PEORIA REGIONAL HUMAN RIGHTS AUTHORITY MINUTES
January 19th, 2011

The regular stated meeting of the Peoria Regional Human Rights Authority (HRA) was called to order at 1:14 PM on Wednesday, January 19th, 2011 by Chairperson Steven Watts.

The meeting was held at the Peoria County Jail, 301 N. Maxwell Road, Peoria, IL 61604

ROLL CALL

Present: Ann Hicke, Dolores Sheen, Meri Tucker, Flora Knutson, Debra Goodwin, Dean Steiner, Carolynsue Wolf

Absent: Jeremy McNamara, Steven Watts

Staff: Gene Seaman

Guests: Linda Burt, RN, MSN, St. Margaret's Health
Mary Mathis, RN, MSN, Vice President of Nursing, St. Margaret's Health
Michael Henderson, Attorney for St. Margaret's Health
Steve Gross, Risk Manager for Trinity Hospital and Robert Young Center

The Chairperson stated that a quorum was present.

Introductions were made.

The Chairperson stated the 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.

The motion was made by to enter closed session at 1:19 p.m. pursuant to Section 120/2 (c) (4) and (10) of the Open Meetings Act (5 ILCS 20), Section 3955/10 of the Guardianship and Advocacy Act (20 ILCS 3955) and Section 110/5 of the Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110); the motion was seconded. The purpose of the closed session was to discuss confidential case details regarding Cases #10-090-9017, 10-090-9032, and 11-090-9013. Guests Linda Burt, Mary Mathis, and Michael Henderson entered the closed session discussion of Case #10-090-9017 at 1:25pm and left at 1:35pm. Steve Gross entered closed session at 1:36pm to discuss cases 10-090-9032 and 11-090-9013. Mr. Gross left the session at 2pm and the HRA left closed session. The HRA returned to closed session at 2:08 and proceeded to discuss new complaints, case progress, draft reports, and case closures in closed session. The HRA returned to open session at 2:52 p.m. having taken no action in closed session.

MINUTES

Carolynsue Wolf made a motion to accept the November 17th, 2010 meeting minutes with a typo correction to the second line on the second page. Meri Tucker seconded the motion and it was carried.

COMMUNICATIONS

Dean Steiner reviewed communications in packet such as timesheets, mileage forms, and HRA member applications. Gene Seaman spoke to the HRA regarding the resignation of one of the members.

NEW BUSINESS

Ratifications:

11-090-9015 - Warren Achievement Center - This case was an emergency amendment of the complaints in the case that needed ratified. Carolynsue Wolf motioned to ratify the case and Meri Tucker seconded the motion. The motion was carried.

11-090-9015 - Bridgeway, Inc - This was an emergency case opening that needed ratified. Meri Tucker moved to ratify the case and was seconded by Debra Goodwin. The motion was carried.

New Cases:

11-090-9014 - Social Service Provider - Provider has an inadequate investigative process including, not informing family that there was an investigation against family that ended in children being taken away, not communication investigation findings to the family, and not giving the family the option to appeal the process. Carolynsue Wolf motioned to not accept the case due to the fact that we had not received a release. The motion was seconded by Debra Goodwin and the motion carried.

11-090-9016 - School District - School district removed a laptop and Ipod from a student's IEP because the school thought the laptop was returned to the school damaged. The school stated that the student could use the items if the student's family would sign a contract regarding the equipment. The school superintendent also accused the student of vandalizing the equipment. Student is to be enrolled in a paid co-op per the IEP but is not enrolled in the program. Meri Tucker voted to not accept the complaint based because the complainant would like to wait before proceeding. Flora Knutson seconded the motion and the motion carried.

11-090-9017 - School District - Student was not allowed into special education, even though the student was evaluated as needing the program, due to another program choice by the principal. The school would not honor accommodation requests made by a doctor regarding the student. Debra Goodwin motioned to table the complaint and send another release. Anne Hicke seconded the motion and the motion was carried.

11-090-9018 - Mental Health Center Living Facility - Staff member verbally abused consumer by yelling and threatening to terminate consumer from the program. The same staff member also

accused consumer of breaking bathroom toilet. The complaint also states that the consumer was sick and staff did not give proper care and also that the facility has no internal grievance process. Flora Knutson motioned to table the complaint and send another release. Delores Sheen seconded the motion and the motion was carried.

11-090-9020 - Public Health Department - Public Health Department is not accessible in public meeting rooms. Complaint was initiated by HRA. Delores Sheen motioned to table the complaint for the next meeting where we could receive some input from Steven Watts. Meri Tucker seconded the motion and it was carried.

11-090-9023 - School District - A student's IEP was not created and implemented in the allotted time after a child was determined to need special education services. The school district is not willing to accommodate services in the student's IEP. Flora Knutson motioned that we table the complaint and send other release. The motion was seconded by Delores Sheen and the motion carried.

11-090-9024 - Hospital - A hospital failed to grant the requests of a patient, specifically adding the patients name to a "Not Announce" list when this was not desired by the patient. The hospital did not fulfill request to speak with patient regarding rights. Delores Sheen motioned that we table the complaint and send other release. The motion was seconded by Flora Knutson and the motion carried.

11-090-9021- Hospital - A hospital refused to allow a patient to rescind a 5 day notice of discharge. The patient admitted her self voluntarily and the hospital allowed her to submit and then rescind a 5-day notice of discharge several times without incident or threats of court involvement. However, on one occasion they proceeded with court involvement and involuntary commitment without the opportunity of rescinding her notice which would have been the less restrictive approach. To begin the involuntarily commitment, the hospital used a petition actually completed by the recipient's roommate rather than relying on their own clinical judgment. In using the roommate as the petitioner, the hospital also violated the patient's confidentiality. Meri Tucker voted to not accept the case due to the fact that the complainant does not want to proceed with the complaint. Delores Sheen seconded the motion and the motion carried.

11-090-9022 - Hospital - Inadequate care including a patient not receiving proper medication to relieve headaches or broken tooth, not discussing treatments with patient or allowing patient to participate in her treatment, giving a patient a one-on-one when a patient was not suicidal, nurses ignoring patients when they ask questions, staff lying about treatment and not giving prescribed medication, staff intimidating and making threatening remarks towards patients, and not discussing possible discharge dates with patient. Lack of privacy, staff listening while patient is making phone calls and phone not in the proper working condition. Stealing personal belongings. Also, patient's hygiene needs are not being taken care of, including one patient not being cleaned after having a restroom accident. Carolynsue Wolf motioned to accept the case and the motion was seconded by Flora Knutson. The motion carried. Dean Steiner abstained from voting.

11-090-9025 - Hospital - Complaint states that patient was sexually harassed while on at the hospital. A staff member grabbed his chest after showing and told him to put a shirt on after the incident. In another instance, a patient was sexually harassed by another patient and the hospital staff did nothing but medicate the patient. The complaint also states that the a patient was given medication via needle and the staff member administering medication penetrated to the bone rather than to the muscle. This was done out of punishment. The complaint also states that a patient was forced medication on 30 occasions but only received rights restrictions documentation on two instances. Debra Goodwin motioned to table the complaint and the motion was seconded by Meri Tucker. The motion carried. Dean Steiner abstained from the vote.

UNFINISHED BUSINESS -

CASE PROGRESS REPORTS

10-090-9026: Methodist Medical Center - Gene Seaman stated that he was still waiting for documents from the facility to complete the report.

11-090-9006: Forest Hill Health and Rehab - Gene Seaman stated that a site visit was attended with Debra Goodwin and Jeremy McNamara.

11-090-9008: Trinity Services - Gene Seaman stated that a site visit is scheduled with Carolynsue Wolf and Dean Steiner.

11-090-9009: Bridgeway, Inc. - Gene Seaman stated that a site visit is schedule with Meri Tucker.

11-090-9011: District 150 - Gene Seaman stated that the report is being worked on for this case.

11-090-9012: District 150 - Gene Seaman stated that a report is being worked on for this case.

11-090-9015: Warren Achievement Center - Gene Seaman stated that a site visit was attended with Meri Tucker and Anne Hicke.

11-090-9019: Bridgeway, Inc. - Gene Seaman state that a site visit is scheduled with Meri Tucker attending.

DRAFT REPORTS:

10-090-9007: Methodist Medical Center - Gene Seaman stated that Jon Burnet did not have the report completed in time for the meeting. Gene also explained that he contacted the facility and they are aware that the HRA will not be discussing the report at the meeting.

10-090-9017: St. Margaret's Hospital - Flora Knutson motioned to accept the report. Delores Sheen seconded the motion and the motion passed.

10-090-9032: Robert Young Center - Carolynsue Wolf motioned to accept the report. The motion was seconded by Debra Goodwin and the motion carried.

11-090-9003: Midland School District - Debra Goodwin made a motion to accept the report. The motion was seconded by Meri Tucker and the motion carried.

11-090-9007: CWTC - Carolynsue Wolf made a motion to accept the report and Anne Hicke seconded the motion. The motion carried.

11-090-9013: Robert Young Center - Debra Goodwin made a motion to accept the report and Flora Knutson seconded the motion. The motion was carried.

CASE CLOSURES

10-090-9010: Midland School District - Debra Goodwin motioned to close the case and make the record public. The motion was seconded by Meri Tucker and the motion carried.

10-090-9022: Peoria County Jail - Flora Knutson motioned to close the case and make the record public. The motion was seconded by Carolynsue Wolf and the motion carried.

10-090-9030: Bridgeway, Inc. - Meri Tucker motioned to accept amendment to report. Anne Hicke seconded the motion and the motion carried.

10-090-9034: El Paso Health Care and Rehab Center - Flora Knutson motioned to table the case to wait for a response. The motion was seconded by Delores Sheen. The motion carried.

11-090-9004: Citylink - Meri Tucker motioned to table the case for clarification on response. The motion was seconded by Debra Goodwin. The motion was carried.

ANNOUNCEMENTS

Gene Seaman stated that there was the need for other member in the Authority and mentioned that there were membership applications in the meeting packets.

ADJOURNMENT

3:22PM

(gs)

Dean Steiner - substitute

Ann Hicke, Reporter