



Arizona State Hospital Human Rights Committee Meeting

Thursday, April 19, 2018 6:00-9:00PM Meeting AzSH Auditorium	Arizona State Hospital 2500 E. Van Buren St. Phoenix, AZ 85008
Members Present: Sharon Ashcroft- Education; Laurie Goldstein- Parent; Ashley Oddo-Law; Jim Gillcoatt- Behavioral Health RN; Ross Davids-Psychology (phone)	
Other Attendees: Dana Hearn- AHCCCS, Assistant Director; Yisel Sanchez- AHCCCS, Human Rights Committee Coordinator; Timothy Bribriescio- Pinion (phone); Debra Brykowski; Roy Torres; Alison Mell; Patrick Pickens, Former Patient; Carlos- Patient; Mark- Patient	
Members Absent: Joe O’Cain- Consumer; Kim Scherek- Psychology; Joe Conteras- Parent	
Next Meeting: May 17, 2018	
Approved: _____ Sharon Ashcroft, Chairman	



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Item	Discussion	Follow-Up/Action	Person(s) Responsible for Follow Up	Target Completion Date
Welcome and Introductions	Sharon Ashcroft calls meeting to order at 6:09pm.	NA	NA	NA
Disclosure of Conflict of Interest	<p>Chair asks for disclosure of conflict of interest.</p> <p>Sharon inquired about 2 banner representatives and why attending</p>	<p>None noted</p> <p>Banner representatives explained</p>		
Review February Meeting Minutes	<p>Review and approve last month's minutes.</p> <p>Ashley notes she sent two edits to Sharon by email</p> <p style="padding-left: 40px;">Page 13 of 16 Ashley "does not believe" statute speaks to limiting public comment</p> <p style="padding-left: 40px;">Page 12 of 16 same edit "does not believe" instead of "notes"</p> <p style="padding-left: 40px;">Page 14 of 16 Chick instead of</p>	Laurie motions to accept with edits, Sharon seconds		



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	<p style="text-align: center;">Chic</p> <p>Question about agenda error – Yisel made clarification Sharon (chair) authors agenda</p> <p>Edit name on page one under attendees; Keen changes to King</p>			
<p>Incident/Accident Reports – Jim Gillcoatt</p>	<p>Jim inquires on initialisms TSD – Sharon notes they are restraints COS and LOS and clarification to be sought</p> <p>Jim shares that in debriefing - which is supposed to be a collaborative effort for all involved in S&R to make it not happen again or facilitate a more even flow - they are writing the patient could not answer what could be done differently or when the patient is kept in S&R, reads they are not physically</p>			



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	<p>or psychiatrically safe and the patient is dysphoric.</p> <p>Jim notes dysphoria isn't a criteria - he explained dysphoria as sad etc.</p> <p>Jim shared that it looks like the message from last time got through because he is now noticing change, example such as learning from someone being upset due to not having snacks and next steps to make snacks available even when on ROU.</p> <p>Another example of patient laying on bed in seclusion and willingly took Haldol and not ready for discharge and kept in there for 45 more minutes.</p> <p>Coping skills under debriefing (on good side) notes that staff could help with coping skills on TX plan.</p>			



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	<p>Another debrief well done was to help is that it notes the patient could report voices to staff and help with coping skills.</p> <p>Jim notes it is like eating the elephant one bite at a time - he notes there are improvements in S&R reports and people are paying attention.</p> <p>Laurie asks if there are patterns with staff or writing.</p> <p>Jim notes there are a couple that look the same and may have been same patient but they are throughout the day... evening... morning.</p> <p>He notes sequencing of reports has nothing to do with how they are listed. Jan/Feb/Mar.</p> <p>Yisel clarifies when dropped it shows</p>			



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	<p>drop date and you have to see date on report.</p> <p>Jim notes no missing dates on this one and everything was accounted for.</p> <p>Jim notes there is still an issue with the writer not making clear the behavior of the patient criteria to be released and there is not an understanding on the writers' part that if they meet criteria for release, they need to be released.</p> <p>Jim gave example of "no longer assaulting peers" and he went in for 15 min. If they are being assaultive and then all of the sudden cool... I can see you would want to keep an eye for a minute... that is not bad. Writing they are doing good... took their shot... etc. and we will keep in seclusion for 45 more minutes.</p>			



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	<p>Jim notes he has to look at it on what was written.</p> <p>Public spoke and was redirected to public comment.</p> <p>Sharon notes on visit she remembers that he was triggered when his ask to use restroom was ignored and he went off and destroyed camera in the room. If you don't get out it can trigger the behavior to come back.</p> <p>Jim discussed a time patient urinated on the floor and had to clean it up;</p> <p>Sharon notes there is no reason not to use a restroom.</p> <p>Jim notes that seclusion is similar in size to conference room meeting was held in (HRC meeting).</p>			



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Annual Report	<p>Sharon minutes did not capture every adjustment/correction</p> <p>Acting chair Ashley completed manual edits on her hard copy</p> <p>Laurie and Ashley notes needing correction but good start. Sharon notes she changed it and it is significantly different</p> <p>In the beginning first page background of HRC. 2017 one patient member lost. One application denied by director at AHCCCS. 3 members renewed membership. Nine meetings 2017</p> <p>IAD/SR reports - Jim Any corrections: Laurie suggests "a seriously mentally ill patient" - more friendly to say "patient suffering</p>			



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	<p>from SMI"</p> <p>Deaths - HRC didn't receive any notification</p> <p>Site Visits -</p> <p>Any corrections:</p> <p>Ross notes wherein it says lack of staff –</p> <p>Sharon notes that she sent with edits so disregard as some stuff is from year prior</p> <p>Ashley suggests new paragraph at "no discrimination..." and "shadowing..."</p> <p>Perhaps add a sentence after new service provider - number of complaints about food have drastically decreased since 2016</p> <p>Ross suggests adding numbers (3 civil and 5 forensic patients that</p>			



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	<p>we visited) and who requested visits.</p> <p>Laurie notes that does not capture all that were requesting.</p> <p>Sharon notes that committee members can go back through the minutes and see what was found.</p> <p>Sharon remembers all 5 on forensic was in one day. Sharon notes this was with Chris Duarte. Ross recalls 3.</p> <p>It was noted there must have been a separate time.</p> <p>Laurie notes she did forensic visits for the first time ever.</p> <p>Training - Any corrections: no</p>			



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	<p>Community Education: Any corrections: Ashley noted typo Re: starting Concern "from" family members and guardians ... "in relation to"... a family member</p> <p>Concerns: Any corrections: "to start developing" [in general work on Dana Hearn paragraph. Make more sentences] "potentially could limit" Sentence that starts with however... after second comma... should be "who fears retaliation"</p> <p>Laurie notes Dr. Bowen did start a pilot program; Sharon notes it is just Sago; Laurie notes it was a</p>			



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	<p>pilot program of smart beds to prevent physical inspection.</p> <p>Laurie notes what is not mentioned was a patient visit complaining that they didn't have dentures –</p> <p>Sharon notes that was year prior</p> <p>2017 HRC recommendations Any corrections:</p> <p>Perhaps review again and go through minutes and vote on it at next meeting.</p> <p>Laurie inquired if the Annual Report should include Jim's reviews. Sharon notes there already is.</p>			



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	<p>Ashley agreed to make edits done today and send back out to the committee. It can be addressed at next meeting and voted on.</p> <p>Ross notes about other attendees that came such as NAMI advocates etc to show other folks.</p> <p>Sharon notes it can go in the community section.</p> <p>Laurie notes to notate Anna. Sharon notes not 2017.</p> <p>Sue Gilbertson discussed and Sharon notes that is 2018.</p> <p>Sharon clarified they are not routine people but attendees. That could be considered community outreach.</p>			



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FTP Server	<p>Laurie is only person that has pursued access to Portal.</p> <p>Laurie confirmed having email noting access and was waiting for training.</p> <p>Yisel used page by page instructions with screen shots.</p> <p>Reviewed that others would still need to submit paperwork to gain access to SharePoint.</p> <p>Member of the public asked if this was just for civil; confirmed yes.</p>			
Response to Dr. Christ and Mr Honig	<p>Committee noted that they sent letters March and April and there were inaccuracies in Mr. Honig's accusations.</p> <p>Laurie notes she is concerned with them bringing lawyers for every little</p>			



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	<p>thing and demanding a response by tomorrow. What is the statute for responding in a day?</p> <p>Laurie notes since they have an attorney writing they would need attorney.</p> <p>Sharon and Laurie discusses counterpoints and Sharon's records.</p> <p>Laurie stated that an attorney would answer what was said about Laurie.</p> <p>Sharon notes she accidentally sent a request for a site visit to Jacqueline.</p> <p>Sharon notes the Director of Health Services has noted Sharon cannot like something on Facebook.</p> <p>Laurie notes her attorney will respond to what was said about her.</p>			



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	<p>Sharon notes she spent 20 hours on letter back to Dr. Christ.</p> <p>It was noted that Senator Barto wanted it because Senator Farnsworth had questions and she wanted Sharon to prepared incase there were questions.</p> <p>It was noted Sharon has direct evidence of those claims.</p> <p>Laurie notes she didn't know where forensic campus was located- other than HRC visits and PSRB</p> <p>Laurie noted she was called by attorneys to testify- it was noted she would be subpoenaed if she didn't comply.</p> <p>Laurie notes she had to spend 3.5 hours for the PSRB.</p>			



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	<p>Sharon asked Ashley what she thinks.</p> <p>Committee notes dates of letters; Feb. 5, Feb. 13 and email Mar. 29 and April 12 is last Honig letter.</p> <p>Sharon questioned email from Dana 3/29. Sharon notes if Dana has an issue with what was run on ABC 15 she should follow up with Dave Biscobing.</p> <p>Sharon notes as far as the legal part she will have to defer to Ashley.</p> <p>Ashley reviewed Sharon response to secretary. She notes he should stop. Sharon notes that they barely have enough people to make a quorum.</p> <p>Laurie notes that hopefully Greg Honig is not transferring to ADOA.</p> <p>Ashley notes although she is an</p>			



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	<p>attorney she can't give legal advice as this is not her area of expertise.</p> <p>Ashley notes that she has made edits to the letter.</p> <p>Ashley notes that committee should respond; Laurie inquires based on what statute.</p> <p>Discussion of seeking outside council.</p> <p>Mr. Honig mentioned in his letter that they can access outside help but not sure how to do that.</p> <p>Laurie notes Ashley can look at Sharon's response; she asks if she is cooking her own goose by giving information.</p> <p>Laurie notes she would keep within same chain.</p>			



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	<p>Discussion of to respond to Cara Christ or Greg Honig.</p> <p>They suspect Honig is acting on behalf of the hospital</p> <p>Laurie notes there have been two stories on news about "meddling" or misuse patient information and using to benefit self.</p> <p>Sharon notes that this made national news. Sharon notes that it impacted her in a job interview.</p> <p>Sharon noted that to an extent volunteering puts members out there – Sharon doesn't understand vindictiveness and what is the purpose of it.</p> <p>Dana reviewed they can review email.</p> <p>Dana inquired if being called on as</p>			



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	<p>liaison or member of public.</p> <p>Dana notes information is in the email and it delineated timeline. Further noted that the email is not on the agenda.</p> <p>Committee noted that they did not write ABC 15 story.</p> <p>Dana notes AHCCCS did not contact ABC 15 and is unclear as to this email being on the agenda.</p> <p>Sharon notes there is a paragraph in the letter about Dana therefore it is under the agenda.</p> <p>Jim notes an attorney may want to review response first. Jim notes erring on side of patient.</p> <p>Discussed obtaining attorney such as</p>			



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	<p>the one from Pima.</p> <p>Laurie inquired attorney client privilege. Laurie notes she is hiring an attorney and they don't have to sign anything; Ashley reviewed a business agreement.</p> <p>Sharon notes they can get the AG's office.</p> <p>Ashley suggested response and ask for legal authority requiring to respond.</p> <p>Ashley notes she is fine with the letter.</p> <p>Laurie notes that she didn't read but if Sharon has evidence should submit all evidence electronically.</p> <p>Sharon notes giving too much rope can have someone hang themselves.</p>			



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	<p>It was noted Barto and Farnsworth have seen the evidence which include text and emails.</p> <p>Ross notes mostly up to Sharon due to her name being on the line. Ross notes he is trying to stay out of it considering career goals. He notes his name being associated with privacy etc can be an ethical issue.</p> <p>Jim notes maybe we do respond.</p> <p>Sharon notes they would be the bigger person. Sharon notes she will put herself out there to protect the patients.</p> <p>Committee asks if there is an ability to respond and make addendum later.</p> <p>Jim notes we are responding to it and we are going to the grounds.</p>			



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	<p>Committee discussion on potential for disclaimer - agreeing to respond but no legal action should be taken against committee because they are responding within allotted timeframe. Sharon notes she will do it</p> <p>Committee noted Greg Honig mentioned a patients name and testimony and violated HIPAA.</p>			
Legislation Update	<p>Laurie notes Senator Barto passed SB1450- Jurisdiction of HRC and oversight to ADOA and removing from AHCCCS so that it doesn't report up to agency and would now be called "IOC" Independent Oversight Committees</p> <p>Sharon asked if they changed the membership requirements. Potentially having to submit 3 applications at a time – committee unaware of what the final decision was.</p>			



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	<p>Ashley asked about effective immediately.</p> <p>Laurie should ask for clarification as to transition and when AHCCCS is out of it.</p>			
Public Comment	<p>Patrick Pickens - former patient</p> <p>Right to worship –</p> <p>Patrick inquiries about application status, Ashley confirms Sharon has sent to Yisel. (4/19/2018)</p> <p>Patrick notes Honig arbitrary deadline.</p> <p>Patrick stated that this was a violation of the first amendment when it came to patient right to speak. Stated that ADHS has repeatedly exploited since 90s</p> <p>Patrick stated that the independence of</p>			



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	<p>committees at stake</p> <p>Timothy Briebriesco - patient on forensic side</p> <p>Timothy stated that at the last meeting he spoke about retaliation from staff and team</p> <p>Tim stated that the next day staff tore apart room for an hour seeking medications and there was nothing - retaliation is prominent</p> <p>Timothy recalls Dr. Bowen stating that no forensic and civil patients are to be together. Timothy confirms that he is on Mohave now and there is a civil patient on his unit and seems violent.</p> <p>Timothy noted that a HIPAA issue occurred on Pinion. A grievance was written and they agreed to be more</p>			



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	<p>vigilant. He referenced work with Terrance Skaggs. HIPAA is a big thing at the hospital stated Timothy.</p> <p>Timothy stated he lives in fear of being retaliated against.</p> <p>Timothy noted that PA has changed medications.</p> <p>Timothy noted that Doctor sees him for a very short time period and is billing AHCCCS fraudulently.</p> <p>Debra Brykowski</p> <p>Debra has positive thing to say –</p> <p>Debra is Tim's guardian and mother –</p> <p>Debar shared that she was not notified of court date</p> <p>Debra was also not notified of move</p>			



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	<p>itself or to ask if acceptable.</p> <p>Debra called OHR and spoke to CJ and was instructed to do grievance of proper procedure.</p> <p>Debra shared that since move to Mohave and it is night and day.</p> <p>Debra noted that they have no docs in staffing's and they are every 2 months.</p> <p>Debra concluded by stating that her son id good where he is at and has an excellent team.</p> <p>Public comment from AHCCCS noted "office of human rights" on annual report may have been error</p>			
Meeting Adjourn	Ashley calls for a motion to adjourn.	Laurie motioned to adjourn. Jim seconded, all voted in favor.		