

PAIMI Advisory Council Meeting Minutes

The PAIMI Advisory Council met at 10:00 a.m. on April 6, 2010 at the Office of Protection and Advocacy for Persons with Disabilities.

Present: Selina Welborn, Josefa Correa, Sandy Chapman, Elizabeth Larsen, Muriel Tomer, Barbara Sloan, Alicia Woodsby, Wallace Peterson

Absent: Michaela Mitchell (E), and Lorna Grivois (E)

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 10:08 a.m. The minutes were reviewed from the February 2, 2010 meeting. Everyone voted in favor and the minutes were approved as written.

OLD BUSINESS

The Managing Attorney Report was moved up on the agenda to accommodate Managing Attorney's schedule.

Nancy Alisberg – Managing Attorney's Report

- **OPA v CT** – Nancy Alisberg reviewed the history of this lawsuit. A decision was made by the federal court on March 31, 2010. The decision said OPA has standing to be a plaintiff representing its constituents. Class action certification was granted. The court decided that the plaintiffs stated a cause of action against DMHAS, DSS, and DPH that the state lacks plausible methods of administration to enable individuals with disabilities who reside in nursing homes to move into the community.

The case can now move forward.

- Decision in **Bolmer v Oliveira** – Won decision in Second Circuit. Second Circuit ruled there was enough evidence to suggest a violation of Title II of the ADA and that DMHAS could be liable for damages. The case is scheduled to go to trial on May 17, 2010 if it does not settle. Settlement discussions are continuing.

James McGaughey – Executive Director’s Report

- Residential care home bill died in committee. Described the bill. Not sure why it failed this year. The Council discussed the need to hear directly from the residents.
- Every two years OPA sets priorities and holds public forums and focus groups. This process is going forward in late April, early May. PAIMI will be a part of it.
- Attended the Chief Executive Officer’s meeting for NDRN. One of the issues raised was “sheltered workshops.” Many people with disabilities are stuck in sheltered workshops. The Department of Justice met with the CEO. Jim McG. reported that DOJ has been increasingly supportive of the P&A system especially in the last 6 to 9 months. They filed an amicus brief in OPA v. Connecticut. The Department of Justice has launched an investigation into the Judge Rotenberg Center. All of the federal OPA programs are up for reauthorization.

Susan Werboff – Program Director’s Report

- Updated the Council on Riverview Hospital project.
- Reviewed and handed out restraint and seclusion injury reports under CGS §§46a-150-154.
- Reported on a PAIMI grievance that went to the Executive Director for a decision.
- Sent letter to Beth Pizzuto at Hartford Hospital to thank her for escorting Selina W. and Alicia W. during their review for the Report Card. A copy of the letter was given to Council members.
- Reported on an upcoming meeting for the Psychiatric Residential Treatment Facilities on Monday, April 9, 2010 at DCF with all five facilities regarding reporting requirements.
- Distributed Access spreadsheet on data collected under both federal and state reporting requirements.
- Psychiatric Report Card findings and recommendations distributed for Backus Hospital and Hartford Hospital/Institute of Living. Yale-New Haven Hospital report card results are pending.

NEW BUSINESS

NDRN Annual Conference in June 2010

The Council supported Micheala Mitchell attending this conference representing the PAIMI Advisory Council.

PAIMI Advisory Council Regional Meeting

There will not be a regional council meeting this spring. The organizers are no longer available.

Psychiatric Report Card

New assignments and teams were discussed. Muriel T. and Barbara S. will conduct a site visit to Saint Raphael's Hospital. Elizabeth L. and Micheala M. will do Lawrence & Memorial next and then Day Kimball inpatient. Selina W. and Alicia W. will conduct a site visit of Saint Francis Hospital with Josefa. Sandy C. will attend the site visit at Manchester Memorial Hospital.

Public Forums

Susan W. and Gretchen K. described the upcoming OPA forums. Susan W. requested that the Council assist in their local areas by distributing a one page survey to groups. Susan W. also asked that Council members attend the Regional forums in their area of the state. She will mail Council the information on the public forums once scheduled. In addition, she suggested that if the Council wanted to hold a meeting or public forum at a specific site they should let her know and she will make the arrangements.

Senate Bill 140

Alicia W. reported on this bill. The bill is trying to address the Memorandum of Understanding between the Department of Mental Health and Addiction Services and Department of Children and Families for the purpose of transitioning youth between the two agencies. National Alliance on Mental Illness is collaborating with Office of the Child Advocate and CT Legal Rights Project on this bill.

ADJOURNMENT

The PAIMI Advisory Council Meeting adjourned at 11:45 a.m. The next meeting is scheduled for Tuesday, June 1, 2010 from 10:00 – 12:00 p.m.

Respectfully submitted,

Susan Werboff

c: James McGaughey
Gretchen Knauff
Nancy Alisberg