

PAIMI Advisory Council Meeting Minutes

The PAIMI Advisory Council met at 9:30 a.m. on June 2, 2009 at the Office of Protection and Advocacy for Persons with Disabilities.

Present: Susan Aranoff, Josefa Correa, Sandy Chapman, Elizabeth Larsen, Lorna Grivos, Corrie Morse and Muriel Tomer

Absent: Walt Wetmore (E), William Curtis Denton (E), and Selina Welborn (E)

Guest: Alice Woodsby, NAMI CT

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 9:30 a.m., by Corrie M., Vice-Chairperson. The minutes were reviewed from the April 7, 2009 meeting. Everyone voted in favor and the minutes were approved as written.

The agenda's order was reorganized by Corrie M. at the request of Susan Werboff, PAIMI program director. She stated that she needed a quorum to be able to vote on two items. Sandy C. and Elizabeth L. were on a telephone conference call and were not sure how long they would be able to remain on the call. New Business was placed first on the agenda.

NEW BUSINESS

Vote on Bylaws Amendment for Obtaining Public Comment on Priorities and Activities of PAIMI.

There was a long discussion on the bylaw amendment regarding the role of the Council in obtaining public input yearly on the PAIMI program priorities. Minor edits on language. Overall, all were in agreement with the change and voted in favor of the bylaw amendment. See attached bylaw changes.

Vote on PAIMI Grievance Procedure

There was a discussion over the steps in the grievance process. Lots of changes were suggested such as removing the requirement for putting the complaint in writing a second time to appeal to Executive Director. It was also suggested that the program director have a 15 day response time to the initial grievance. Other suggestions were made. The grievance form was approved as it might be helpful to the individual, but it should not be required

There was also a discussion about the final review committee appointed by the PAIMI Advisory Council Chair. Overall the Council agreed with the process and their involvement in the final review.

Discussion over what constitutes a grievance. Susan W. gave examples of repeated callers with significant memory issues. A balance has to be achieved between supporting individuals and accommodating disability issues and when to consider a complaint an official grievance..

There was a vote on the overall role of the PAIMI Advisory Council in the review and support of the process with the changes.

OLD BUSINESS

James McGaughey – Executive Director’s Report

- James McG. reported on P.A. No. 09-67, “An Act Concerning Notification To The Office of Protection and Advocacy for Persons with Disabilities of Department of Mental Health and Addiction Services Client Deaths.” He also reported on the passage of our legislation protecting the confidentiality of our client information.
- He reported that the Second Step Players performance at OPA was successful. Two Council members attended (Josefa and Selena).
- James McG. recently attended the annual NDRN meeting in Washington, DC. A number of P&A programs are up for reauthorization. There are some potential problems for the PAIMI program due to a widely circulated article by the Wall Street Journal.
- Other problems looming with the Department of Justice and its enforcement of the Civil Rights Institution Persons Act (CRIPA). The DOJ is the lead agency for this Act.
- Restraint and Seclusion in public schools is a big issue. Public hearings have been held in Washington, DC. Preliminary discussions have occurred around amending the federal act, Individuals with Disabilities Education Act (IDEA).
- Social Security Administration has been in contact with NDRN requesting assistance in investigating employers who are representative payees.
- Nationally there has been more visibility for disability rights issues.

Nancy Alisberg – Managing Attorney’s Report

- Bolmer – Second Circuit brief due on June 11, 2009. Private firm is working on the amicus brief for NDRN. No idea when the oral argument will be. It will not be before July 28, 2009.
- New Horizons – Judge denied motion by defendant to appeal. Scheduling conference was held the end of May. Defendants contacted OPA and said they want to go to mediation. Third party mediator will be appointed. Scheduled for two dates in July. If the mediation is not successful, there will be a trial this fall to determine damages for Denise Laflamme. Jury selection will begin on September 2, 2009. Discovery will begin in the case on behalf of the two other named plaintiffs if that case does not settle during the mediation.
- OPA v CT – No legal updates.

Susan Werboff – Program Director’s Report

- Reported on new data provided to OPA required since 2000 by federal regulation under CMS. on injuries, suicide attempts, deaths, etc. Susan W. has developed a chart on the incident. She shared the chart.
- Reviewed the letter she wrote to Karen Armstrong, federal PAIMI Program Coordinator, regarding the Peer Review results. She will mail a copy of her response to the Council members.
- Distributed the DMHAS data on the use and rates of seclusion and restraints in all DMHAS facilities.
- Distributed the restraint and seclusion injury reports received under the state statute requirement.
- Emphasized the importance of the Council participating in the federal site review meeting on July 15, 2009 at OPA.

ADJOURNMENT

The PAIMI Advisory Council Meeting adjourned at 11:40 a.m. The next scheduled meeting will be the Annual Meeting. It is scheduled for Tuesday, August 4, 2009 from 9:30 – 12:30 p.m. Location has yet to be determined.

Respectfully submitted,

Susan Werboff
PAIMI Program Director