

PAIMI Advisory Council Meeting Minutes

The PAIMI Advisory Council met at 10:00 a.m. on June 1, 2010 at the Office of Protection and Advocacy for Persons with Disabilities.

Present: Micheala Mitchell, Selina Welborn, Josefa Correa, Sandy Chapman, Elizabeth Larsen, Alicia Woodsby and Muriel Tomer

Excused

Absences: Barbara Sloan, Wallace T. Peterson III and Lorna Grivois

Staff: Susan Werboff, PAIMI Program Director, James McGaughey, Executive Director, Gretchen Knauff, Assistant Director and Nancy Alisberg, Managing Attorney

CALL TO ORDER

The PAIMI Advisory Council Meeting was called to order at 10:15 a.m. The minutes were reviewed from the April 6, 2010 meeting. The minutes needed to be corrected with the following change on page 3, change National Alliance for Mental Illness to National Alliance on Mental Illness.

A motion was made to accept the minutes with the correction. All voted in favor.

OLD BUSINESS

James McGaughey – Executive Director's Report

James McG. was not able to attend the meeting. Gretchen K. reported that Jim did not provide her with a report for this meeting.

Alicia W. reported on several legislative initiatives. SB 140 – the transition bill did not pass. There were no co-pay increases for Medicaid recipients. Most bills that NAMI CT opposed did not pass. She also reported that DMHAS received state approval to license intermediate care beds. This was necessary for the closure of Cedarcrest. The length of stay in these programs should be 45-90 days.

Nancy Alisberg – Managing Attorney’s Report

- **OPA v. CT** – The defendants filed a motion to appeal the case to the Second Circuit Court of Appeals. The Plaintiffs are filing a brief in opposition to this motion, and are fairly confident that the Judge will deny it. The Judge also questioned whether OPA was able to be both a plaintiff in the case and also represent the class now that the case is a class action. OPA also filed briefs about that, and are waiting for a ruling. OPA also asked the Judge to set a schedule for discovery, and are awaiting a conference call to set that up. OPA wanted discovery to start immediately, and the defendants want to put it off until a ruling on the motion for an appeal.
- **Bolmer v. Oliveira** – The case against DMHAS settled. Mr. Bolmer received a financial settlement that will be placed into a special needs trust. OPA was unable to resolve the question of the attorneys’ fees due to the Attorneys General’s Office opposition. OPA is still trying to settle the fees. If OPA cannot accomplish this, it is understood by the attorney general that OPA will litigate this issue. OPA is now able to appeal the dismissal of the case against Danbury Hospital. OPA will begin to proceed to do that.
- **Gross v. Rell** – This was originally a probate case involving a man from New York who was involuntarily placed in a nursing home by a family member. Mr. Gross’ court appointed attorney, conservator and the probate judge all allegedly deprived him of his rights and eventually he filed suit in federal court and is now represented by CT Legal Rights Project. The case was dismissed because the court found that all the defendants were immune from suit. When that case was appealed to the Second Circuit, that court “certified questions” to the Connecticut Supreme Court asking it to tell the Second Circuit what the state law is on immunity. OPA was involved originally involved in helping with the case in the federal district court, and this past month was involved in the amicus briefs to the Connecticut Supreme Court that were just filed. The case will not be argued until the fall.
- **Blick v. Office of the Division of Criminal Justice** – Drs. Blick and Levine are two physicians who filed suit in Superior Court to try to get a ruling that the assisted suicide law does not apply to doctors who help a patient commit suicide, or as they call it, provide “aid in dying.” OPA filed a motion to intervene in this case on behalf of itself, Claude Holcomb, Cathy Ludlum and its constituents with disabilities who are likely to be pressured to commit suicide by doctors who will look at their lives with disabilities as less worth living than lives of people without disabilities. It is not known when a decision will be made. A motion to dismiss is currently pending in the case.

Susan Werboff – Program Director’s Report

- Susan distributed a Restraint and Seclusion report that was generated using the new database developed by PAIMI with assistance of OPA staff.

- Susan W. summarized the Riverview Hospital project update as provided by the PAIMI Advocate, Jessica Rival. Jessica is spending many afternoons each week, meeting the kids and providing training in self advocacy.
- The Council requested that Susan W. write a letter to Pat Rehmer regarding Restraint and Seclusion usage and invite DMHAS to attend an upcoming meeting to discuss the reports.
- OPA priorities surveys were distributed at Bidwell Health Care Center by Council member Sandy Chapman. Sandy C. had 19 residents complete surveys which she brought to the Council meeting. Gretchen K. collected these surveys. Many thanks to Sandy!
- Susan W. discussed the annual meeting of the PAIMI Council. It is currently scheduled for Tuesday, August 3, 2010 from 10:00 AM to 1:00 PM. The location has not been determined yet. Susan W. reminded the Council that the annual meeting can be held anywhere. She asked the Council for site locations. Muriel T. suggested Columbus House in New Haven. She said she would explore its availability and let Susan W. know the outcome.

NEW BUSINESS

Psychiatric Report Card

- Saint Raphael Hospital, New Haven – Susan W. and Muriel T. are scheduled to conduct the review in June.
- Saint Francis Hospital, Hartford – Selina W., Alicia W., and Josefa C. will be conducting a review of Saint Francis and will be scheduling an appointment for the visit.
- Lawrence & Memorial Hospital, New London – Elizabeth L. and Micheala M. will be conducting a review of L&M. They have already contacted the hospital.

Other New Business

- Susan W. reported that there will not be a representative of the PAIMI Advisory Council attending the NDRN Conference in June. A Council member was invited to attend but will be unable to go to the conference this year.
- Selina W. reported on receiving contact from a PAIMI Council member from another state who was interested in coming to visit Advocacy Unlimited. She will be hosting her visit at the end of June.

ADJOURNMENT

The PAIMI Advisory Council Meeting adjourned at 12:00 p.m. The next meeting will be the annual meeting and is scheduled for Tuesday, August 3, 2010 from 9:30 – 12:30 p.m.

Respectfully submitted,

Susan Werboff

c: James McGaughey
Gretchen Knauff
Nancy Alisberg