran, Chair

Jewel Booker, Executive Secretary