

Office of Protection and Advocacy for Persons with Disabilities
Fatality Review Board
January 28, 2008

Present: Mr. James McGaughey, Ms. Patricia Mansfield, Dr. Gerard Kerins, Mr. David Carlow, and Mr. Peter Hughes, Ms. Christine Gaynor, Ms. Anne Broadhurst, and Ms. Barbara Roy, OPA staff.

Absent: Major Timothy Palmbach, Dr. Kirsten Bechtel, Attorney John DeMattia

1. Minutes of the December 3, 2007 FRB meeting were reviewed. A motion to accept the minutes was made by Dr. Kerins, which was seconded by Ms. Mansfield and the minutes were adopted.
2. Ricky W. Court Order

Mr. McGaughey explained that Ricky W.'s case was settled out of court. He also noted that the documents contained in the FRB's investigation file relating to Ricky W., which were requested by subpoena, were not introduced as evidence.

3. Governor Rell's Letter Concerning Statutory Responsibilities of Board Members

Mr. McGaughey shared a copy of Governor Rell's letter with Board members present. He explained that the FRB's charter is laid out in Executive Order #25. Mr. McGaughey noted that OPA intends to submit legislation again this year, which would recognize the FRB in statute. Mr. McGaughey explained that OPA's proposal was unsuccessful last year because it gave the Governor sole authority to make all FRB appointments. The leadership of the House wanted the authority to appoint some of the FRB members too. Mr. McGaughey reported that this year OPA will submit language in its bill which is similar to the language used by the Office of the Child Advocate's (OCA) Fatality Review Panel. OPA will also try to expand the Board's membership to include a forensic pathologist and someone with experience in the field of mental health. Mr. McGaughey noted that the OCA Fatality Review Panel has the authority to appoint up to three members, if needed, to provide particular expertise on a case-by-case or temporary basis. Provisional members may also vote on the cases they have reviewed or consulted on.

Mr. McGaughey noted that FRB members currently have no specific term limit or years of service.

4. Nursing Home Study Update

Mr. McGaughey noted that the FRB has requested information from DDS for a sample of individuals who were living in nursing homes at the time of their deaths and who died between January 2002 and December 2007, based on our authority under Executive Order #25 and the Memorandum of Understanding developed between DDS and the FRB. Ms. Gaynor and Ms. Broadhurst summarized the progress of our inquiry to date. Initial areas of inquiry include: Why was the person placed into long-term care? Why wasn't the person transferred out of long-term care? Where did the person come from? Who placed the person into long-term care? Ms.

Gaynor reported that the student intern assigned to work with us on this project will be available through April 2008. Board members stressed the importance of making sure that Quinnipiac University understands that OPA has sole control of the data collected as well as how and to whom the results of our inquiry are disseminated.

5. Other Business

Board members expressed an interest in inviting a representative from the OCME to our next meeting to provide formal clarification on the process for completing Death Certificates as well as OCME notification protocols.

6. Executive Session and Case Review

The next FRB meeting is scheduled for Monday, April 7th from 1:30 - 4:30 PM at Sister Anne Virginie Grimes Health Center, across the street from St. Raphael's Hospital in New Haven