

**Egyptian Regional Human Rights Authority**  
**Meeting Minutes**  
**March 26, 2015**

The regular meeting of the Human Rights Authority (HRA) was held at Shawnee Community College, 8364 Shawnee College Road, Ullin, IL. Chairperson Clarence Russell called the meeting to order at 5:25 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Sue Barfield, Pam O'Connor, Rebecca Lewey, Clarence Russell and Jim Livesay

Members Absent: Mary McMahan, Al Farmer, Ginger McBride and Paul Jones

Staff Present: Kim Conway

Guests: None

Minutes: Sue Barfield made a motion to approve the January 29, 2015 meeting minutes. Pam O'Connor seconded and it carried.

Communications: Kim Conway shared the response from the Office of Civil Rights on the Massac County School Case stating that since the current issues were resolved by the HRA, they are not going to pursue the matter any further. However, the Office of Civil Rights understood the HRA's concern about ensuring practices for future students and as such, stated that if future instances occur in this district, they would immediately pursue any future complaints on the grounds that it would be a repeat incident and due to the district's lack of cooperation with the HRA in making the requested systemic change. The upcoming training in Springfield was discussed and which board members would be attending. Kim Conway shared the issue being discussed within the HRA regarding mental health patients being detained for days in emergency departments while waiting for a transfer to state facilities due to bed unavailability. Rebecca Lewey shared problems she encounters from a crisis worker's point of view. The board discussed changing the July 23<sup>rd</sup> meeting to July 30<sup>th</sup> due to a conflict that came up in Kim Conway's schedule; everyone agreed to change the meeting date.

**Ratifications:**

**15-110-9008 Shawnee Community College** – This case was an emergency case opening with votes from Clarence, Sue and Paul on 10/15/14. Ratification of case acceptance was tabled until the next meeting when a quorum without a conflict of interest is present. Ginger McBride, Pam O'Connor, Mary McMahan and Rebecca Lewey all have a conflict of interest with this case and must abstain from voting therefore case opening votes were obtained from Al Farmer, via telephone call with Kim Conway and Jim Livesay. Sue Barfield made a motion to ratify the case acceptance, Clarence Russell seconded and it carried.

**15-110-9015 Mulberry Center** – This case was an emergency case opening on 3/12/15 with votes from Clarence Russell, Pam O'Connor, Ginger McBride, Mary McMahan and Al Farmer. Sue Barfield made a motion to ratify the case acceptance, Rebecca Lewey seconded and it carried.

### **New Complaints:**

**15-110-9018 State Operated Mental Health Facility** – Alleges that the facility would not allow a patient to use a walker or wheelchair necessary for ambulation. The patient allegedly has Parkinson’s disease, cancer and other serious medical conditions and with that, he has mobility problems, dizziness and seizures. Allegedly the patient had a prescription for a walker and wheelchair and had used them for approximately 1 year prior to admission to the facility. Upon arrival, the items were allegedly taken away and the patient fell several times but was continued to be refused mobility aides. Pam O’Connor made a motion to accept the case for investigation, Jim Livesay seconded and it carried.

Kim Conway informed the board that case numbers **15-110-9016 and 15-110-9017** were used for pending new cases against a state operated facility, but both cases were informally resolved prior to officially opening the cases.

**Other New Business:** None

**Unfinished Business:** Pam O’Connor made a motion to enter into closed session at 6:04 p.m. pursuant to Section 21 of the Guardianship and Advocacy Act (20 ILCS 3955/21) and Section 120/2 (c) (4) of the Open Meetings Act (5 ILCS 120/2); the motion was seconded by Sue Barfield and carried. The following summary of items was discussed in closed session: Case progress was reviewed for cases #13-110-9039, 15-110-9001, 15-110-9002, 15-110-9004, 15-110-9005, 15-110-9006, 15-110-9008, 15-110-9009, 15-110-9010, 15-110-9011, 15-110-9012, 15-110-9013, 15-110-9014 & 15-110-9015. Draft reports were reviewed for cases #14-110-9017, 14-110-9020, 15-110-9003 & 15-110-9007. Case closures were considered for cases #14-110-9006, 14-110-9013, 14-110-9015, 14-110-9018 & 14-110-9019. Sue Barfield made a motion to return to open session at 7:59 p.m. having taken no action in closed session, Jim Livesay seconded and it carried.

### **Case Progress Reports:**

**13-110-9039 - Chester Mental Health** –Kim Conway checked with the Office of Inspector General (OIG) on the status of their investigation regarding this same recipient and incident and was told that it was just finished on the date of the meeting. The OIG substantiated the allegation. The HRA report should be completed for the May meeting.

**15-110-9001 Chester Mental Health** – This case involved a patient not receiving treatment to attain fitness, false reports being filed with the court and the OIG investigative process being inadequate. The case is ready for report.

**15-110-9002 Choate Mental Health and Developmental Center** – This case involved special treatment plans being held when OIG complaints are filed. The case is ready for report.

**15-110-9004 Wabash County Jail** – The site investigation was completed November 13<sup>th</sup>. The case is ready for report, however since 15-110-9006 is regarding the same incident, the HRA will wait to do the report until that investigation is completed.

**15-110-9005 Chester Mental Health** – The second chart review was completed. The case is ready for report.

**15-110-9006 Department of Human Services (DHS)** – There is no paper trail of authorization to transfer the patient to Chester Mental Health. The phone interview was completed with the DHS Director of Forensics. Additional paperwork requested from Chester was never received and the HRA was told it may not exist. This case is ready for report.

**15-110-9008 Shawnee Community College** – Rebecca Lewey and Pam O’Connor left the meeting during the discussion of this case as they have a conflict of interest and returned once the discussion had concluded. The HRA spoke with the student to inquire if he was aware of the appeals process listed in the student handbook, the student stated he was unaware of this policy. This case is ready for report.

**15-110-9009 Williamson County Special Education** – Jim Livesay left the meeting during the discussion of this case due to a conflict of interest and returned once the discussion had concluded. The HRA will follow up with the behavior analyst about some additional information that was requested. A new issue has come up in this case that the HRA needs to investigate. The case is still under investigation.

**15-110-9010 Crab Orchard School District** - Jim Livesay left the meeting during the discussion of this case due to a conflict of interest and returned once the discussion had concluded. The HRA will follow up with the behavior analyst about some additional information that was requested. A new issue has come up in this case that the HRA needs to investigate. The case is still under investigation.

**15-110-9011 Chester Mental Health** – The HRA still has to complete interviews with staff at the facility. The case is still under investigation.

**15-110-9012 Delta Center, Inc.** – The interview with Delta Center Director was completed. The HRA still needs to interview the parent and school staff. The case is still under investigation.

**15-110-9013 Chester Mental Health** - The HRA completed the chart review. The case is ready for report.

**15-110-9014 Carbondale Hospital** – The site visit at the hospital was completed and the HRA has received the requested documents to review. Interviews with ambulance drivers and crisis worker still need to be completed. The case is still under investigation.

**15-110-9015 Mulberry Center** – The board discussed the specific details of this new case. The site visit needs to be completed. The case is still under investigation.

**15-110-9018 Chester Mental Health** – This is a new case. The site investigation needs to be completed. The case is still under investigation.

### **Report of Findings:**

**14-110-9017 Chester Mental Health** – The draft report was reviewed. Sue Barfield made a motion to approve the draft report as stated, Pam O’Connor seconded and it carried.

**14-110-9020 Chester Mental Health** – The draft report was reviewed. Rebecca Lewey made a motion to approve the draft report as stated, Jim Livesay seconded and it carried.

**15-110-9003 Lawrence Correctional** – The board reviewed the draft report and had no suggestions or changes. Kim Conway informed the board that the General Counsel is reviewing the case to see if the Mental Health Code is applicable in prisons and that changes may have to be made. Sue Barfield made a motion to approve the draft report pending review from the general counsel, Jim Livesay seconded and it carried.

**15-110-9007 Chester Mental Health** – The draft report was reviewed. Pam O’Connor made a motion to approve the draft report as stated, Rebecca Lewey seconded and it carried.

### **Case Closures:**

**14-110-9006 Chester Mental Health** – The board discussed the response to substantiated findings and including an additional suggestion in the closure letter to the facility. The board also discussed referring the case to the Department of Mental Health (DMH) for informational purposes due to the length of time this patient has been at Chester. Sue Barfield made a motion to close the case and make the report a part of the public record, include a suggestion in the closure letter to the facility to address all the patient’s barriers to discharge in his treatment plan and also to send a copy of the findings to the DMH for informational purposes, Jim Livesay seconded and it carried.

**14-110-9013 Chester Mental Health** – The board discussed the response to substantiated findings. Pam O’Connor made a motion to close the case and make the report a part of the public record, Rebecca Lewey seconded and it carried.

**14-110-9015 Choate Mental Health and Developmental Center** – There were no substantiations and no response. Pam O’Connor made a motion to close the case and make the report a part of the public record, Rebecca Lewey seconded and it carried.

**14-110-9018 Chester Mental Health** – There were no substantiations and no response. Sue Barfield made a motion to close the case and make the report a part of the public record, Rebecca Lewey seconded and it carried.

**14-110-9019 Chester Mental Health** – The board discussed the response to substantiated findings. Pam O’Connor made a motion to close the case and make the report a part of the public record, Jim Livesay seconded and it carried.

**Other Unfinished Business:**

The next meeting is scheduled for 5:00 p.m. on May 28, 2015 at Shawnee Community College Extension, 5385 Industrial Park Rd., Room 106 , Metropolis, IL.

Jim Livesay made a motion to adjourn the meeting at 8:00 p.m. Sue Barfield seconded and it carried.

Respectfully Submitted,  
Pam O'Connor, Secretary