

Notice: the VPA Listserv is in operation. If you haven't already done so, sign up by e-mailing Steve Larose at: slarose@vtmd.org Please tell other Vermont psychiatrists about the Listserv. The Listserv can be accessed at: vpa@vtmd.org

VERMONT PSYCHIATRIC ASSOCIATION

Minutes of the Executive Committee Meeting

December 16, 2005

Members Present: Drs. Fassler, Kalibat and Weker; and by telephone conference call Drs. Deppe and McMains; and Steve Larose, VMS

Guest Present: Chesley Thurber

Minutes: Minutes of the previous meeting were not reviewed.

Announcements:

1. Steve Larose of the VMS has taken Chesley Thurber's place as the VPA's administrative executive. He works half time at the VMS and can be reached by phone either at the VMS, (800) 640-8767 or at his home number, (802) 479-2398; or by email at: slarose@vtmd.org. Chesley Thurber has taken a position with State Sen. Peter Welch. The Committee thanked him for his energetic devotion to the cause.

Reports:

2. Newsletter: Dr. Deppe is planning to put out a newsletter imminently. She reminded members to submit articles on issues or topics of interest.

Old Business:

3. Civil Commitment of Violent Predators: Dr. Weker provided an update of developments in the state regarding this issue. Gov. Douglas has again firmly reiterated his wish to have the Legislature enact his proposal to allow for the civil commitment of violent offenders who have completed their periods of incarceration and parole. A Legislative study group has been taking testimony all summer and fall, including hearing from out of state persons familiar with developments in those states that do have civil commitment programs for sexually violent offenders. The Executive Committee considered in detail the clinical and ethical underpinnings to this issue, including the fact that many violent predators do not have bona fide mental illnesses, and that the proposed legislation does not require the presence of bona fide mental illnesses in order for someone to be civilly committed.

Dr. McMains pointed out two distinctions in the Governor's proposed legislation compared to other states: first, that he is not looking to place offenders in psychiatric hospitals but rather in facilities connected to correctional institutions; second, that the Vermont statute goes well beyond *sexually* violent predators to apply to *all* violent offenders who have completed their sentences. The Executive Committee discussed in great depth the clinical and ethical factors impinging on psychiatrists with respect to this issue; psychiatrists play a key role because they will play a necessarily role in civilly committing these offenders to post-sentence terms. These issues have been outlined in previous minutes and in the op-ed piece authored by Drs. Kalibat and Weker that ran in the *Rutland Herald* and *Barre-Montpelier Times Argus* last spring.

Dr. Weker briefly discussed the work of an anti-civil commitment coalition including the VPA, the Vermont Civil Liberties Union, the Vermont Human Rights Commission, the Vermont Association of Mental Health, and Vermont Protection and Advocacy, among others. The group recently met and came up with a number of strategies to influence legislators; this would including providing less costly alternatives that supportive legislators could present as an appropriate alternative to civil commitment of offenders. Mr. Larose suggested additional strategies to engage the public in this effort, including the idea of holding a press conference or public rally. Dr. Weker proposed that the VPA undertake an effort to have as many willing Vermont psychiatrists as possible sign on to a petition opposing the role that the proposed legislation would impose on psychiatrists.

4. Vermont State Hospital Update: Dr. McMains reported that the Board of Health has reviewed VSH and came up with a "massive amount of work" that needs to be done in six months in order for VSH to be re-licensed by the State; the BOH incorporated the recommendations arrived at by Fletcher Allen's review of the State Hospital. VSH would have to shut its doors were it not to be re-licensed. Dr. Fassler reported that some additional resources might be forthcoming. Drs. McMains and Fassler will consult with Tom Simpatico, MD to see how the VPA can help the hospital meet its administrative as well as clinical needs.

New Business:

5. Consultation to Primary Care: Dr. Deppe presented a program established in Maine that paired primary care physicians with psychiatrists to provide "curbside" consultations by telephone. The psychiatrists who participated did so voluntary. The program was reportedly successful in Maine. She also discussed the proposal to engage the Area Health Education Center (AHEC) program run by Mildred Reardon, MD at UVM to fund such consultation. Malpractice liability is one area to be addressed. Dr. Kalibat reported that the Medicaid "global commitment" funding program might be flexed to provide funding for this. The Committee also noted that Ken Libertoff of the VAMH is a member of the AHEC advisory board and may be helpful in advancing this proposal. UVM's telepsychiatry program is another potential resource. Dr. Deppe and others will research background issues to pursue implementation. Mr. Larose reported that the VMS might also want to be involved.
6. Membership Retention: Drs. Fassler and Weker presented a list of VPA members who are at

risk of being dropped from the APA unless they renew their dues prior to the end of the year. Committee members will be in touch to provide reminders.

7. Subcommittee on Health Care Reform: The subcommittee is planning a January meeting with Deb Richter, MD, the co-author of a book on Vermont's health care system that was previously discussed by the subcommittee. The date will be set. Anyone interested in attending should contact Alice Silverman, MD at silvermans@charter.net .
8. Parental Voluntary Admission of Children to Psychiatric Hospitals: Dr. McMains reported that presently in Vermont if a child under age 14 is to be admitted to a psychiatric hospital, he/she must agree to do so himself. Many children are incapable of doing so and end up needing to be admitted involuntarily. The Brattleboro Retreat has reported receiving many children who are admitted involuntarily and in restraints who are not necessarily in need of those involuntary admission procedures. Dr. Fassler noted that the situation may be different in other areas of medicine, where parents may be able to voluntarily request treatment on behalf of their children. Mr. Larose will seek to get information on the situation in the rest of medicine.

The meeting was adjourned.

Respectfully submitted,

Jonathan L. Weker, M.D.

The next VPA Executive Committee will be held on Friday, January 20, 2006 at 1:30 p.m. at the Vermont Medical Society, 134 Main Street, Montpelier. VPA members and Snow Angels may attend even if they are not members of the Executive Committee and are cordially invited to do so. Especially the Snow Angels.