

PAIMI Advisory Council Meeting Minutes

The PAIMI Advisory Council met at 9:30 a.m. on October 7, 2008 at the Office of Protection and Advocacy for Persons with Disabilities.

Present: Walt Wetmore, Corrie Morse, Susan Aranoff, William Curtis Denton, Josefa Correa, Sandy Chapman, and Muriel Tomer

Absent: Selina Welborn, Mark Griffin, Elizabeth Larsen, Dan Hunt,

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

CALL TO ORDER

The PAIMI Advisory Council Meeting was called to order at 9:45 a.m. The minutes were reviewed from the July 9, 2008 and the Annual meeting with no vote taken due to a lack of a quorum. Motion taken later when a quorum was present. Voted all in favor.

OLD BUSINESS

James McGaughey – Executive Director’s Report

James McG. was unavailable. Gretchen K. did not have an official report from James McG.

Nancy Alisberg – Managing Attorney’s Report

- Bolmer case – Decision on August 5, 2008. Decision said there is enough contested evidence to go to trial. Three claims against DMHAS: violated federal constitutional rights to due process (Judge said could go to trial on this.); ADA Title II claim (Judge said can go forward with damages claim); state law claims false imprisonment (dismissed); Danbury Hospital claims – filed constitutional claims against Danbury Hospital (Judge dismissed these claims); Federal Rehabilitation Act (504) claim (Judge dismissed 504 claim). Two state claims against Danbury Hospital: battery (harm) forceable meds and restraint. Judge said could go to trial on these.

Trial was suppose to start on October 23, 2008. Danbury Hospital filed a motion dismissing state claims citing these claims should be heard in state court. We did not object. DMHAS claims – DMHAS appealed to Second Circuit. If OPA wins these claims, the case will have to go back to be heard in federal court in CT.

- New Horizons – November 10, 2008 court date to argue all the motions in New Haven Federal Court. No decision has been made on any motions.
- Choinski – Settlement agreement expired on September 26, 2008. At least one provision has been made into an administrative directive. Commissioner Lanz is establishing an internal committee to review the settlement agreement to determine what aspects of it DOC will keep in place.
- OPA v CT – Finalized a complaint with five named plaintiffs. 2 from Bidwell, 2 from Chelsea and 1 from West Rock. Defendants are refileing all their motions to dismiss. Their briefs are due November 21, 2008. Our brief is due on January 20, 2009.

Walt asked if things have improved as a result of the Choinski decision. Nancy reported that the treatment at Garner has improved but Northern is another issue.

Susan Werboff – Program Director’s Report

- Reviewed the two restraint injury reports that were received by PAIMI.
- Discussion on Latino event on October 23, 2008. Susan W. distributed flyer for the event.
- Reported that the DMHAS restraint and seclusion grant committee meeting has begun again. The first meeting is scheduled for October 8, 2008. Susan A. also participates on the committee.
- No PAIMI grievances received for past two months.
- PAIMI Council and PAIMI Program Annual Report will be started soon. Walt W. and Corrie M. will be reviewing the Council’s report.
- Institute of Living – Susan W. reported on issues related to forced medication hearing, recent restraint injury report, no admit list and grand rounds.

OTHER OLD BUSINESS

Susan A. asked if OPA could write a letter requesting quarterly data for reporting of restraint per Commissioner’s Policy.

Susan W. stated that she had forgotten the request and would follow-up with it.

NEW BUSINESS

- Vote on extension of Walt W.'s term to the end of 2009. All voted in favor.
- Physical Health Care Forum Planning – Susan W. asked for help from the Council in planning this event. Susan A., Muriel T., and Walt W. volunteered to attend a meeting.
- Discussion of Council meeting dates and times. Monthly meeting were discussed. The first Tuesday of the month will be the meeting dates and the time will remain the same. Susan W. will send out a new schedule. December 2008 meeting will be attempted to be held at Bidwell in Manchester.

Other New Business

Muriel T. discussed problems in service system she has witnessed with her clients. She is seeking support and advice on being an independent advocate.

ANNOUNCEMENTS

Curtis D. announced that he will be out of state until January 2009. Elizabeth is out on medical leave due to surgery.

ADJOURNMENT

The PAIMI Advisory Council Meeting adjourned at 11:30 a.m. The next meeting is scheduled for Tuesday, December 9, 2008 from 9:30 – 11:30 a.m.

Respectfully submitted,

Susan Werboff

c: James McGaughey
Gretchen Knauff
Nancy Alisberg