

West Virginia Advocates, Inc.
Regular Meeting of the Board of Directors
Charleston Office, Charleston, WV

March 14, 2009, 1:15 p.m.

Members Present: Pam Akers, Clifton Clark, Ted Johnson, and Joellen Zacks

Members by Telephone: Paula Mieczkowski

Members Absent: Jamie Bailey (unexcused); Terry Dilcher (excused); Robert Hardesty (excused); Stuart May (unexcused); Terri Roberts (unexcused)

Guests: None

Staff Present: Clarice Hausch and Barbara Criner

Mr. Johnson called the meeting to order at 1:25 p.m. and asked for any additions or deletions to the agenda.

Motion: Mr. Clark moved that the January 10, 2009, minutes be approved as presented. Seconded by Ms. Akers. Motion carried; none opposed; no abstentions.

Program Director's Report

Mr. Johnson reported that Ms. Given has resigned as Program Director and that Linnie Simiryan has assumed the position of Interim Program Director. He noted that Ms. Simiryan will not be present at the Board meetings due to personal reasons and that Ms. Hausch would present her reports.

Ms. Hausch referred to the Program Director's Report #5 in the Board Packet. She noted that we have become aware of a death at Bateman Hospital and have filed suit in order to access records. Staff has received a phone call stating that we would receive records. Hopefully, we will receive this information without going to court.

Ms. Hausch stated that monitoring continue at both hospitals. The PAIMI review team was very pleased with our presence at Bateman Hospital. She stated that Judge Chambers ruled against two motions from DHHR. A hearing is scheduled in late March before Judge Chambers and there are witnesses to prepare for the hearing.

Ms. Hausch stated that the CAP and PABSS outreach is proceeding well. One third to one half of the state has been completed. Even with the outreach, there has not been an increase in numbers. We received a call from Huntington. The Mayor of Huntington has a Disability Council and felt

that we would be a good member for this council. Both an advocate and a staff attorney have received the required PABSS training.

Ms. Hausch stated that WVA will contribute \$1,000 to the Fair Shake Network grass roots training for self-advocacy at the legislature.

Ms. Hausch stated that staff will attend the mandated national TBI training in Maryland. HRSA requires annual participation at this training. She added that April is TBI Awareness Month and the agency has obtained a Tool Kit to Screen for TBI. The CD is for doctors to install on their computers in order to do an evaluation to help screen for TBI. Ms. Zacks stated this was a great idea and will work with Ms. Hausch in order to get this information on-line.

Executive Committee

Mr. Johnson reported that the Executive Committee had met for the purpose of reviewing the job performance of the Executive Director. During the process, the job description was revised and expectations were formalized. The Committee felt that Ms. Hausch was doing an outstanding job.

Motion: Mr. Clark moved to accept the revised job description for the position of Executive Director. Seconded by Ms. Akers. Motion carried; none opposed; no abstentions.

Finance Committee

Mr. Clark reported that John Galloway had presented the draft audit report to the Audit Committee and Finance Committee on February 18. He referred to the audit report and the audit finding concerning the General Journal review. Mr. Clark stated that we need to either recruit a CPA for the Board or contract with someone to perform these services in order to adequately remove this audit finding.

Mr. Clark noted that the Committee continues to review funding and we have not received the final Notice of Grant Awards (NGAs) for FY 09. He noted that once the NGAs arrive, the committee will be reviewing two pending requests. These requests are for a pay increase or merit increase and the PEIA health cost increase.

Motion: Mr. Clark moved that the Audited Financial Statements for FY 08 be approved. Seconded by Ms. Akers. Motion carried; none opposed; no abstentions.

Motion: Mr. Clark moved that the Corrective Action Plan be approved in order to complete the FY 08 audit. Seconded by Ms. Akers. Motion carried; none opposed; no abstentions.

Motion: Mr. Clark moved that the January 2009 financials be accepted as presented. Seconded by Ms. Zacks. Motion carried; none opposed; no abstentions.

Both Mr. Johnson and Mr. Clark requested that future financials include a summary of the fund-raising account including the vending machine.

PAIMI Advisory Council

Mr. Johnson reported that the Council has been very active. WVA, in collaboration with other agencies, has worked to get word out that the West Virginia mental health system is in crisis. He referred the Board members to the wvcrisis.org website.

Mr. Johnson noted that we have a DVD on the PBS interview with Dave Sanders and John Bianconi. The PR firm that Tom Susan has been working with does do lobbying.

Mr. Johnson noted that West Virginia was one of six states that received "F" on the NAMI Report Card. This is a report of mental health systems across country.

Executive Director's Report

Ms. Hausch referred to the Executive Director's Report #4 in the Board Packet and asked for any questions. She reported that the agency has received a client grievance. Ms. Hausch noted that with the resignation of Susan Given, she will be the liaison to the PAIMI Advisory Council.

Unfinished Business

Ms. Hausch presented a summary of the PAIMI site visit. She stated that the visit went very well. There were individuals from four other states representing Legal, Fiscal, Program, PAIMI Advisory Council and a CMS administrator (Federal project officer). Both Mr. Johnson and Mr. Clark spent time with the team. Mr. Johnson stated that the best experience he had was the visit to Bateman and that this was very significant as both staff and patients recognized the WVA advocate.

Ms. Hausch stated that the monitoring team was surprised that the hospital was very different from hospitals visited in the past. They felt it was much more open and therapeutic. Though they were appalled with group therapy rooms being used as bedrooms and that there were three patients rather than two to each room. The monitoring team recommended that we point out that a major impediment is the mental health system in our P&Os and PPRS. The PPRS go to both the Governor and the Federal officials. The monitoring team will prepare their report and then forward it to the Federal officials for their review and edits. The monitoring team exit presentation was taped.

Mr. Johnson stated that he and Mr. Clark were present for the Executive Director's presentation and was very proud of the work she and staff have done in bringing the agency forward. Mr. Clark agreed. Ms. Hausch noted that the staff did a very good job to get presentations ready for the team.

Ms. Hausch reported there will be a short staff meeting on Monday concerning the site review. The reviewers noted there were very large systemic issues in WV as acknowledged by the District of Columbia P&A attorney.

Ms. Hausch added that WVA came away with new processes to implement and the reviewers took back information to share with their states.

New Business

A discussion was held concerning the P&Os for 2009. Mr. Johnson stated that the P&Os must be completed by the July Board meeting. He asked that Ms. Hausch review the process.

Ms. Hausch stated that the public comments have to be in by July 1 in order for staff to prepare a final draft to send to the Board for review at the July Board meeting. The public comment period is 45 days and starts no later than the middle of May to the first of July. She noted that last year there was a public comment committee that wrote the draft and she questioned whether the Board wanted to do again this year. Mr. Johnson stated the community was responsive last year and felt we should continue the committee again this year.

Ms. Hausch noted that a public forum is held every year. Last year was Year 1 of a 3-year cycle plan. Year 2 is the period in which we review objectives that have been accomplished in the first year. When completed, these are removed from the cycle. Anything new that we can do within the budget can be added in years 2 and 3 and these are usually objectives.

Ms. Hausch noted that the process starts with the public forum. She added that we received better input last year with the use of Melody Urbanic as a facilitator. Ms. Hausch noted that staff inputs the minutes into a computer on-site at the forum. She stated that we need Board input at the forum and if a Board member signs up they must show up. Dave Sanders has served on the committee in prior years. The committee meets in this office with the Program Director. All comments that have been received are reviewed. Input from staff and the management team are also reviewed. After the end of this process, the committee writes the report. The report is also put on the WVA website.

Ms. Hausch stated that she wants to ask for technical assistance from NDRN concerning the format of the P&Os. PAIMI needs to be broken out.

Mr. Johnson asked in addition to the public forum would it be possible for staff and board to meet with some of the Centers for Independent Living (CILs). Ms. Hausch stated that she would follow up on this request.

Mr. Johnson stated that as this is Year 2 of the cycle we will be reviewing requests that have been made. He encouraged Board members to be a part of this process. Ms. Hausch stated that she would get this information to the Board and the committee and staff in order to see what we can add.

Mr. Johnson stated that arrangements need to be set up soon for the forum. Ms. Hausch noted that she would prepare some dates and send to the Board. Mr. Johnson also requested that a Board member be part of this process with staff.

Mr. Johnson said that we want to continue with the individualized meetings at each of the hospitals. He said that the P&Os provide the roadmap for the P&A, the budget and the community. Mr. Johnson felt that this year we should do one public forum at a location in the middle of the state.

Ms. Hausch stated that Dr. Thomas, PAIMI Monitoring Team, noted that we need to write a policy for the P&Os. She noted that we have been doing but just haven't written down. Ms. Hausch will prepare and present to the Board.

Mr. Johnson noted that the next Board meeting will be held on May 9. Arthur Cutler from NDRN has included this week-end in his schedule for the Board training. He has requested a listing of topics. Ms. Hausch noted that the PAIMI Monitoring Team suggested that the Board be provided additional training.

A discussion followed concerning the schedule. Ms. Hausch noted this would include a Friday evening session, an all-day session on Saturday with a wrap up session on Sunday. Mr. Johnson suggested topics could include how to get more recognition of what we do as an agency and what is the Board's responsibility in getting this word out and also the Board's fund-raising responsibilities. Mr. Johnson stated that he wants this time to be valuable. Ms. Hausch noted that more than 2-3 members need to be present for the training. NDRN's expectation is that all Board members would be trained. WVA will participate in Mr. Cutler's travel expenses.

Ms. Zacks noted that she could not attend all the days. Mr. Johnson felt that the most important day would be Saturday. Ms. Hausch stated that the NDRN website has some training modules that Mr. Cutler has prepared. She will get the user name/password information out to the Board. Ms. Hausch added there needs to be on-going training for the Board. A discussion followed concerning Board Source. Mr. Clark thought fund-raising should be included. A discussion followed concerning the free training and CLEs that WVA provided to attorneys. Mr. Johnson felt we should send a letter to all participants asking for either money or their time. A discussion followed and it was decided to do this project through the fund-raising account.

A discussion was held concerning the TBI video project. A short video was presented. All Board members were interested and requested that Ms. Hausch obtain additional information.

No further business appearing, the meeting adjourned at 3:45p.m.

Transcribed by Barbara Criner