

**EAST CENTRAL REGIONAL HUMAN RIGHTS AUTHORITY**  
**EXECUTIVE MINUTES**  
**November 19, 2015**

Pursuant to Section 3955/21 of the Guardianship and Advocacy Act, and Section 42 of the Open Meetings Act, the East Central Regional Human Rights Authority entered closed session at 5:47 p.m. to discuss to discuss confidential case details regarding cases 15-070-9007, 15-060-9008, 15-060-9009 and 15-090-9010 cases. The closed session was held at the State Office Building Conference Room, at 2125 South First Street in Champaign, Illinois.

Members Present: Chairperson Sandra Dixon, Vice-Chairperson Robin Spalding, Janet Manning, Paulette Brock, Monique Smith and Robin Spalding

Members Absent: Kelli Martin and Damon Leek

Staff Present: Director Teresa Parks, Cathy Wolf and Thomas Nguyen

Respectfully Submitted

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Cathy Wolf, Recorder

**EAST CENTRAL REGIONAL HUMAN RIGHTS AUTHORITY MINUTES**  
**November 19, 2015**

Chairperson Sandra Dixon opened the November 19, 2015 meeting of the East Central Regional Human Rights Authority (HRA) at 4:04 p.m. at the State Office Building, Main Conference Room, 2125 South First Street, Champaign, IL 61820, per the Open Meetings Act.

Members Present: Chairperson Sandra Dixon, Vice-Chairperson Robin Spalding, Janet Manning, Paulette Brock, Monique Smith and Robin Spalding

Members Absent: Kelli Martin and Damon Leek

Staff Present: Director Teresa Parks, Cathy Wolf and Thomas Nguyen

Guests Present: None

Chairperson Sandra Dixon 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:**

Janet Manning made a motion to approve the November 19, 2015 meeting minutes; the motion was properly seconded and carried.

**COMMUNICATIONS:**

None

**NEW BUSINESS**

**NEW COMPLAINTS:**

**16-060-9001 - Community Mental Health Center** – The complaint alleges that a person, who was referred for outpatient mental health services, was denied access because of discrimination. A release has been received, but was not witnessed. The coordinator has a received a valid release. Robin Spalding made a motion to accept the case; the motion was properly seconded and carried.

**16-060-9002 – Community Mental Health Center** – The complaint alleges that a person receiving services was told to “shut up” by professional staff during group therapy for no valid reason. There have been two releases sent to the complainant, but none have been returned. Robin Spalding made a motion to not accept the case; the motion was properly seconded and carried.

**16-060-9005 - PAS Agency** – This agency discontinued services to a person who had previously been determined to have a developmental disability based on actual IQ tests. This individual had been in special education and was under guardianship. The decision was based on a fitness to

stand trial test where the test giver stated he thought the individual had a higher IQ than 70, but he was not administering an IQ test. There is a release. The coordinator had ordered records. Upon review, this was an individual who had a dual diagnosis, and regarding placement, it appears that the individual may have been difficult to place. There did not appear to be too much follow-up on placement services. The discontinuance was appealed by the guardian, and the guardian won the appeal for her ward. Robin Spalding made a motion to accept the case; the motion was properly seconded and carried.

**16-060-9006 - Hospital** – The hospital kept an individual with a developmental disability in crisis in the emergency room for an extended amount of time. She was not admitted, but after acting out and hitting a security guard, she was sent to jail and prosecuted. This hospital did not have a behavioral health unit. There is a release. Paulette Brock made a motion to not accept the case; the motion was properly seconded and carried.

**16-060-9007 - Hospital** – The hospital kept an individual with a developmental disability in crisis in the emergency room for an extended amount of time. She was not admitted, but after acting out and hitting a security guard she was sent to jail and prosecuted. This hospital does have a behavioral health unit, but would not admit her because it was determined they were not able to provide services to someone with an IQ under 65 and her history of violent behaviors. There is a release. Robin Spalding made a motion to accept the case; the motion was properly seconded and carried.

**16-060-9008 - Recovery Court** – An individual who is under guardianship has agreed, without her guardian's consent, to "participate" in recovery court. The public defender's office, states attorney's office and probation department work corporately with the court to provide services including mental health services to the individual, but the guardian is not consulted or allowed to participate in any plan of care. Per the public defender's office, they were not aware of any laws that would require them to adhere to the mental health code. We have a release, but it is probably out of our scope. The coordinator has referred the issues of the case to Equip for Equality. Paulette Brock made a motion to meet with representatives of the recovery court and discuss rights issues for those with disabilities with the overseers of the court; the motion was properly seconded and carried. Gene Seamen agreed to participate as well.

**16-060-9009 - Recovery Court** – Allegedly, another individual who is under guardianship who is partially blind, schizophrenic with bi-polar, epileptic with seizures and has a developmental disability has been accused of armed robbery with a hand gun. He claims he had nothing to do with it. He has been told to plead guilty by the public defender. He fired his public defender and has no representation even though the guardian did not want his attorney fired. The public defender is refusing to represent him. We have a release, but it is probably out of our scope. The coordinator has referred the guardian to Equip for Equality. Paulette Brock made a motion to meet with representatives of the recovery court and discuss rights issues for those with disabilities with the overseers of the court; the motion was properly seconded and carried. Gene Seamen agreed to participate as well.

**16-060-9010 - 16 Bed Group Home** – The complaint involves a former guardian who has issues with the current guardian's decisions. Her current complaints are that staff are not removing

excess ear wax from her former ward's ears and the individual shoes are cracked and dusty. The shoes are supposedly over 6 years old. The HRA tabled the case so that the coordinator could contact the guardian to have permission to making inquiries regarding shoes, and grooming issues. The coordinator would report back to the HRA after contacting the guardian.

**16-060-9011 - Nursing Home** - The complaint alleges that an individual was sent to a hospital's behavioral health unit after she complained about services at the nursing home. She was also being involuntarily discharged. A release was sent. She currently wants to withdraw her complaint because she is moving to a different home, and she is happy about it. Paulette Brock made a motion to not accept the case; the motion was properly seconded and carried.

**16-060-9012 – CILA** - The complaint alleges that the manager at the home has reduced the amount of time she can call staff to check on her ward to 5 minutes a day and 1 hour per week with managerial staff. The ward is mostly nonverbal. Allegedly, there is an OIG investigation, and there were some unexplained bruises that happened when the ward was being showered. The coordinator followed up with OIG regarding the unexplained bruises. Per the complaint staff are not restricting when the guardian may see or speak to the ward or take the ward for visits. However, the guardian did seem to have some issues when she tried to make incidental calls to make visitation arrangements. When the coordinator made the initial call to the guardian, the call lasted about an hour and 40 minutes. The caller seemed to have a hard time staying focused and mentioned several times that she was all alone, and that she had to work 2 jobs with no one to help her. A release has just been sent. Robin Spalding made a motion to table the case pending the release; the motion was properly seconded and carried.

**16-060-9013 - Behavioral Health Hospital** - The complaint alleges that an individual receiving services was overcharged regarding copays and coinsurance. The coordinator explained ways of challenging the billing issue and that this issue may be out of our scope. The complainant would call back if she wanted the HRA's assistance. Paulette Brock made a motion to table the case pending the release; the motion was properly seconded and carried.

### **UNFINISHED BUSINESS**

Monique Smith made a motion to go into closed session at 5:47 p.m. pursuant to Section 3955/21 of the Guardianship and Advocacy Act to discuss confidential case details regarding cases 15-070-9007, 15-060-9008, 15-060-9009 and 15-090-9010; the motion was properly seconded and carried.

#### **CASE PROGRESS REPORTS:**

**15-060-9007 – Kankakee Terrace** – The report is in progress.

**15-060-9008: Mclean County Center for Human Services** – The report is in progress.

**15-060-9010: Saint Mary's Hospital** - The site visit is to be scheduled.

Open session reconvened at 5:59 p.m. having taken no action in closed session.

**REPORT OF FINDINGS:**

**15-060-9009: Chestnut Health Systems** - Robin Spalding made a motion to accept the report; the motion was properly seconded and carried.

**CASE CLOSURES:**

None

**OTHER UNFINISHED BUSINESS:**

HRA website was discussed and how board members would access confidential information for site visits and meetings.

**ANNOUNCEMENTS AND COMMENTS:**

The next HRA meeting will be held on November 19, 2015 at the State Office Building, 2125 S First ST, Champaign, IL 61820

**ADJOURNMENT:**

Robin Spalding made a motion to adjourn the meeting at 6:19 p.m.; the motion was seconded and carried.

Respectfully Submitted,

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Cathy Wolf, Recorder