

Egyptian Regional Human Rights Authority
Meeting Minutes
July 30, 2015

The regular meeting of the Human Rights Authority (HRA) was held at Pagliai's Pizza, 509 South Illinois Ave., Carbondale, IL. Chairperson Pam O'Connor called the meeting to order at 5:09 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Sue Barfield, Paul Jones, Ginger McBride, Victor Metzger, Pam O'Connor, Kay Phillips and Kathy Rambeau.

Members Absent: Rebecca Lewey and Mary McMahan

Staff Present: Kim Conway

Guests: None.

Minutes: Sue Barfield made a motion to approve the May 28, 2015 meeting minutes. Pam O'Connor seconded and it carried.

Communications: Kim Conway shared the HRA statistics for fiscal year 2015. The board then discussed an update Kim Conway received from Jon Burnet regarding filing of Petitions and Certificates for admission into state operated facilities and how the filing of successive Petitions prior to admission is not in compliance with the Mental Health Code regulations. The HRA is supposed to educate hospitals and facilities on this. There is currently a pending case for the Supreme Court to hear regarding this matter. Jon will keep the HRA updated.

Ratifications: The closure of 14-110-9020 was ratified to include the HRA's consensus that the report be sent to the Department of Justice-Civil Rights Division in Illinois and Washington DC and also to the Illinois Department of Mental Health for informational purposes due to the length of time the recipient has been at Chester Mental Health. The board had discussed this at the May meeting, but failed to include that in the closure motion. Ginger McBride made a motion to ratify the case closure as stated, Paul Jones seconded and it carried.

New Complaints:

16-110-9001 State Operated Mental Health Facility- The complaint alleged that a recipient is not being allowed to communicate with his attorney and that his rights have been inappropriately restricted. Ginger McBride made a motion to accept the new complaint for investigation pending receipt of the release of information, Paul Jones seconded and it carried.

16-110-9002 State Operated Mental Health Facility – The complaint alleged that a recipient's property is being inappropriately restricted, that a recipient was inappropriately restrained and that he is not being served in the least restrictive environment. Sue Barfield made a motion to accept the new complaint for investigation pending receipt of the release of information, Kay Phillips seconded and it carried.

16-110-9003 State Operated Mental Health Facility – The complaint alleged that a recipient is not being allowed to practice his religion. Sue Barfield made a motion to accept the new

complaint for investigation pending receipt of the release of information, Paul Jones seconded and it carried.

Other New Business: The board discussed the executive minutes from May, 2014 through March, 2015 and whether or not to keep the executive minutes confidential. Ginger McBride made a motion to keep the executive minutes from May, 2014 through March, 2015 confidential. Kay Phillips seconded and it carried.

Unfinished Business: Paul Jones made a motion to enter into closed session at 5:50 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 Kathy Rambeau and it carried. The following summary of items was discussed in closed session: Case progress was reviewed for cases # 15-110-9009, 15-110-9010, 15-110-9012, 15-110-9013, 15-110-9014, 15-110-9015 & 15-110-9019. Draft reports were reviewed for cases #15-110-9005, 15-110-9008, 15-110-9011 & 15-110-9018. Case closures were considered for cases #13-110-9039, 15-110-9001, 15-110-9002, 15-110-9004, 115-110-9006. Kathy Rambeau made a motion to return to open session at 6:49 p.m. having taken no action in closed session, Paul Jones seconded and it carried.

Case Progress Reports:

15-110-9009 Williamson County Special Education – Kim Conway gathered documents for the school’s attorney; after reviewing the documents and a phone conference with the HRA Director, the attorney agreed to let the HRA proceed with interviewing the home bound instructor. Kim has spoken with the Director of Williamson County Special Education and hopes to complete this interview in August. The case is still under investigation.

15-110-9010 Crab Orchard School District - Kim Conway gathered documents for the school’s attorney; after reviewing the documents and a phone conference with the HRA Director, the attorney agreed to let the HRA proceed with interviewing the home bound instructor. Kim has spoken with the Director of Williamson County Special Education and hopes to complete this interview in August. The case is still under investigation.

15-110-9012 Delta Center, Inc. – The HRA would like to interview a representative from the child’s school in order to complete this investigation. Kim Conway has tried contacting the school to schedule this, but has not been able to reach anyone yet, possibly due to summer break from school. Kim will try again once school has started. The case is still under investigation.

15-110-9013 Chester Mental Health – The draft report of findings is being prepared and should be ready for review at the September meeting.

15-110-9014 Carbondale Hospital – The HRA contacted the jail about the transfer of the recipient to a state operated mental health facility and reached out to the attorney who could not share any information due to attorney – client privilege. The HRA needs to review the chart at the state operated facility. The case is still under investigation.

15-110-9015 Mulberry Center – Kathy Rambeau exited the meeting due to a conflict of interest in this case and returned once the discussion had ended. The site visit was completed, awaiting the Public Health report of findings. The HRA still needs to interview the guardianship representative for the recipient. The case is still under investigation.

15-110-9019 School for the Hearing Impaired – The HRA interviewed the child’s mother and grandmother. The interview with the school’s representatives was scheduled for the same date, but the initial meeting ran long and had to be cancelled. The interview with the school representatives will be rescheduled for some time in August. The case is still under investigation.

Report of Findings:

15-110-9005 Chester Mental Health – The board reviewed the draft report. Kathy Rambeau made a motion to approve the draft report as stated and send it to the provider. The motion was seconded by Sue Barfield and it carried.

15-110-9008 Shawnee Community College – Ginger McBride left the meeting due to a conflict of interest and returned once the discussion had ended. Pam O’Connor has since retired from Shawnee College and no longer has a conflict of interest. The board reviewed the draft report. Kathy Rambeau made a motion to approve the draft report as stated and send it to the provider. The motion was seconded by Sue Barfield and it carried.

15-110-9011 Chester Mental Health – The board reviewed the draft report. Kathy Rambeau made a motion to approve the draft report as stated and send it to the provider. The motion was seconded by Sue Barfield and it carried.

15-110-9018 Chester Mental Health – The board reviewed the draft report. Kathy Rambeau made a motion to approve the draft report as stated and send it to the provider. The motion was seconded by Sue Barfield and it carried.

Case Closures:

13-110-9039 Chester Mental Health – The board reviewed Chester’s response to the substantiated findings and had no additional concerns. Ginger McBride made a motion to close the case and make the report a part of the public record, Kathy Rambeau seconded and it carried.

15-110-9001 Chester Mental Health – There were no substantiated findings and no response was received from the facility. Paul Jones made a motion to close the case and make the report a part of the public record, Kay Phillips seconded and it carried.

15-110-9002 Choate Mental Health and Developmental Center – There were no substantiated findings and no response was received from the facility. Sue Barfield made a motion to close the case and make the report a part of the public record, Paul Jones seconded and it carried.

15-110-9004 Wabash County Jail – The board reviewed the Sheriff’s response to the substantiated findings and had no additional concerns. It was noted that the Sheriff who responded is the new Sheriff who started when the Sheriff involved in the case retired. Paul Jones made a motion to close the case and make the report a part of the public record, Kathy Rambeau seconded and it carried.

15-110-9006 Department of Human Services (DHS) – There were no substantiated findings and no response was received from DHS. Kathy Rambeau made a motion to close the case and make the report a part of the public record, Paul Jones seconded and it carried.

Other Unfinished Business:

The next meeting is scheduled for 5:00 p.m. on September 24, 2015 at Shawnee Community College Extension in Anna, Illinois.

Sue Barfield made a motion to adjourn the meeting at 6:55 p.m. Kathy Rambeau seconded and it carried.

Respectfully Submitted,
Ginger McBride, Secretary