EAST CENTRAL REGIONAL HUMAN RIGHTS AUTHORITY MINUTES
September 15, 2011

Chair Larry Phillips opened the July 21, 2011 meeting of the East Central Regional Human Rights Authority (HRA) at 4:00 p.m. at the Danville Library, Conference Room, 319 North Vermilion Street, Danville, IL 61832

Members Present: Sandra Dixon, William McSurley, Chair Larry Phillips, and George Roth

Members Absent: Vice-Chair Mary Auth, Annette Becherer, Sandra Kopels, and Babette Leek,

Staff Present: Cathy Wolf

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.

A quorum was not present.

MINUTES:
Minutes were tabled due to no quorum

COMMUNICATIONS:
None

NEW BUSINESS

Ratifications
None

New Complaints
11/060/9024 - ICF-DD - 16 bed group home - The complainant first wrote to the HRA to complain about the guardian's choices at this facility for the individual. The complainant had been removed as the guardian by the courts and wanted the HRA to investigate the guardian. The coordinator wrote her back and explained we do not investigate guardians, but communicated advice from our senior office attorney of options that might resolve her issues.

The complainant wrote back asking we investigate the facility. This complaint alleges that people have sex in the individual's bedroom while he is in the room trying to sleep. There are more allegations of hygiene and safety, unimpeded visitation, and financial exploitation of the resident's funds. There had been previous HRA findings at this facility about unimpeded visitation. The complainant signed the release. The release was not valid, because she was not the guardian or the individual regarding the complaint. The complaint was tabled by the HRA, so that the coordinator could work with the complainant to contact the guardian for a signed release to investigate. The release had been received and signed by the individual's guardian.

The actual guardian contacted the HRA and has since revoked the release; she thought the HRA would be investigating the complainant, not the facility. The complainant's name was not released to the guardian, but she was very aware of the complainant. The guardian stated the facility and the workshop are acting on her directive to require supervised visits between the complainant and the ward. The guardian is willing to allow the complainant to visit her ward, if the visits are supervised and away from his group home. The guardian knows the ward would like to see the complainant and wants visitation. The guardian had documented financial exploitation of her ward by the complainant and verbal abuse of other residents and staff. Staff of the home reported the complainant has a history of acting out behaviors which includes nearly running over another group home resident with her car. The guardian explained that several appointments have been set up with the complainant to visit her loved one, but the complainant will not come to the visit because the visit will have to be supervised. There were also issues of the complainant attempting to give food to other residents,that they could not safely consume, and a refusal by her to stop. The home had also told the coordinator that they had taken the individual to meet the complainant at McDonalds several times and she did not show up. It was the general consensus to not accept, but the case was tabled due to no quorum.

12/060/9001-CILA - An employee at a CILA home, who has been a friend of the coordinator, contacted the coordinator to report neglect of a consumer. She had followed agency policy about reporting a medical condition of a consumer to senior staff when the consumer had first become ill. At the end of her shift, she believed that supervising staff would follow up providing care for the consumer. Senior staff ignored the needs of the consumer, until the employee came in the next day. This staff person had come in a half-hour early from the start of her shift to check on the consumer. Shortly after the staff arrived, the consumer became unconscious and had to be transported by ambulance. At the hospital, the consumer was intubated, and she was diagnosed with double pneumonia and MRSA.

The coordinator, upon receiving the call, advised the staff to contact OIG immediately. The staff did make the call. The staff was fired a few days later and believes it was retaliatory for contacting OIG. The consumer was moved to a different hospital. The coordinator attempted to make contact with the consumer who has been her own guardian to obtain a release. The coordinator was delayed by hospital staff who called the group home to obtain permission from a supervisor for the coordinator to see the consumer. When the coordinator was able to see the consumer, the individual was completely unresponsive. OIG has been investigating. If the HRA would approve opening the complaint it would be referred to another regional coordinator to complete the investigation. The case was tabled at this time; the HRA may review the OIG investigation outcome at the next meeting.

12/060/9002 - Nursing Home for Mental Health - The complaint alleges that an individual who is capable of living in the community, is unable to so because staff will not provide a discharge plan for her. A release has been received. There was an emergency case opening with the approval of the chairperson and two of the members present.

12/060/9003 - Behavioral Health Unit - The complaint alleges that mental health records are not kept private and are accessible for anyone to read who works at any department at this hospital. No release has been received because the complaint was called in to the coordinator that

day. There was an emergency case opening with the approval of the chairperson and all three of the members were present

12/060/9004 - Behavioral Health Unit - Complaint alleges that an individual's rights were violated by not offering treatment in the least restrictive environment. A second opinion was requested but not provided to the individual. HRA members discussed whether denial of a second opinion was a rights violation pursuant to the Mental Health Code. The coordinator was to provide this information at the next meeting if a denial of a second opinion under these circumstances would be a human rights violation. This case was tabled for the meeting.

UNFINISHED BUSINESS

CASE PROGRESS REPORTS:

09-060-9010: Bradley School District - The report is in progress.

09-060-9011: Bourbonnais Elementary School District - The report is in progress.

09-060-9014: Center for Human Services - The report is in progress.

09-060-9015: Graywood Foundation - The report is in progress.

10-060-9005: Decatur Manor Healthcare - The report is in progress.

10-060-9004: Decatur Memorial Hospital - The report is in progress.

11-060-9003: Chamness Square - The report is in progress.

11-060-9009: Veteran's Administration - A site visit has been scheduled.

11-060-9010: Decatur Manor Healthcare - The report is in progress.

11-060-9011: St. Mary's Hospital - The report is in progress.

11-060-9012: The Pavilion - The report is in progress.

11-060-9022: Provena Covenant Medical Center - A site visit has been scheduled.

REPORT OF FINDINGS:

10-060-9017: Graywood Foundation - George Roth made a motion to approve the report; the motion was seconded and carried. It was voted to release the report because the chairperson and the majority of those present deemed it necessary to immediately send it to the provider. A follow up telephone poll by the coordinator would be completed to have a majority vote by the HRA to approve and release the report of findings.

11-060-9004: Heritage Healthcare - George Roth made a motion to approve the report; the motion was seconded and carried. It was voted to release the report because the chairperson and

the majority of those present deemed it necessary to immediately send to the provider. A telephone poll by the coordinator would be completed to have a majority vote of the HRA to approve and release the report of findings.

CASE CLOSURES:
None

OTHER UNFINISHED BUSINESS:
None

ANNOUNCEMENTS AND COMMENTS

The next meeting is scheduled for November 17, 2011 at 4:00 pm, at the State Office Building, Main Conference Room, 2125 S. First St, Champaign, IL 61820

ADJOURNMENT:
William McSurley made a motion to adjourn at 5:01 p.m.; the motion was seconded and carried.

Respectfully Submitted

Cathy Wolf

Cathy Wolf, Recorder