



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

MINUTES
RECIPIENT RIGHTS ADVISORY COMMITTEE

January 8, 2015
1:00 – 3:30 p.m.
Lewis Cass Building
3rd Floor Conference Room
Lansing, MI

Our Mission

It is the mission of the Michigan Department of Community Health Recipient Rights Advisory Committee to advise the Directors of the Michigan Department of Community Health and the State Office of Recipient Rights in order to ensure that the rights of individuals receiving public mental health services are protected and promoted.

Our Vision

It is the vision of the Michigan Department of Community Health Recipient Rights Advisory Committee that Michigan values a public mental health system in which individuals receiving services are treated with dignity and respect, enjoy full and fair access to the rights accorded them and are free to participate fully in all aspects of their lives.

PRESENT: Sue Witting, Denice Virgo, Darlene Logan, Vendella Collins, Liz O'Dell,
Michelle Milligan, Mark Reinstein, Basil Scott,

STAFF: Andy Silver, John Sanford, Janice Terry, Raymie Postema

Guest: Sean Bennett

Call to Order – 1:07pm by Mark Reinstein, Chair

Approval of Agenda -

Approval of Previous Minutes

November 13, 2014

July 10, 2014

Motion by Sue; Second by Liz. Motion carried

Motion – Basil; Second by Sue. Motion carried

REPORT ON MEETING WITH NICK LYON AND TIM BECKER - Mark, Michelle, Denice

- Provided copy of what is in the law re this committee to Nick and Tim; Denice repeatedly asked how we could be helpful. They had no immediate response.
- Asked for Kalamazoo update; asked whether evaluation would encompass closing the location; the response was no. Target evaluation completion was end of February.

- Question asked regarding two (2) rights related recommendations: 1. CMH Rights should report to 3rd party; 2. Greater use of mediation/grievance/appeals – Nick and Tim were unaware of anything taking place re these.
- Department's desire to re-define "recipient" in law; there are concerns with the language. Nick stated that they won't resume working on this till sometime next year (2015).
- An inquiry was made about the department's budget for additional resources for ORR. It's too late for FY-16 budget; but not FY-17. Nick has stated that the Department is tight on the budget and may be expecting cuts. He also said central office has tried to get more for ORR in the past, and it would not hurt if the Committee wrote the budget powers-that-be re FY-17.
- State Hospital Rights Policy – how are they developed and monitored? Kalamazoo was referenced as an example. Cindy Kelly has been extremely helpful and RRAC members noted her efforts. Our delegation asked what would have happened at Kalamazoo if someone other than Cindy were in her position? Nick asked why Rights office in Kalamazoo was not active sooner? Mark responded that Rights offices cannot act effectively if information is withheld from them. Nick held out the possibility (without making a commitment) that a compromise could be reached on the issue of who sets and monitors rights policies for state hospitals.

DIRECTOR'S REPORT

Sanford, Reinstein

- Much of the recent activity has been based around Kalamazoo investigations.
- Dianne has officially retired as of the end of December.
- Hiring process is in place; currently awaiting Civil Service approval to move forward with interviews. There were 43 applicants.
- There are changes in the Rights Annual Conference. The conference will be held September 14-18, 2015 in Kalamazoo at the Radisson. A complete package was presented to Boards Association and they will be handling the 2015 Conference. ORR will remain the content planner and the Board Association will handle the other matters associated with conference planning. Denice states that since it is in the same budget fiscal year as previous conference her staff may not be able to participate. Vendella inquires about funding; where will the additional funding from conference go? To the Boards Association or back to the Departments General Fund? Andy states that the additional funds will go back to the Department. The major change with their decision to have the Boards Association facilitate the planning of the conference is based upon the Department's constraints on ORR to secure locations well in advance, which would allow them to begin planning with much more advanced notice. The advancement of planning will allow for better location selection availability for future conferences.
- Cookie Gant Award will be discussed at next meeting for this year's Conference.
- ORR training was granted approval via Tim Becker to have MPHI develop an online training module.
- Annual ORR Planning session is on January 20; this will be a full day planning session with ORR staff to review issues, direction and planning for this coming year.

KPH UPDATE

Postema, Sanford

10 staff has been terminated and disciplinary actions are being taken. Mark states that media has reported that 28 were suspended; so are the other 18 back to work? Raymie responds that some

are receiving disciplinary action and some have been brought back to work due to non-substantiation; the investigation is still ongoing and the facility has been very responsive. New Director is Jill Krause from Network180. She has gone through training and will be meeting with Raymie to get acquainted and updated. Allen Jenson is going to stay on as a consultant until the 23rd of January. Investigations are being done by Raymie and Janice Terry. Mark asks if anyone has been charged by law enforcement. Raymie states that information is with the Prosecutors office. Basil asks how many open investigations are there; Raymie responses as follow: 3 open investigations: 1. Abuse + 2; Neglect/Failure to Report; and Improper use of constraints. CMS was there this week.

STAFF REPORTS

Postema, Silver

Janice Terry provided update on 2014-2015 Assessments. Sixteen CMH's scheduled for 2015 (schedule available on website); DTW assessment was less than substantial; therefore a return visit is planned by Janice and D'Angela LeFere. John stated that DTW is on a probation period for one year and will be monitored more closely.

RRAC 2015 AGENDA

Already on the table:

Reinstein

1. State Hospital Rights Development/Monitoring
2. More Resources for ORR

*Basil moves/Vendela seconds that the Chair notify Tom Renwick that the Committee wishes to be involved with any 2015 DCH work undertaken on the two rights-related recommendations in Governor Snyder's MH Commission report. The motion carried unanimously.

*Liz motions/Michelle seconds that the DCH Rights office should be assessing private and community licensed psychiatric hospitals/units the same way it is doing with CMHSPs. The motion carried unanimously.

PUBLIC COMMENT

Sean Bennett discusses faxed material and speaks against medication being used too often.

NEXT MEETING

March 12, 2015

1:00 p.m. – 3:30 p.m. {Will this be 12-3:30, with training from Noon-1:00?}

Lewis Cass Building

3rd Floor Conference Room

Lansing, Michigan 48913

ADDITIONAL AGENDA ITEMS FOR NEXT MEETING

Monthly meetings as suggested by Denice Virgo

Cookie Gant Award

Training will be at March meeting, please try to attend so training can be in person.

ADJOURNMENT

3:22pm