EAST CENTRAL REGIONAL HUMAN RIGHTS AUTHORITY MINUTES
November 18, 2010

Chair Larry Phillips opened the November 18, 2010 meeting of the East Central Regional Human Rights Authority (HRA) at 4:00 p.m. at the State Regional Office building, 2125 S First St, Champaign, IL 61820.

Members Present: Sandra Kopels, Larry Phillips, Babette Leek, and George Roth.

Members Absent: Annette Becherer and Vice Chair Mary Auth

Staff Present: Cathy Wolf

Guests: Rena Smith, the Administrator for Heritage Healthcare
Shunika Brown HRA Volunteer Applicant
William McSurley HRA Volunteer Applicant
Sandra Dixon HRA Volunteer Applicant
Jon Burnet Supervising Rights Coordinator & HRA Coordinator for the Rockford region.

Chair Larry Phillips stated that personally identifiable information should not be presented in public meetings to protect the privacy of those persons with disabilities on whose behalf the HRA conducts investigations.

Introductions were made. A quorum was not present. All three applicants introduced themselves and shared why they would like to volunteer for the HRA.

To facilitate the involvement of guests who were present to discuss confidential details related to a specific case, chair Larry Phillps made a motion to go into closed session at 4:14 p.m. pursuant to Section 21 of the Guardianship and Advocacy Act and Section 42 of the Open Meetings Act. The Authority returned to open session at 4:45 p.m. having taken no action in closed session.

MINUTES: Meeting minutes were tabled since there was no quorum.

COMMUNICATIONS:

NEW BUSINESS

All three applicants were invited to join in the discussion of how the new complaints should be handled.

New Complaints

10-060- 9018 - School - the complaint alleges a child with a disability was not being provided services per her education plan and a release sent 5/24/10 has not been received. Another request was sent with a second release on 07/22/2010. There has been no response. It was discussed at the meeting to not accept this case but we will not be able to close until the next meeting that we have a quorum.

11-060-9006 - University - the complaint alleges that a student with a disability was not given reasonable accommodations to attend a specific class. The second issue is he did not agree with the class content regarding a class about evolution. This individual was advised that this second complaint would be beyond the scope of what the HRA could investigate. A release has been received. At the last meeting this complaint was tabled until the HRA could obtain more information. The United States Department of Education, Office of Civil Rights (USDE/OCR) did dismiss the first allegation to allow the university to address the issue and complete an investigation. After the investigation was completed, a complaint could be filed if there was disagreement with the findings. The second issue the USDE/OCR would not investigate because it did not have jurisdiction. It was discussed at the meeting to not accept this case but we will not be able to close until the next meeting that we have a quorum.

11-060-9007 - Mental Health Provider - the complaint alleges that an individual was involuntary committed to a mental health facility that failed to allow access to the patient's advocacy system and the inspector general. This individual was not allowed to make unimpeded private phone calls and there was no access to phone numbers of advocacy agencies or any ability to make calls. A release has been received. A referral was made to the Commission's Legal Advocacy Services. This case was tabled for the next meeting.

11-060-9008 - Hospital - the complaint alleges a hospital misrepresented the medical condition of an individual with a developmental disability. Numerous medication errors may have occurred due to failure of staff to cross check the physician's orders. This individual may have been put in restraints and overmedicated with morphine to control her. Records may have been destroyed to protect the hospital and the group home to which she was released. A release was received. A mandatory report to Public Health was made and accepted. Public Health has informed the coordinator that they will not investigate this complaint but has referred the complaint to The Joint Commission. This case was tabled for the next meeting.

11-060-9009 - 16 Bed Group Home - the complaint alleges management at a group home agreed to the destruction of records of an individual who has a developmental disability, and made an agreement to not report the abuse and neglect of this individual's care at a hospital. There is a possibility that when the individual went to the hospital that the wrong physician's orders may have been sent. A release has been received. A mandatory report to Public Health has been made and accepted. Public Health is investigating this complaint. This case was tabled for the next meeting.

11-060-9010 - Nursing Home - The complaint states that this nursing home specifically serves individuals with mental illness, when a resident was sent to the hospital his guardian was not notified. The guardian was unable to effectively advocate for the resident with the hospital. The Chair and three members voted for an emergency case opening.

11-060-9011 - Hospital - The complaint alleges that the hospital gave the resident medications he was allergic to and, as a result, this resident now has drugged induced Parkinson's disease. The hospital was made aware the patient was allergic to Haldol. The guardian requested

numerous times to talk to the psychiatrist to discuss the patient's allergy and care but was advised that Haldol had been given by injection to the patient several times even after guardian had warned of the allergic reaction. Nursing advised the guardian they would not discontinue because of the physician's orders. The guardian was advised by nursing that the psychiatrist would not call her back until the following day and the patient would receive even more injections of Haldol. The guardian moved patient to another hospital immediately after this discussion. The other hospital thought the patient had a stroke from the side effects and the allergic reaction. The patient still has Parkinson's disease from the injections. The Chair and three members voted for an emergency case opening.

11-060-9012 - Behavioral Health Care Hospital - The complaint alleges the following with regard to a behavioral health hospital:

1. There was no response from patient advocacy of the hospital regarding a patient complaint.
2. The patient's rights were not explained to a patient.
3. The patient was not treated with dignity, respect or privacy. (Coordinator observed what might be a privacy issue.)
4. The patient was not allowed to participate in his care and treatment plan.
5. The patient was restrained and given injections of psychotropic medications.
6. The patient had not given a rights restriction. There was no informed consent.
7. The patient was not allowed the right to refuse medication and treatment even though he was not a danger to himself or anyone else.
8. The patient was not given adequate pain control.
9. The patient was not allowed to leave the facility even though he was not a danger to himself or anyone else. There had been no petition for commitment.

This case was tabled for the next meeting.

RATIFICATIONS: None

UNFINISHED BUSINESS:

Chair Larry Phillps made a motion to go into closed session at 5:35 p.m. pursuant to Section 21 of the Guardianship and Advocacy Act and Section 42 of the Open Meetings Act. The Authority also met in closed session to review confidential information related to case progress reports, reports of findings, responses to reports, and case closures. The Authority returned to open session 6:22 p.m. having taken no action in closed session.

CASE PROGRESS REPORTS:

09-060-9010: Bradley School District - The discussion was tabled until next meeting that we would have a quorum.

09-060-9011: Bourbonnais Elementary School District - The discussion was tabled until the next meeting that the HRA would have a quorum.

09-060-9014: Center for Human Services - The discussion was tabled until the next meeting that the HRA would have a quorum.

09-060-9015: Graywood Foundation - The discussion was tabled until the next meeting that the HRA would have a quorum.

10-060-9005: Decatur Manor Healthcare - The discussion was tabled until the next meeting that the HRA would have a quorum.

10-060-9006: Veterans Administration - The report is completed and being reviewed by the HRA.

10-060-9011: Moultrie County Beacon - The discussion was tabled until the next meeting that we would have a quorum.

10-060-9014: Campion, Barrow, and Associates - The records have been reviewed by HRA member Sandra Kopels. A site visit has been scheduled.

10-060-9015: Bourbonnais Terrace - The discussion was tabled until the next meeting that the HRA would have a quorum.

10-060-9016: Carle Clinic - The report is completed and being reviewed by the HRA.

10-060-9017: Graywood Foundation - The discussion was tabled until the next meeting that the HRA would have a quorum.

10-060-9004: Decatur Memorial Hospital - The discussion was tabled until the next meeting that the HRA would have a quorum.

CASE CLOSURES: None.

OTHER UNFINISHED BUSINESS:

ANNOUNCEMENTS AND COMMENTS

The next meeting is scheduled for January 20, 2011 at 4:00 pm, at the State Regional Office building, 2125 S First St, Champaign, IL 61820. For more information call (217) 278- 5577.

ADJOURNMENT:
Chair Larry Phillips made a motion to adjourn at 6:25 p.m.; the motion was seconded and carried.

Respectfully Submitted

Cathy Wolf

Cathy Wolf, Recorder