

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

August 21, 2007
Danville-Pittsylvania CSB
Danville, Virginia

MEMBERS PRESENT: Victoria Huber Cochran, Chair
Daniel E. Karnes, Vice Chair
Linda S. Bartlett
Catherine M. Hudgins
Ruth G. Jarvis
Mary J. McQuown
Kathryn A. Smith

MEMBER ABSENT: Cheryl Ivey Green

**STAFF/OTHERS
PRESENT:**

Jewel Booker, Executive Secretary, State Board
Wendy Brown, Policy Analyst, Office of Planning & Development
Charline Davidson, Director, Office of Planning & Development
Meghan McGuire, Communications Manager,
Office of Legislation & Public Relations
Raymond R. Ratke, Chief Deputy Commissioner
Ruth Anne Walker, Legislation Manager, Office of
Legislation & Public Relations
Jim Bebeau, Mental Health Director, Danville-Pittsylvania CSB
Ray Gudum, Chair, VACSB
Jane Hickey, Senior Assistant Attorney General/Chief,
Office of Attorney General Office
Lenard Lackey, Executive Director, Danville-Pittsylvania CSB
James E. Stewart, Inspector General,
Office of the Inspector General
Kirby Wright, Chair, State Human Rights

Ms. Cochran called for a moment of silence in memory of Dr. Michael Marsh, State Human Rights Chair, Ms. Rosemarie Bonacum, Director of Facility Operations and Mr. Robert Shackelford, former Assistant Commissioner recognizing and remembering them for their incredible work and dedication to our service system.

CALL TO ORDER: Victoria Huber Cochran, Chair, called the meeting to order at 9:15 a.m. She thanked the Danville-Pittsylvania CSB staff for serving as host to the board. Ms. Cochran also thanked the Danville-Pittsylvania CSB for allowing the board the opportunity to learn more about the area, service system issues and successes. The Danville-Pittsylvania CSB was commended on their great collaborative work as demonstrated in the joint presentation on Sunday at SVMHI.

A call for introduction of attendees took place prior to proceeding.

AGENDA: *Upon a motion by Catherine Hudgins and seconded by Ruth Jarvis, the Board unanimously approved the August 21, 2007 agenda as presented.*

MINUTES: *Upon a motion by Kathryn Smith and seconded by Ruth Jarvis, the Board unanimously approved the May 4, 2007 minutes as corrected.*

Ms. Cochran asked Meghan McGuire, Communications Manager, to formally introduce herself and share her background with the board. Though a native of Richmond, VA, Ms. McGuire recently came from Columbia, South Carolina where she served as the communications director for an early education state agency and as the director of the Governor and First Lady's Healthy South Carolina program. Ms. McGuire is responsible for handling media relations, coordinating the development of external communications and presentations, and assisting in improving internal communications in Central Office.

PUBLIC COMMENTS: **Mr. Lenard Lackey**, Executive Director, Danville-Pittsylvania CSB, welcomed the board to Danville/Southside Virginia. Mr. Lackey shared highlights on the Danville-Pittsylvania CSB and area. Danville-Pittsylvania CSB was created in 1972 by a joint resolution of the Danville City Council and the Pittsylvania County Board of Supervisors. The CSB provides mental health, mental retardation, substance abuse, and prevention services to the citizens of the Danville and Pittsylvania. A 15-member Board of Directors, appointed by Danville City Council and the Pittsylvania County Board of Supervisors, establishes policy and direction for the agency. Today, Danville-Pittsylvania CSB has grown to be a large employer in Southside Virginia, with more than 250 staff members.

Ms. Cochran shared correspondence from **Mr. Sam Mela, Cynthia Moon and Dreama Terrill**. All correspondence relates to Mr. Mela's concerns regarding action of the State Board. Hard copies of the correspondence were distributed. (SEE ATTACHED)

**POLICY DEVELOPMENT
AND EVALUATION
COMMITTEE:**

Wendy Brown, Policy Analyst, reported on behalf of the Policy Development and Evaluation Committee. Ms. Brown stated that the committee had a full agenda discussing regulations and policies. There were three policies under review **(a) 1032 – Primary Care, (b) 5003 – Payment for Destruction of Property by Residents of Mental Retardation and Mental Health Facilities and (c) 5004 – Human Growth and Social Development.**

The committee recommended rescinding policy 1032 (SYS) 92-1, Primary Care and develop a new policy although there is a definite awareness to primary care. A commenter stated the policy had no practical value. The committee decided to postpone actions on the primary care policy and have the committee redraft a new policy to be considered.

Policy 5003 (VAC) 85-6 – Payment for Destruction of Property by Residents of Mental Retardation and Mental Health Facilities went out for public comment earlier in the year. All comments are currently out of date. The committee decided that there was no reason to maintain the policy and recommended rescinding the policy.

Policy 5004 (VAC) 86-4 – Human Growth and Social Development. The policy was developed in 1986 and the committee recommended rescinding the policy.

On recommendation from the Policy Development and Evaluation Committee, the board voted unanimously to redevelop policy 1032 – Primary Care and rescind policies 5003 – Payment for Destruction of Property by Residents of Mental Retardation and Mental Health Facilities and 5004 – Human Growth and Social Development.

Ms. Brown shared with the board a list of policies that have not been reviewed during the past five years.

The committee decided that they would send the list of policies out for public comments and ask which of the policies should be rescinded, reviewed, consolidated or updated. The list will be used as a guide for ongoing scheduled policy reviews. The policies will go out to the public including facility directors, CSBs, advocacy list and department staff. Upon conclusion of the comment period, schedules will be set for regular monitoring of policies.

Policies recommended by the board at the retreat were discussed. The committee will consider drafting new policies dealing with recovery, disaster response and cultural sensitivity issues. There are currently two policies that address cultural sensitivity issues. They are 1023 and 1025. Dan Karnes recommended inviting Ms. Beth Nelson to present information on disaster preparedness to the board. Ms. Nelson, from SAMHSA is currently working at the department and has expertise in that area.

**MR Voluntary Admission Regulations:
Regulations for Respite and Emergency Care Admissions to
Mental Retardation Facilities 12 VAC 35-200-10 ET Seq.**

In May 2006, the Board completed a periodic review of the regulations and determined that some revisions were needed. A notice of intended regulatory action was published in February 2007 to initiate the regulatory process and request public comments and suggestions for revision. The Office of Mental Retardation department took the lead on drafting revisions to the policy.

After the Board adopts the proposed regulations, they are forwarded for approval from the Executive Branch, which includes the Secretary and Governor. Once approved, the proposed regulations are published on the Virginia Regulatory Townhall website and in the Virginia Register for a 60-day public review and comment period. There were editorial revisions identified on pages 15 (close quotation), page 21 & 24 strike the word “care” and replace with “services” throughout the regulation. The Office of Mental Retardation and committee recommended that the Board adopt the proposed regulations for a public comment period.

On recommendations from the Policy Development and Evaluation Committee, the board unanimously adopted the proposed revisions to Regulations for Respite and Emergency Care Admissions to Mental Retardation Facilities 12 VAC 35-200-10 ET seq for a 60-day public comment period.

**PLANNING AND
BUDGET
COMMITTEE:**

Victoria Cochran thanked Dan Karnes and the committee for their work on the policies and regulations.

Charline Davidson, Director of Planning and Development updated the board on the committee activities.

The committee looked at various departmental planning activities including the integrated strategic plan, agency strategic plans, service area plans, and State Mental Health Plan. Looking at how they relate, particularly focusing on the Comprehensive State Plan. Ms. Davidson stated that her office is in the process of updating the Comprehensive State Plan as statutorily required on a biennium basis. The committee looked at the schedule and talked about the community services boards' documentation as well as activities of the staff from central office. Ms. Davidson extracted some of the key changes, reflecting work the board has done relating to the integrated strategic plan and forensic services.

Ms. Davidson updated the document on the process from the implementation of the Transformation Initiative, from the third quarter report that Assistant Commissioner, Frank Tetrick pulled from the boards in the region. As soon as the final fourth quarter report is completed, it will be incorporated. The committee discussed the behavioral health needs for Virginia's veterans. Ms. Davidson encouraged the board to look at the area, as it will have an impact on the service system. They are working with the Department of Veterans' Services to address the issues. Another key area discussed was the Virginia Tech response and recovery issues particularly those that the New River and Tech areas will be facing. The service access means issues identified by the Inspector General's report around crisis services, case management and some of the outpatient services will also be considered.

The committee discussed potential locations for the public hearings. A video teleconference format previously used allowed participants not at the physical address to hear the public comments will be considered for future use. The committee will consider scheduling upcoming hearings in November. At their October meeting, the committee will look at setting dates and locations for upcoming hearings including far Southwest and other areas around the Commonwealth. The board was given a draft of the 2008-2014 Comprehensive State Plan.

Ms. Cochran thanked Ms. Davidson and her committee for their work.

**COMMISSIONER'S
REPORT:**

Ray Ratke, Chief Deputy Commissioner, thanked Mr. Lenard Lackey for serving as host to the State Board and commended him for the great work the CSB is doing in the Danville area. Mr. Ratke noted that the third quarter report on initiative funding was distributed.

He stated that the system is just beginning the second year of the largest infusion in state dollars and service impacts are being felt across the state. Mr. Ratke indicated that it is easy to get caught up in the day-to-day struggle and transforming of the service system and forget that there have been great results from the investment and initiative.

As previously mentioned Frank Tetrick, is working on the fourth quarter report looking at how the services have changed in the regions as the result of funding initiatives. This affects the current budget situation from the past few months since the April 16 tragedy as discussed at the retreat with the Commissioner. Mr. Ratke indicated that staff are in the process of developing budget ideas with Secretary Tavenner and the Governor's policy office. Mr. Ratke and Commissioner Reinhard will meet over the next coupled of weeks with the Governor on budget impacts. Mr. Ratke stated that the department is working to develop plans for a 5% general fund decrease. At this point, they are not able to develop plans until they are clear on the specific areas included in the 5%. They were informed that there would be a hiring freeze including consultants, along with a ban on out-of-state travel. Mr. Ratke indicated this impacts central office in filling key positions, and speaks to the important role of the board and central office.

Mr. Ratke shared information about the LEEP team, which consists of a small group of staff from central office from different staff levels addressing the cultures of the workplace. The LEEP Team looks at how staff works with each other, the various cultural issues, values, and visions within central office.

Mr. Ratke shared information on several legislative studies within the department. There is a two-year study on the mental retardation service system that includes stakeholders. They are looking at issues around numbers on the urgent waiting list and the reconstruction of the public community based waivers.

There is a joint legislative study on Autism that is in the process of finalizing recommendations for where autism services should be

housed, and how they should be delivered. Finally, the Joint Legislative Audit Review Commission (JLARC) is looking at the number of beds and issues affecting the state system public and private initiatives related to psychiatric beds.

At 10:35 a.m., the Chair called for a break and reconvened at 10:50 a.m.

**BOARD LIAISON
REPORT:**

Kay Smith thanked the Board for their visit to her area and shared appreciation for all that the board is doing. She also informed everyone that she no longer serves on the Piedmont CSB.

Ruth Jarvis stated that she attended the Licensing public hearing in Virginia Beach in July. She attended a parent meeting at Southeastern. She serves as a consultant on curriculum development for Norfolk State for Social Work, and regularly attends the Norfolk CSB meetings.

Dan Karnes shared that the CSB he serves on has a new executive director.

Catherine Hudgins stated that she attended the Northern Virginia Regional Commission (NVRC) presentation with participants from (Alexandria, Arlington & Fairfax CSBs) as part of their regional planning commission. The purpose of the presentation was to help local jurisdictions better understand the work that is going on with the commission as well as impacts from Virginia Tech. She is also involved with the Autistic community as it looks to develop a better relationship with the schools.

**HUMAN RIGHTS
COMMITTEE:**

Mr. Kirby Wright, State Human Rights Chair, thanked the State Board for visiting his home area of Danville. He shared that the committee experienced an interesting year and the unfortunate loss of former chair, Dr. Michael Marsh. Mr. Wright shared highlights from the Human Rights Annual Report. He commended Ms. Margaret Walsh, Director of State Human Rights, for her dedication and work to the Human Rights groups.

Mr. Wright made a recommendation from the State Human Rights Committee to appoint Dr. Jannie Robinson and Mr. Donald Lyons to the State Human Rights Committee.

The Board reviewed the letter of recommendations, membership applications and resumes submitted by the SHRC. Upon

appointment, both members will serve terms from July 1, 2007 to June 30, 2010.

On recommendations from the State Human Rights Committee, upon a motion by Daniel Karnes and seconded by Ruth Jarvis, the Board unanimously voted to appoint Dr. Jannie Robinson and Mr. Donald Lyons to the State Human Rights Committee for terms from July 1, 2007 to June 30, 2010.

**INSPECTOR
GENERAL**

PRESENTATION:

Mr. Jim Stewart, Inspector General, presented highlights from the Recovery Experience Project and CSB Outpatient Survey. Mr. Stewart highlighted portions of his report from the Virginia Tech investigation.

VACSB REPORT:

Mr. Ray Gudum, VACSB Chair, shared comments on behalf of the VACSB. Mr. Gudum announced the upcoming Public Policy Conference scheduled in Wintergreen on October 3-5, 2007. He distributed the VACSB Board and Council Directory and the 2008-10 priorities.

Mr. Gudum said that the system needs some tweaking, but not in dollars. Stating that we all should be on the same page as we move forward to the 2008 General Assembly session, and we are all here for the consumers. In Mr. Gudum's closing remarks, he encouraged the board to make a considerable effort to support consumer service.

OTHER BUSINESS:

Jewel Booker, Board Secretary, polled members in an effort to develop a proposed two-year meeting calendar for the State Board. Due to time constraints during the meeting, dates were confirmed through April 2008. Future board meeting dates set were October 10 (northern Virginia), December 6, (Charlottesville) January 15 (Richmond) and April 1 (Staunton). Ms. Booker will send a proposed meeting calendar for the remainder of 2007-08.

The meeting adjourned at 12:35 p.m.

Victoria Huber Cochran, Chair

Jewel Booker, Secretary