

Minutes
Virginia Office for Protection and Advocacy Board Meeting
April 27, 2004
Richmond, Virginia

Members Present: Barbara Barrett, Okpil Kim, Ray Burmester, Michael Cooper, Elizabeth Priaulx, Susan Kalanges, Dink Shackelford, Martha Bryant, Daaiyah Rashid, Brent Brown, Maureen Hollowell, Waja Grimm, and Okpil Kim

Members Absent: Mark Lester

Staff Present: Colleen Miller, Sherry Confer, Lisa Shehi

Guests: None

Call to Order: The meeting was called to order at 9:00 a.m. by the Chair, Barbara Barrett.

Welcome and Introductions: Barbara Barrett, the Chair, welcomed the Board members to the new Virginia Office for Protection and Advocacy (VOPA) offices and asked that everyone introduce themselves.

Training: Pamela Johnson, Staff Attorney, provided training on Early and Periodic Screening, Diagnosis & Treatment (EPSDT) through a Power Point presentation and printed material included in the Board packet. Ms. Johnson explained that EPSDT is a mandatory service for all Medicaid-eligible children (under age 21) and that states must comply with providing this service. Ms. Johnson took questions from Board members regarding the EPSDT program.

Review of Mission Statement: Raymond Burmester read the Mission Statement. Ms. Barrett noted that possible changes to the Mission Statement would be addressed at the Board Planning Retreat.

Review of Agenda:

The agenda was approved as presented. Michael Cooper made the MOTION to approve the agenda as read. Martha Bryant seconded the MOTION and it carried unanimously.

Approval of January 15, 2004 Minutes:

Raymond Burmester recommended a grammatical correction from “lead” to “led” in the Budget section of the January 15, 2004 minutes. Barbara Barrett noted that Daaiyah Rashid was present at the January 15 Board meeting and her name should be reflected in the minutes. Dink Shackelford made a MOTION to approve the minutes as corrected. Waja Grimm SECONDED the motion and it carried unanimously.

Public Comment:

There were no public comments.

Budget and Financial Report:

Okpil Kim, Finance Committee Chair, led the discussion on VOPA’s budget. The report included financial information on VOPA’s operation through March 31, 2004. The reports covered the agency’s Operating Budget and Expenses for nine months of the fiscal year; cash balances for each grant; carryover amounts and deadlines; and the status of the agency’s state appropriations.

Priority Plan Update:

The Priority Planning Committee met on April 26, 2004. Elizabeth Priaulx, Committee Chair, shared that the Committee has developed a draft calendar for this year as a manner to track progress on the Priorities identified by the Board. The Committee concluded that VOPA needs the Board to address objectives, primarily those we have not fulfilled. A new survey has been considered in which the response could not be a simple “check the most important item” response. The Committee also suggested that VOPA and the Board prepare explanatory or background statements for each goal and focus area.

Lunch

The meeting adjourned for lunch at 12:15 p.m.

During lunch, the Board recognized and thanked Jonathan Martinis, VOPA Managing Attorney, who served as Acting Director of the agency in early 2003.

Legislative Recap:

The meeting reconvened after lunch at 12:50 p.m. Colleen Miller reported on the successful reception to “Legislative Updates” provided by VOPA on its Website during the General Assembly. She noted that her goal is to include more substantive content of the bills next year and send updates on the listservs in addition to posting them on the VOPA website. Ms. Miller also noted legislative confirmation of Elizabeth Priaulx, Waja Grimm, and Dink Shackelford as board members. Included in the Board packet was a list of Adult Protective Services Mandated Reporters of Abuse and Neglect that becomes effective July 1, 2004. The Board had a general discussion of other legislative results and activities.

Executive Session – Personnel:

Okpil Kim made a MOTION to adjourn the meeting into a closed session for the purpose of conducting business pertaining to personnel issues. This meeting is specifically authorized to be conducted in closed session pursuant to section 2.2-3711 (A) (1) of the Code of Virginia. Michael Cooper SECONDED the MOTION and it carried unanimously.

After discussion in closed session, Okpil Kim made a MOTION to certify that only such public business as that identified in the MOTION to close the meeting was heard or considered. An affirmative vote was noted.

Personnel Update:

Ms. Miller noted new staff since the January Board meeting: Lisa Shehi, Administrative Assistant; and Angela Matney, an Advocate who will telecommute from her home in Fredericksburg. Ms. Miller further noted that two employees (Rhonda Comer and Dee Vance) who had been working on hourly/temporary status had been extended permanent positions. These permanent positions were subject to the state recruitment process/requirements.

Executive Session - Personnel

Brent Brown made a MOTION to return to closed session to discuss additional personnel issues. Martha Bryant SECONDED the MOTION and it carried by majority voice vote with one objection. This meeting is specifically authorized to be conducted in closed session pursuant to section 2.2-3711 (A) (1) of the Code of Virginia.

After discussion in closed session, Raymond Burmester made a MOTION to certify that only such public business as that identified in the MOTION to close the meeting was heard or considered. An affirmative vote was noted.

Board Retreat Update:

Ms. Barrett reported she and Colleen had met with a retreat facilitator, Mary Ann Harvey, to plan for VOPA'S Retreat.

Barbara Barrett noted that it would be called a Planning Retreat, not just a Board Retreat, and have staff and Board members working together. She suggested this be a 2-day event and asked the Board's input into the best time to schedule the Retreat. The Board suggested November as the target month and suggested possibly combining this Retreat with a weekend or possibly over the Veterans Day Holiday on November 11 to enable staff and Board Members to miss limited time from their respective jobs. Ms. Barrett asked for volunteers to serve on a Retreat Planning Committee. Elizabeth Priaulx, Maureen Hollowell, and Daaiyah Rashid volunteered to serve on the Committee with Ms. Barrett.

MTARS Site Visit:

Colleen Miller advised the Board that VOPA is scheduled for a Monitoring and Technical Assistance Review System (MTARS) visit by the Administration on Developmental Disabilities beginning June 21. Also being reviewed will be the Virginia Board for People with Disabilities and the Partnership for People with Disabilities (at VCU). This review is being done under a mandate through the Developmental Disabilities grant. The schedule for the site review is as follows:

Monday, June 21: Reviewers will meet with representatives, including the Board Chairpersons, from VOPA, the Virginia Board, and the Partnership. During the afternoon, a public hearing will be held so that the reviewers may take public comment through video conferencing from approximately three or four areas state-wide. Colleen Miller asked for Board member volunteers to host the video conference in other parts of the state. Maureen Hollowell will facilitate the Tidewater area meeting. Dink Shackelford will facilitate at the Big Stone Gap location, and Waja Grimm will facilitate at the Northern Virginia location.

On Tuesday, the Virginia Board will be reviewed and on Wednesday, the reviewers will examine the Partnership. VOPA will be reviewed on Thursday and on Friday, the reviewers will hold an exit interview.

Discussion Items:

Maureen Hollowell suggested that the Board review information concerning the Pre-Admission Screening and Annual Resident Review (PASARR). Included in the Board packet was a fact sheet Ms. Hollowell obtained from the National Association for Protection and Advocacy Systems (NAPAS) website. Ms. Hollowell suggested PASARR as a future training session for the Board.

Ms. Hollowell also requested that the Board establish a process to develop positions on legislation and other issues related to disability rights that need to be addressed between the Board meetings. Barbara Barrett referred this to the Policy Committee and suggested it be a possible topic discussed during the Retreat. Dink Shackleford noted that he had information pertaining to how another organization he participates in had handled this issue. Mr. Shackleford volunteered to forward this information to Colleen Miller.

Martha Bryant noted that Virginia does not have a Sentinel Events Review Team. Ms. Bryant described a Sentinel Event Review Team as a coalition of individuals in the disability community tasked with evaluating how individuals with disabilities are assisted during catastrophes (such as the Virginia Commonwealth University [VCU] fire in March in which a Richmond resident died due to lack of oxygen when her electricity was turned off during the fire). Ms. Bryant noted that VOPA should be a participant in such a Team. Barbara Barrett suggested the Board consider this in future priorities discussions.

Ms. Bryant raised the question of who can call VOPA and receive information or a referral. Ms. Bryant noted concern that if a family member or “surrogate” is not the individual initiating the call, VOPA has sometimes refused to receive the information. Colleen Miller stated that this would be the subject of additional staff training, to wit: all callers may receive information and referral services from VOPA; VOPA may receive complaints from anyone; VOPA may investigate complaints without client authorization in some limited situations. However, we attempt to take full cases only with client authorization, we attempt to follow client direction to the maximum extent, and we make every effort to protect client confidences.

Chairmen’s Report:

Barbara Barrett shared that she attended the PAIMI and DA Council meetings to get their input in the Priority Process. From those two Council meetings, many suggestions were made for future focus groups. Ms. Barrett encouraged Board members to attend Council meetings. Ms. Barrett also noted that she and Colleen Miller met with retreat facilitator Mary Anne Harvey prior to the NAPAS CEO Conference earlier in April.

Nominating Committee Report:

Waja Grimm, Chair, noted that the Nominating Committee nominates Maureen Hollowell as the new Chair of the Board and Brent Brown as the Vice Chair. New officers will be voted on and elected at the July Board meeting.

Policy Committee Report:

Maureen Hollowell, Chair, noted that the Policy Committee met on April 26 and identified the following Board related policies which need to be developed in conjunction with the MTARS visit: Conflict of Interest, Attendance, and Recruitment of Board Members.

**Critical Incident Reporting
in the Community Committee:**

Maureen Hollowell, Chair, noted that the Critical Incidents in the Community Committee met on April 26. Ms. Miller noted that VOPA receives 20-25 48-hour Critical Incident Reports each week from the Department of Mental Health, Mental Retardation and Substance Abuse Services facilities. Facilities are then required to do 15-day follow-up reports. The Critical Incidents Review Team (comprised of VOPA staff) meets every Wednesday to discuss the most alarming incidents and to examine trends. Ms. Hollowell reported that the Committee had a good discussion and planned to develop a statement of its goals and steps to reach these goals at its next meeting.

Program Reports:

Board members discussed and asked questions concerning the Focus Areas and Objectives for clarification.

Executive Director’s Report:

Ms. Miller referred to her written report that was contained in the Board Packet.

Announcements/Reminders:

Barbara Barrett noted the following meeting dates:
Thursday, May 13 – PAIMI Council
May 27 – Disabilities Advisory Council
July 19 – Board Meeting

All meetings will be held at the VOPA office.

Adjournment:

There being no further business, the meeting was adjourned at 4:08 p.m.

Accepted:

Barbara Barrett, Chair

July 19, 2004

Date