

— DRAFT —

MINUTES

of the

Executive Committee to Review the Death of Children Meeting

held on

May 20, 2020

via teleconference

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Call-in number: 1-312-584-2401; Extension: 486948

1. Call to order, roll call, introductions

Ross Armstrong called the meeting to order at 10:04 AM.

Executive Committee members present:

- Ross Armstrong – DCFS
- Sharon Benson - Office of AG
- Nick Czeglédi - Elko County Sheriff's Office
- Margarita De Santos - SNHD
- Christine Eckles – Washoe County JJ
- Stephanie Herrera - DPBH - Vital Records
- Amber Howell – Washoe County HSA
- Vicki Ives - DPBH – MCH
- Breanna Jenkins – Renown
- Kathie McKenna - Pioneer Territory CASA
- Lisa Sherych - DPBH
- Jessica Rogers – Las Vegas Metro Police Department
- Misty Vaughn Allen - DPBH - Suicide Prevention
- Yvette Wintermute – CCSD

Executive Committee members absent:

- Tim Burch - Clark County DFS
- Nancy Saitta - Retired
- Beth Handler - HHS Director's Office
- Michelle Sandoval - DPBH - Rural Clinics
- Megan Freeman – DCFS

Staff and guests:

- Lorena Bojorquez, Family Programs Office, DCFS
- Dawn Davidson, UNLV
- Natascha Kotte, UNLV
- Nicole Nance, Family Programs Office, DCFS
- Jessica Freeman, Family Programs Office, DCFS
- Natalie Guesman, DFS CC

2. Initial public comment

Natalie Guesman introduced herself to the group. While she wasn't included on the list for roll call, she has served on this Child Death Review Executive Committee for seven years, serves on the local CDR committee, has 27 years in child welfare in Clark County, and oversees the coroner's team that investigates all fatalities and near fatalities.

Las Vegas Metropolitan Police detective Jessica Rogers introduced herself and apologized if she missed her name at roll call.

3. For Discussion: In accordance with Open Meeting Law (OML), all meeting agendas must be posted prior to said meeting. The following meeting agendas were not posted: May 22, 2019, and November 20, 2019

Dawn stated that two agendas of the previous executive committee had not been posted according to Open Meeting Law (May 22, 2019, and November 20, 2019) and asked for any discussion.

Ross noted that when a public body discovers that a mistake has been made in regard to Open Meeting Law, there is an opportunity to correct it under a new provision of the law.

Sharon confirmed that NRS 241.020 requires that agendas be posted on the agency website but that no one can confirm whether the two agendas had been posted there. Sharon concluded that the Child Death Review Executive Committee is in violation of Open Meeting Law. The attorney general's office recommends correcting the violation as soon as possible. Any action taken in violation is technically invalid, and any public discussion needs to be reviewed or repeated. Sharon explained that the Child Death Review Executive Committee could correct it by finding out what actions were on those two agendas, discussing them, and either voting to ratify them or amend them if they are not acceptable.

Ross asked Nicole if she was familiar with those agenda items. Nicole shared that the November 2019 minutes included an action item for funding opportunities in regards to Safe Sleep, approval of the August 2019 meeting minutes, an action item for the WIC provider for a breastfeeding support tool kit that the group agreed to keep as an open item, quarter four of 2017 action items, a policy development by Dr. Eisen for Clark County area hospitals, an update from Washoe regarding collaboration with tools for suicide prevention and post-intervention in quarter three of 2018, and approval of the 2020 meeting dates (May, August, and November of 2020, and February of 2021).

Nicole asked if Sharon wanted to pause and discuss these dates before continuing to the actions of May 2019. Sharon replied she had no preference, other than confirming that there were no decisions or votes on giving out funding at the November meeting, and Nicole confirmed there were no such votes.

Nicole reported that the May 2019 minutes included a vote of funding approving proposed budget adjustments for NCSP Safetalk to use \$10,000 of a \$15,000 subaward on medication safes and gun locks instead of on a Utah PSA on gun safety, an approval to keep the RFP open to projects preventing any of the leading causes of child death in the state, and that public awareness subcommittee met and discussed the RFP without any specifics to the decision made there.

**4. For Possible Action: Discussion and Vote to convene special meeting to ratify all action items from May 2019 and November 2019 meetings.
Meeting to occur in June**

Sharon decided based on the information that the first item to correct was the change in funds for SafeTalk. The committee would also need to take a closer look at the minutes for the WIC breastfeeding toolkit. Other items left open by the previous Child Death Review Executive Committee were a request for further information from the multidisciplinary teams of each region regarding specific recommendations and could be closed on a vote. The key issue was to reapprove funding to ensure the executive committee was not violating any NRS 241 meeting laws so the funding could go forward.

Vicki brought up that the WIC breastfeeding toolkit was not finalized. It was an open follow-up item based on a local CDR recommendation and is still pending.

Ross asked if Sharon's recommendation was to convene a meeting in June to ratify the previous actions, and Sharon agreed. Someone would need to give a quick overview of the actions or read through the minutes at the meeting. She suggested sharing the minutes with everyone to ensure that the current Child Death Review Executive Committee was still in agreement and ratify the vote in public.

Misty asked if she would need to present anything as she gave the original presentation. Ross agreed and noted that the committee would not need to make an actual motion to call a June meeting. Instead, Dawn and Nicole will find a 30-minute slot that works for the majority and put together an agenda to go over the previous meeting minutes. Misty's presentation materials will be provided beforehand. A brief discussion is allowed before the vote to ensure the Child Death Review Executive Committee is in compliance with Open Meeting Law.

Nicole confirmed she would send out a Doodle Poll after the meeting to set the date. There was no other discussion.

NO MOTION WAS MADE.

5. For Discussion: Purpose of the Executive Committee (NRS 432B.4075), Objectives of the Executive Committee (NRS 432B.408), (NRS 432B.409), and Roles and Responsibilities of Members

Ross explained that after feedback from the jurisdictions, the committee was taking a proactive approach and reset the membership and how the committee worked to ensure it is living up to statutory provisions. Ross reminded the group that the committee is established in NRS 432b and reviewed the six objectives/requirements. He briefly mentioned the local child death review groups and the confidentiality protections they have. Ross emphasized that the committee helps guide local review groups, protects their members, and oversees their training, development, and feedback requests. He went into detail on the committee's ability to appoint a team to review the death of a child, compiling and distributing the statewide annual report containing statistics and the different causes of death for children, the requirement to give a written reply to local team reports within 90 days based on the statewide report, and the opportunities to determine where funding goes in relation to child deaths.

Ross asked the members to keep these items in mind as they made decisions on the broad statewide policies to help reduce the instances of deaths in children.

Detective Rogers asked if it was a requirement as a member of this committee to attend every local CDR meeting to report back to the committee. Ross explained this was unnecessary as local committees submit reports to the executive committee for review. He added that any new members that have not yet attended a local CDR meeting should do so to gain an understanding of how they operate.

Margarita asked for clarification on the NRS that established the executive committee. Ross confirmed that it was NRS 432B 408 and 409 and that they were on the agenda for future reference.

Ross added that while there are special blue ribbon panels and other activities that review child deaths, this is the statutory committee set up in 432b. He made a final comment that it was his intention to make sure that the committee would be proactive in terms of looking at the information from local groups, making strong recommendations based on data and analysis, and becoming a trusted committee and public body in terms of child fatalities.

6. For Possible Action: Election of Co-Chair of the Executive Committee

Dawn confirmed that Stephanie Herrera was currently one of the Executive Committee co-chairs and was from outside Clark County. According to the by-laws, the committee has one co-chair from Clark County and one from outside of Clark County. Dawn opened the floor for nominations for a co-chair from Clark County, noting that Margarita and Yvette were eligible.

Natalie reported that she had been co-chair for seven years and is willing to continue. Yvette said she nominated Natalie as co-chair. Ross noted that, according to the by-laws, the co-chair must be a member of the current executive committee. He confirmed Margarita and Yvette were eligible.

Margarita asked what the position entailed. Ross explained that the Clark County co-chair covered administrative functions including ensuring items were on the agenda, working with Stephanie from vital statistics, subcommittee consultations and appointments, and attending other monthly subcommittee check-in calls. Dawn noted that according to the by-laws, co-chairs served a two-year term, and Ross confirmed that was how it was currently established.

Dawn asked Margarita if she was interested in self-nominating for the position. Margarita agreed. There were no other nominations.

MOTION: Made by Yvette Wintermute, seconded by Kathy McKenna, to approve Margarita De Santos as the new Clark County co-chair.

UNANIMOUS VOICE VOTE; MOTION CARRIED.

7. For Discussion: Purpose of Child Death Review (CDR) Teams (NRS 432B.403), Review of Regional CDR Teams, and Revision of CDR Operational Manual

Ross explained the six purposes of local child death review teams, that they are established in 432B.403, and that they did the heavy lifting in terms of the reviews. He noted that the key touchpoint of the Child Death Review Executive Committee was to receive feedback from local CDR teams and work to operationalize those recommendations to prevent future deaths of children. The regional CDR teams include Washoe, Clark, and four teams operating in rural areas that he hoped could be consolidated into one rural regional team. Ross asked for those serving on local teams to share and discuss their team's approach.

Margarita reported that she served as the chair and co-chair of the Clark County CDR Team in the past. They review every accidental child death and select natural deaths, specifically those that might have CPS involvement and those where anyone on the team has concerns. Discussion is lively as it is a large group. After review and questions, the group votes on whether the death was caused by abuse or neglect, whether any of those contributed, or whether it was truly accidentally and also formalizes recommendations that are pushed up to the executive committee.

Christine (Washoe) and Nick (Elko) confirmed that their approach and protocols were similar to what Margarita described. Nick expressed surprise that the teams were unified along those lines.

Ross noted there has always been a focus on asking if deaths were preventable, what could be done, and if there were broader policy decisions that should be made to prevent a similar situation from occurring in the future. As the committee establishes the protocols for local review teams, he recommended that the committee review the current CDR operation manual and work on an update and revision as necessary. Ross asked for the group's ideas on the best way to proceed with a potential manual review.

Margarita suggested that portions of the manual be sent out for committee members to review and bring up sections for discussion at a future meeting. Nick and Stephanie agreed and mentioned that they would like to see the manual before discussing how to review it.

Ross proposed that the manual would be distributed not only to the executive committee but each of the local CDR teams. He asked for Nicole and Dawn to add it to next meeting's agenda for review and for members to review their copy and bring any comments, revisions, or points of contention to the next meeting. Feedback will be added to the next agenda to be adopted as an action item. He mentioned that the committee would consult with Sharon to ensure the Child Death Review Executive Committee complied with Open Meeting Law as emails can snowball into an open meeting. Sharon agreed this was a good idea.

Ross brought up that there had been recent litigation in Clark County that went up to the Supreme Court in terms of the confidentiality of the records of executive committee members. He suggested that the committee review the ruling and asked that materials for the next meeting show any difference in opinions so the group could decide on how to move forward as a state.

There were no questions or further discussion.

8. For Possible Action: Discussion and Vote - Grants Award Process and Notice of Funding Opportunity (NOFO): Funding Objectives, Review Process, Who Reviews Proposals, and Awards Process

Nicole reported that grant management at the state level is currently working on a notice of funding opportunity. The Child Death Review Executive Committee will put forth this notice of funding opportunity within the next two weeks. Previous funding objectives from the Child Death Review Executive Committee focused on SafeSleep. Based on the annual report from UNLV and NICRP, drowning, near-drownings, and co-sleeping deaths are consistently within the top 3 issues that we deal with as a state for fatalities and near-fatalities. Nicole noted that she would leave the discussion open for the group on how the committee would move forward with new funding opportunities and objectives.

According to by-laws 8.1, the co-chairs, in consultation with the executive committee, would appoint a subcommittee for the review process. Nicole suggested the group discuss and take possible action on whether the group would hold a separate meeting where the co-chairs get together with the committee to look at who they want to appoint on that subcommittee. That subcommittee would look at all of the notices of funding opportunity, rate them according to a numbering system as to who they would want to put forward in regard to the opportunity, and then vote.

Sharon reported that she had been on this previous (public awareness) subcommittee before. Members were chosen at the main meeting by volunteering and the previous volunteers focused funding on suicide, safe sleep, and drowning. The subcommittee was established because reviewing proposals was time-consuming. Sharon cautions that while this allowed proposals to be examined in depth, part of those presentations were repeated at the executive committee and she is not certain that a subcommittee is necessary or the appropriate way to review proposals.

Misty added that meetings to determine funding were intense as more was asked for than what was available. Discussion was well-suited for a smaller committee. Sharon agreed.

Ross noted that he has seen other public bodies successfully determine grant funding by having a smaller committee (with members without conflict of interest) complete the review and bring their report to the full committee for approval and final funding.

MOTION: Made by Sharon Benson, seconded by Stephanie Herrera, that the notice of funding opportunity identify SafeSleep, drowning, and suicide as the priority areas perhaps with some wiggle areas with any other preventable child deaths; and that a committee be appointed to process the applications and make a final recommendation back to the full executive committee.

UNANIMOUS VOICE VOTE, MOTION CARRIES.

Ross asked interested members to volunteer by emailing Nicole and Dawn, who would present the names to the co-chairs for the committee. The DCFS staff will finalize the notice of funding opportunity language and send it out. The subcommittee will meet and bring back their report on the proposals.

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Ross requested a confirmation of the next meeting dates and an opportunity for members to ask for items to be included on the next agenda in addition to the grant award vote, reports from the local CDR teams, and the review of the CDR manual.

Vicki asked if the Child Fatality Annual Report draft would be on the agenda for August. Dawn noted she had the same suggestion and that it would be the 2017 report draft. Sharon brought up that the committee sets up and approves an annual Child Fatality Review draft and explained that the review runs 2-3 years behind due to data requirements.

Sharon proposed to add the child fatality review draft and the pluses and minuses of trying to do it more accurately as a discussion item, especially as there are federal numbers that the committee may not be able to get.

Ross reminded everyone that to send any thoughts, ideas, or comments about the direction of the Child Death Review Executive Committee to either him or Dawn so that they can incorporate them going forward.

NEXT MEETING DATE CONFIRMED TO BE AUGUST 26, 2020.
JUNE MEETING DATE IS STILL UNDECIDED.

9. Final Public Comment

No comments.

10. Adjournment

The meeting was adjourned at 11:07 AM.