

**Virginia Office for Protection and Advocacy (VOPA)**

**Protection and Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council**

**Meeting**

**VOPA Conference Room – Richmond, Virginia**

**Final Minutes**

**July 16, 2011**

<b>Members Present</b>	Jackie Brown, Elaine Caudill, Van Johnson, Sandra Musselwhite, Mike Newcomb (Chair), Yvette Lane, Ali Parker (Vice-Chair), Sara Singhas
<b>Members Absent</b>	Byron Stith
<b>Guest Present</b>	Deborah Dudack-May, Susan Kalanges (VOPA Governing Board member)
<b>Staff Present</b>	Kim Mendella (Executive Assistant), Colleen Miller (Executive Director)  For portions: Julie Triplett (Disability Rights Advocate)
<b>Call to Order/ Introductions</b>	Mike Newcomb, Chair, called the meeting to order. Mr. Newcomb asked everyone present to introduce themselves.
<b>Public Comment</b>	There was no public comment.
<b>Review of April 2011 Meeting Minutes</b>	Mr. Newcomb reviewed the April 2011 meeting minutes. With no changes to be made, Ali Parker made a MOTION to accept the minutes as written and Elaine Caudill SECONDED the MOTION. The motion carried unanimously.  Mr. Newcomb noted that Karen Armstrong of the Substance Abuse and Mental Health Services (SAMHSA) (federal agency in charge of the PAIMI grant) says that many PAIMI Advisory Councils have two four-year terms limits. VOPA is considering amending bylaws to have two four-year terms instead its current limitation of one four-year term. Mr. Newcomb asked to remain on the Council after his four year term ends. Ms. Caudill made a MOTION to make an exception to the by-laws to allow Mr. Newcomb to continue on the Council. Ms. Parker SECONDED the MOTION. The motion carried unanimously.
<b>Navigating the Social Security Maze</b>	Julie Triplett, VOPA Disability Rights Advocate, explained the difference between Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI). Ms. Triplett explained how a person on SSDI can return to work and retain social security benefits using “impairment related work expenses” (IRWE). Ms. Triplett stressed that it is a myth that you cannot work and still receive SSDI benefits, but admitted that it is very confusing. Ms. Triplett stated that beneficiaries must keep all letters they receive from Social Security

Administration (SSA) and mail and report all earnings and IRWEs to SSA.

### **Greetings from the Governing Board**

Susan Kalanges, long-standing member of the Governing Board, reported on VOPA's Supreme Court victory and the formation of the 501(c)(3) for fundraising. Ms. Kalanges also talked about the VOPA Governing Board Retreat planned for the following two days.

### **Executive Director's Update**

#### **3<sup>rd</sup> Quarter Progress on Objectives**

Colleen Miller, Executive Director, noted that the Progress on Objectives provided to the Council was just a week old and contained the most current information on VOPA's objectives. Ms. Miller discussed the work VOPA is doing with Advanced Directives and with Early and Periodic, Screening, Diagnosis and Treatment (EPSDT) for children with serious behavioral issues.

#### **Litigation Report**

Ms. Miller reported that three days after the last PAIMI Advisory Council meeting, the Supreme Court ruled in favor of VOPA in VOPA v. Stewart. The US Supreme Court ruled that VOPA could go to federal court when necessary to enforce federal laws against another state agency. This case stemmed from a case where VOPA requested certain investigative records. The parties are now negotiating a possible settlement. Ms. Miller also reported on the "order to show cause" cases where there are court orders to transfer defendants from jail to appropriate hospitals to receive treatment. Two courts have now issued orders to Commissioner Stewart to explain why he should not be held in contempt of court for failing to appear. Ms. Miller also highlighted the Bellmore case, where the individual has remained hospitalized for years because of the objections of the family.

### **Working Lunch**

The Council members and staff had a working lunch where they networked and shared resources.

### **Board Committee Reports**

#### **Internal Policy Committee**

Ms. Caudill attended her second meeting in April by conference call. Ms. Caudill explained the process of the development and review of VOPA's internal policies. The Committee reviewed and gave feedback on several policies, including service disagreements, service levels, and record maintenance.

#### **Finance Committee**

Ms. Parker stated that the Committee met on July 11<sup>th</sup> and approved the FY12 budget for VOPA and sent it to the Board for consideration. The Committee also received financial reports for the end of FY11 and noted nothing exceptional. At the end of FY11, 25% of the PAIMI budget remained, with the PAIMI grant balance of \$144,957.

#### **Resource Development**

Sandra Musselwhite said that the new 501(c)(3) has been approved by the State Corporation Commission and will soon begin soliciting donations. The 501(c)(3) is called the Virginia Disability Law and

**Work Session –  
Council input for  
FY2012 Objectives**

Advocacy Fund. The Committee is recruiting possible board members for “The Fund” and reviewed some projects for “The Fund.” Ms. Musselwhite asked the Council to nominate potential Board members.

Ms. Miller led the Council through a discussion of possible objectives for FY12, which begins in October. Ms. Miller stated that VOPA is in year three of a three-year cycle for Goals and Focus Areas.

**Goal 1: People with Disabilities are free from abuse and neglect**

The Council recommended a number of ideas for using peer support specialists and volunteers in monitoring and investigating incidents at state operated mental health facilities. Members also suggested using volunteers to assist individuals in their interactions with facility staff. Members were concerned that VOPA is not receiving information about verbal and emotional abuse happening in the facilities. Critical Incident Reports only notify VOPA of incidents that required medical care and are not indicative of all abuse and neglect that may be happening in facilities.

Members also wanted to know why trauma-based therapy is not widely used in facilities. Members were also concerned about the enormous need for mental health treatment in correctional settings throughout the state.

**Goal 2: Children with Disabilities receive and appropriate education**

Members were concerned about the lack of therapeutic classroom environments for children with behavioral health issues. Council would like self-advocacy tools for parents in special education.

**General comments on Goals and Focus Areas:**

Council feels the current objectives are good, focused and well developed and that VOPA should continue the positive work.

Council would like VOPA to keep up the pressure around discharge and integration.

**Other Business**

**Member Recruitment**

Kim Mendella offered to come to groups that Council members belong to create interest in becoming members of the PAIMI Advisory Council. Ms. Mendella will explain what VOPA is and what the Councils do. Council members inquired about membership requirements and cultural and geographic representation of Virginia. Council members believed this to be a good idea and offered suggestions.

**Next Meeting**

Saturday, October 22, 2011

**PAIMI related grievances**

Ms. Miller reported that there have been four PAIMI related service disagreements in the last quarter.

**Travel Voucher Reminder**

Ms. Mendella reminded members present to return their travel reimbursement forms.

Yvette Lane made a MOTION to adjourn the meeting and Van Johnson SECONDED the MOTION. The motion carried unanimously.

/s/

FINAL MINUTES

December 10, 2011

Date

**Virginia Office for Protection and Advocacy  
Mission Statement**

Through zealous and effective advocacy and legal representation, to: protect and advance legal, human, and civil rights of persons with disabilities; combat and prevent abuse, neglect, and discrimination; and promote independence, choice, and self determination by persons with disabilities.