



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

Recipient Rights Advisory Committee

3rd Floor Conference Room

Lewis Cass Building

Lansing, Michigan 48913

January 14, 2010

1:00 p.m. – 3:30 p.m.

Minutes

ATTENDANCE

Basil Scott, Pamela Stants, Mark Reinstein, Kathleen Gross,
Jeff Patton (via telephone)

MEMBERS ABSENT

Abdallah Boumediene, Cindy Lepard, Dr. John Board
Michelle Esterbrook, Susan McParland, Wayne Hogan,
Vendela Collins

STAFF PRESENT

John Sanford, Dianne Baker and Janice Terry

PUBLIC PRESENT

Denice Virgo, Washtenaw County Health Organization
Cindy Shadeck, Michigan Protection and Advocacy Services
Liz Holcomb, Clinton-Eaton-Ingham County CMH

CALL TO ORDER

Tabled (no quorum)

DIRECTOR'S REPORT

- John discussed "buzz" in disability community. He referenced remarks by Deputy Assistant Attorney General Samuel Basenstos of the Civil Rights Division – at Annual Convention of the ARC of the U.S. Hate crimes addressed specifically as applied to persons with disabilities. He spoke specifically to hate crimes against institutionalized persons with disabilities. (Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act - federal law)

According to Mr. Basenstos, *Abuse* = a hate crime, abuse to persons in community and institutions would be deemed a federal offense. Michigan Department of Civil Rights has been trying to do this at the state level.

John has been invited to do a presentation this month (January 27) at Michigan Department of Civil Rights here in Lansing for the Michigan Alliance Against Hate Crimes. The composition of the Alliance was explained. John's presentation will speak to abuse of individuals with disabilities in community and state facilities. *Abuse I* and *Abuse II* as defined by Code would be considered a crime. Discussion ensued.

Recipient Rights Advisory Committee Minutes

- Northville Psychiatric Hospital documentation on private website was discussed. Names or patients only were redacted from site. Cindy Kelly, Director, Bureau of Hospital, Center and Forensic Mental Health Services, Janet Olszewski and Kurt Krause were informed. John, Dianne Baker, Cindy Kelly and Matthew Rick met. (Cindy and Matthew had already talked to the Attorney General's office) John sent email to website asking to redact further identifying information. The fellow called John and agreed to remove material from website temporarily.

John provided a long list of redactions needed. Fellow called back and said the redactions were so burdensome that he would just remove all info from the website. Discussion ensued.

- Rights System Olmstead Conference – 8 states are interested in coming to Michigan for the conference. Andy Penn from the Bazelon Center and Andy Silver, DCH-ORR Training Director are facilitating the "Olmstead" Training Coordination. Most states have an internal rights protection system. The focus of the Olmstead Conference will be to identify persons in state institutions who are ready for discharge into the community.

- Met with Norm DeLisle and Aimee Sterk on January 11. The meeting was regarding including the Financial Competency training program at Kalamazoo's PSR/WRAP program with the Peer Support Partnership Project (PSP) between Kalamazoo Psychiatric Hospital and Kalamazoo Community Mental Health and Substance Abuse Services (Jeff Patton). The Flinn Foundation is funding source with a potential for expansion of PSP to another state hospital. Discussion ensued.

Community Rights Unit – Dianne Baker

The schedule of assessments for 2010 has been completed. Fifteen (15) CMHSPs will be assessed.

Attachment A – Revised

CMHSP Responsibility	1.5	39
ORR Responsibility	1.5	39
Semi/Annual Reports	1.0	6
Policies	1.0	50
RRAC	1.0	22
Complaint Investigation/Resolution	1.5	105
Appeal/Dispute Resolution	1.0	<u>16</u>
	Full Compliance	277
	Substantial Compliance (95%)	= 263

Attachment C – Excel format – based on OR internal checklist

Comments sections. Will be provided with assessment report. Provides clarification to TA.

Restraint/Seclusion – Physical Management

- Contact in December with Pat Shea, Deputy Director NASMHPD, Office of Technical Assistance. Cindy Kelly and Dianne Baker coordinating.

The day long training will consist of 35-40 staff from facilities, two bureau staff, four ORR staff, four Facility Directors, five Chiefs of Clinical Affairs, five Directors of Nursing, five Performance staff, ten psychiatrists.

Principles of six core strategies to reduce understanding impact of trauma and creating trauma informed services.

- Crisis prevention planning and use of prevention based strategies as means of avoiding use of coercive practices like restraint and seclusion and forced medication.
- Practical examples from a facility that has successfully reduced seclusion and restraint including key leadership activities that were utilized.
- Overview of CMS guidelines on restraint and seclusion and a 20 minute video of consumers speaking about experiences of being restrained, secluded and/or facility medicated.

Three consultants – Raul Almazar, Nan Stromberg and Joan Gillece. March 26 is the target date for the day long training.

Cindy Kelly, Raymie Postema, Jessica Wyrick and Dianne Baker are meeting January 21 to discuss data collection from facilities on Seclusion/Restraint and Physical Management. (Rescheduled from January 15) Discussion ensued.

Special Investigation – Network 180

- The report was sent yesterday to Janet Olszewski, Kurt Krause and Mike Head. It contained findings, conclusions and recommendations.

Legislative amendments

- Mark Reinstein – His agency (Mental Health Association) is pushing the Appeals process amendments.

Field Operations – Raymie Postema

- Raymie was at Kalamazoo Psychiatric Hospital today. Still unable to provide complaint data through the CHAMPS data base.

Training Unit – Andy Silver

- Andy Silver is doing training today. No report. Basil Scott asked if Executive Director training had been one. John Sanford reported it had not been done.

NEXT MEETING

March 11, 2010, Lewis Cass Building, 3rd Floor Large Conference Room, Lansing.

ADJOURNMENT