

PAIMI

ADVISORY COUNCIL

◆ PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS ◆

Authorized by Federal Law (42 U.S.C.A. 10801-10826) to protect and advocate for the rights of individuals with mental illness

PAIMI Advisory Council Meeting Minutes

The PAIMI Advisory Council met at 11:00 a.m. on January 9, 2008 at the Office of Protection and Advocacy for Persons with Disabilities.

Present: Susan Aranoff, Walt Wetmore, Josefa Correa, Carrie Czerwinski, Corrie Morse, and Selina Welborn

Unexcused

Absences: Tracie Zavatsky, William Curtis Denton, Evelyn Melendez,

Guests: Shawn Bennett, Sandy Chapman, and Elizabeth Larsen

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 11:25 a.m.

Two potentially new members were introduced to the PAIMI Advisory Council, Sandy Chapman and Elizabeth Larsen.

The minutes were reviewed from the November 14, 2007 meeting and were approved as written. Susan W. announced that the minutes will be posted on the OPA website from now on.

OLD BUSINESS

James McGaughey – Executive Director’s Report

- Testified at the end of November 2007 at the Legislative Office Building about prison issues.
- Special Session should be on January 22 and 23, 2008, regarding toughening laws and penalties for repeat violent offenders. No new programs. Capacity in the community will be discussed in regular session as it involves money. Funding for more housing and supportive housing will be considered in the regular session also.
- OPA Legislative Liaison is out on medical leave. Carrie C. asked if OPA is initiating anything legislatively. Jim McG. replied that he has spoken with Senator Handley to raise a

- bill for jail diversion for people who get services from the Department of Development Services.
- James McG. also reported on the budget for the agency and the need for austerity.

Nancy Alisberg – Managing Attorney’s Report

- Bolmer – Summary judgment motions due January 2008. First motion is due January 18, 2008 from defendants. Facts are in dispute so OPA is not filing a motion of summary judgment. OPA is responding and the defendants then file a reply. Case is over if Judge agrees with their summary judgment motion unless we appeal. Otherwise, it must go to trial. Case should be ready for trial by September 2008, if the decision comes by then but may not go to trial until some time later. Will need PAIMI monies for trial. Cost of trial involves same day transcript, expert (Dr. Selig), etc. Estimate - \$20,000. CLRP to pay 20%. If we prevail at trial, we can get reimbursed for expenses except possibly expert fees.
- Discussion on the possibility of systemic effects on the mental health service system, as a result of the Bolmer case.
- New Horizons – Fair housing case regarding a housing project for people with severe physical disabilities and allegations of discrimination on the basis of psychiatric diagnosis and severity of disability. Motion for preliminary injunction granted. There is currently a dispute on the scope of the preliminary injunction. In this case, OPA will be filing summary judgment that the facts are sufficient to prove a violation of fair housing law. The defendants will also file for summary judgment. Briefing may be over by the end of June 2008.
- Choinski – Ongoing complaints. Settlement agreement ends September 26, 2008. Last audit will be the end of January 2008.
- OPA v CT – Waiting to hear from the Judge. Case dismissed over lack of standing by OPA but left open for OPA to file using named plaintiffs. In the process of interviewing individuals who would be good plaintiffs.

Susan Werboff – Program Director’s Report

- No PAIMI grievances.
- No restraint injuries to report.
- DMHAS has received a 3 year grant to reduce restraint and seclusion for young adults. PAIMI has been asked to participate. Susan W. and Susan A. are participating.
- DCF/DMHAS report on the young adult service system should be finalized shortly and presented to Commissioners of both agencies. Susan shared her concern that it may contain a recommendation for out patient commitment which OPA and PAIMI have opposed in the past.

•

OTHER OLD BUSINESS

Nomination of Sandy Chapman. She left the room for a discussion. Carrie C. spoke with Sandy before the meeting and feels comfortable that Sandy is able to attend and participate. Walter W. nominated. Susan A. seconded. Vote was all in favor of Sandy on the Council.

NEW BUSINESS

Judge Rotenberg Center – Susan W. and James McG. described the program. Its history was also discussed. A tour of the Center could be arranged for the Council if interested. Susan W. offered to arrange for the tour but cautioned that the tour can be emotionally difficult for individuals due to the treatment of the students with “shock.”

James McG. presented a letter to the American Psychological Association from a large number of human rights groups regarding JRC. He asked the PAIMI Advisory Council to sign onto the letter. Walter W. asked what the position of the PAIMI Advisory Council was in RI and MA. Jim did not know if they signed on to it. Josefa C. raised the concern that we should be looking at prevention; acting before the behaviors escalate, not after.

Susan A. moved, and everyone agreed to sign onto the letter to the American Psychological Association.

Discussion about the DMHAS client placed at Judge Rotenberg Center. Tabled until the next meeting in March. Susan W. and Carrie C. to make inquiries through NDRN about the other activities of PAIMI Council.

OTHER OLD BUSINESS

Discussion of public comment on PAIMI priorities – James McG. described the OPA process that occurs every other year. Carrie C. discussed the need to establish a process for annually soliciting comments. Susan W. to draft protocol in collaboration with Carrie C. She will bring draft to next meeting in March.

Gretchen K. stated that the last three pages of the PAIMI Annual Report are the actually expenditures for PAIMI.

ADJOURNMENT

The PAIMI Advisory Council Meeting adjourned at 1:25 p.m. The next meeting is scheduled for Wednesday, March 12, 2008 from 11:00 – 1:00 p.m.

Respectfully submitted,
Susan Werboff

c: James McGaughey
Gretchen Knauff
Nancy Alisberg