EAST CENTRAL REGIONAL HUMAN RIGHTS AUTHORITY MINUTES
November 20, 2012

Vice Chair Mary Auth opened the November 20, 2012 meeting of the East Central Regional Human Rights Authority (HRA) at 4:04 p.m. at the State Office Building, Main Conference Room, 2125 S. First Street, Champaign, IL 61820

Members Present: Vice Chair Mary Auth, Annette Becherer, Babette Leek, Sandra Kopels, and Janet Manning

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

Staff Present: Cathy Wolf

Guests: None

Vice Chair Mary Auth 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.

MINUTES:
Annette Becherer made a motion to approve the September 20, 2012 meeting minutes; the motion was properly seconded and carried.

COMMUNICATIONS:
William McSurley has sent notice that he can no longer serve on the HRA.

The HRA reviewed a response regarding the last investigation from a provider.

NEW BUSINESS

Ratifications
13-060-9005 - Cunningham Children's Home - The HRA received a complaint that a youth at this facility had been denied visitation, that restraints were applied that caused the youth to incur bruises. The youth signed the release. There was an emergency case opening with the approval of the Chair and two HRA members. Sandra Kopels made a motion to ratify the emergency case opening; the motion was seconded and carried.

New Complaints
12-060-9015 - CILA Home - The complaint alleges that an individual living in a CILA was hit by another consumer. He had been hit by the same resident at another date. Staff at the home had given the consumer medications that had been ordered to be discontinued by his physician. The complainant stated she has called OIG twice and has two pending cases with OIG. The complainant is trying to assist individual in moving to a different home. A release has been

received. OIG has given approval for the HRA to investigate rights issues on cases that may be open with OIG, but asked that we would share the information that is gathered. The case was tabled at the last meeting.

12-060-9016 & 12-060-9017 - Both are intermediate care facilities for developmentally disabled (ICFDD) owned by the same corporation - These complaints included 6 pages regarding both ICFDD's listing 15 main complaints for the HRA to consider for investigation. The complaints are from a former complainant who is in a judicial battle over retaining co-guardianship against the other co-guardian. The facilities are supporting the co-guardian who is not the complainant and appear to be retaliating against the complainant for making a HRA complaint. Both co-guardians have either had limited access or no contact orders from the individual who has lived in these facilities by the court. Both the Director and the Chairperson reviewed these complaints with the coordinator and it was determined that there are only 3 potential complaints that could be investigated because the rest are tied to the court case regarding guardianship and/or would be out of the scope of what the HRA could investigate. The 3 possible complaints are inappropriate transfer, missing property and inadequate grievance process.

It was suggested by the Director, to call the individual with the disability, to ask him about the missing property, the transfer and if he wanted representation to protect his rights. When the coordinator called the individual he stated he liked his home and he thought the staff were nice there. He did not like a particular house mate. He does have property missing and he would like an attorney to protect his rights.

The coordinator obtained a release to talk to Equip for Equality and has been in contact with an attorney from that agency. The attorney is considering providing representation for the individual in the guardianship case to protect his rights.

13-060-9006-Mental Health Center for Children - The complaint alleges that a youth with Asperger's syndrome was sexually abused at the facility, that the youth was prevented from receiving phone calls and gifts, and that there was inadequate programming. The complaint also alleged that a poor diet was provided, that staff had forgotten to give the youth her insulin, and the youth had become overweight since she has moved into the facility. The youth was placed in DCFS custody and the court has restricted contact of a certain person with the youth.

The coordinator visited the youth because she was over the age of 12 and talked to her privately while she ate her lunch. The coordinator asked the youth if she had been mistreated by anyone in the facility and the answer was no. The coordinator asked the youth if she had been denied any of her rights and she stated no. The coordinator asked if she felt safe and she answered yes. The only thing she wished that was different was that she could live somewhere that was warmer maybe with a sibling. The coordinator asked her if she wanted someone to investigate if her rights were being violated and she answered not really. No release was signed. Annette made a motion to not accept; the motion was seconded and carried.

13-060-9007 - Hospital - The complaint alleges that an individual who was blind and had a developmental disability was in the final stages of a terminal illness. His state guardian gave

permission for the individual to be moved to the hospital's hospice unit because the individual would recognize voices of staff who had previously provided care and he would be more comfortable. The hospital instead transferred the individual over the weekend to a nursing home without the guardian's consent. The individual died that Monday. A release was signed. Annette made a motion to not accept; the motion was seconded and carried.

13-060-9008 Community Mental Health Center and 13-060-9009 Hospital Mental Health Center-The complaint alleges that an individual's identity has been stolen and the person that stole her identity has a diagnosis of paranoid schizophrenia and drug addiction. Because providers believe that this individual has this diagnosis they have pursued court orders to detain her mental health facilities. The community mental health center's crisis team was contacted because the police chief had accused the individual of making disturbing phone calls. Per the complaint the individual did not have a phone. The individual believes her accurate diagnosis per the complaint is depression, fibromyalgia, a back injury, and hypothyroidism.

The individual agreed to going to the hospital with the crisis team because she had lost weight and her feet were swollen. Instead she was admitted her to the mental health unit. At the mental health court she was detained at the hospital for 28 days because of this inaccurate information. Then she was transferred to a state facility for 90 days by a court order again based on this inaccurate information. During her time of being detained she was unable to receive treatment for her back injury and fibromyalgia. Both releases have been signed. Sandra Kopels made a motion to not accept; the motion was seconded and carried.

UNFINISHED BUSINESS

CASE PROGRESS REPORTS:

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

12-060-9006: Crosspoint - The report is in progress.

REPORT OF FINDINGS:

11-060-9009: Veteran's Administration - The report is almost complete.

CASE CLOSURES:

12-060-9005: Crosspoint - Annette Becherer made a motion to close the case and make the report public; the motion was seconded and carried.

13-060-9001: The Pavilion - Sandra Kopels made a motion to close the case and make the report public; the coordinator would check with on whether the Pavilion's would want their response to be made public or not and follow-up as appropriate; the motion was seconded and carried.

OTHER UNFINISHED BUSINESS:
None

ANNOUNCEMENTS AND COMMENTS

ADJOURNMENT:
Sandra Kopels made a motion to adjourn at 4:46 p.m.; the motion was seconded and carried.

Respectfully Submitted

Cathy Wolf

Cathy Wolf, Recorder

EAST CENTRAL REGIONAL HUMAN RIGHTS AUTHORITY
EXCUTIVE MINUTES
November 20, 2012

Pursuant to Section 21 of the Guardianship and Advocacy Act, and Section 42 of the Open Meetings Act, the East Central Regional Human Rights Authority did ***not*** meet in closed session. The meeting was held at the State Office Building, Main Conference Room, 2125 S. First Street, Champaign, IL 61820.

Members Present: Vice Chair Mary Auth, Annette Becherer, Babette Leek, Sandra Kopels, and Janet Manning

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

Staff Present: Cathy Wolf

Guests: None

Respectfully Submitted

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