

METRO EAST REGIONAL HUMAN RIGHTS AUTHORITY

MINUTES – May14, 2015

The regular stated meeting of the Metro East Regional Human Rights Authority (HRA) was called to order at 6:36 p.m., Thursday, May 14, 2015 by Chairperson, Karen Kelly.

This meeting was held at Developmental Disability Service of Metro East (DDSME), 2900 Frank Scott Parkway West Suite 928 Belleville, IL.

HRA Members Present: Karen Kelly, Jane Nesbit, Margaret Merrell, Andrea Frazier, Lou Ruocco, Beverly Sweatman and Michael Pintar.

HRA Members Absent: Christine Anderson

Guests: Mary Aggas, Molina Healthcare

Staff Present: Teresa Parks, Jo Ann Russell-Baum and Cathy Goebel

INTRODUCTIONS

Chairperson, Karen Kelly recognized that a quorum was present. The HRA members and staff introduced themselves. Guest, Mary Aggas, RN, BSN, CCM, CRRN introduced herself as a Case Manager III for Molina Health Care.

Karen Kelly, read the confidentiality statement that indicates that personally identifiable information should not be presented in public meetings in order to protect the privacy of those disabled persons on whose behalf the HRA conducts investigations.

Karen Kelly asked for any changes in the agenda. No changes made.

MINUTES

The Minutes of the stated meetings of April 9th, 2015 were reviewed and, upon a motion by Member Michael Pintar, seconded by Jane Nesbit, members voted to accept the minutes as written.

COMMUNICATIONS None

NEW BUSINESS

Ratifications The following that was accepted via emergency case acceptance procedure meeting was ratified:

15-070-9023 - Touchette Regional Hospital-The complaint alleges that the hospital did not adequately ensure that the selection of equipment and furnishings were conducive to the psychiatric program being carried out and failed to minimize hazards to psychiatric patients. An emergency

case opening was approved by Karen Kelly and two members effective April 16, 2015. Upon a motion by Michael Pintar, seconded by Beverly Sweatman, members voted to ratify case opening.

New Complaints The HRA considered the following cases for acceptance:

15-070-9017 – Hospital - The complaint stated that petitions for involuntary treatment contained false statements and discrepancies. In addition, the complaint stated that forced medication was administered without adequate justification. A release was sent but has not yet been received. The recipient also requested someone pick up documentation but when an attempt was made to pick up the documentation, the recipient refused to turn it over. A second attempt was made to obtain a release, and at that time the patient had been discharged to another state. Upon a motion by Michael Pintar, seconded by Margaret Merrell, the members voted to not accept the complaint due to no release of information being received. Complaint not accepted.

15-070-9018 – Hospital – The complaint stated that the hospital did not provide adequate dental care for a dental implant. This was the same complaint from 2013 when the HRA had findings regarding a referral made to a dental school; a cost was secured, but there was no final determination of what action, if any, the hospital would take on the individual's behalf. The recipient was still not satisfied. The HRA had a telephone meeting on 04-01-15 with the hospital director, medical director and the clinical nurse manager. They indicated that they would once again refer to the dental school, ask for an assessment and determine what if anything could be covered. The dental school refused to see patient due to nonpayment of a previous bill. The patient recently saw a new oral surgeon who made recommendations. A copy of the consult will be sent to the HRA. The recipient is still not satisfied. Mike Pintar made a motion to continue to table case acceptance in an attempt to resolve the issue informally; Karen Kelly seconded the motion and the motion carried. Complaint tabled.

15-070-9019 – Hospital – Complaints from multiple individuals are as follows: 1) Access to the television and T.V programming is limited (T.V programming based on staff use, some recipients find news and educational programming therapeutic, the schedule only allows for watching parts of programs newspapers are not provided so the T.V. is only means of accessing news) ; 2) telephone access and schedule is too limited (time frames for using phones is too restrictive for the number of available phones and number of individuals on the unit – impedes ability to communicate with family and with attorneys, results in conflicts with peers); 3) Inadequate active treatment – coloring books are provided to adult patients, there are no reading materials on unit, limited exercise opportunities and patients can't exercise on unit, no radios, no rehab staff for weeks at a time; 4) there is graffiti and sanitary problems in bathroom 5) peer harassment occurs on unit. Initial communication made with hospital administration and was informed that patients are encouraged to enroll in 3 classes, patients were informed of T.V. and telephone schedule changes and the changes were made to facilitate active treatment with input from patients and staff. Attorney access is available at any time, patients who do not attend groups/classes have alternative activities such as cards, reading, playing board games, coloring, etc.; a relaxed schedule for T.V. programming occurs on the weekend. We have 2 releases to speak to patients. This case was resolved informally. The patients report that the active treatment process is going better and that the television and phone problems have resolved. Beverly Sweatman made a motion to not accept this complaint, Margaret Merrell seconded the motion and the motion carried. Complaint not accepted.

15-070-9021 – Hospital – the complaint alleges that a patient was inappropriately administered emergency medication over her objection, that a nurse threatens to give emergency medication over comments made by the patient and that a nurse removed and threw away items from the patient's room when the patient was in the shower. Two releases of information have been sent with no response to date. Mike Pinter made a motion to not accept the complaint due to the lack of a release; Beverly Sweatman seconded the motion and the motion carried. Complaint not accepted.

15-070-9022 – Police Department – the complaint alleges that the police did not respond appropriately to an individual with mental health needs. A release has been secured. An informal letter was sent to the police department offering the HRA's services to help secure CIT training for officers, with no response from the police department. The HRA considered its jurisdiction as well as extenuating circumstances. Mike Pinter made a motion to not accept the case, Beverly Sweatman seconded the motion and the motion carried. The complaint not accepted.

Unfinished Business

Pursuant to Section 721 of the Illinois Guardianship and Advocacy Act and Section 42 of the Open Meetings Act, upon a motion by Michael Pinter, seconded by Margaret Merrell, the Authority went into closed session at 7:01 pm to discuss case progress, reports of findings, provider responses and case closures.

The HRA allowed time at the opening of closed session for guest, Mary Aggas to discuss case # 15-070-9020. Ms. Aggas was dismissed and the HRA continued the closed session portion of the meeting.

The HRA returned to open session at 8:25 p.m. having taken no action in closed session. A summary of closed session discussion is as follows:

Case Progress Reports:

15-070-9007 – Alton Mental Health Center – unit restroom access, private phone access. Site visit complete and ready for report.

15-070-9009 – Alton Mental Health Center – property. Site visit complete, waiting for additional information from facility.

15-070-9010 – Madison County Jail – medication and treatment. Site visit complete, ready for report.

15-070-9012 – Alton Mental Health Center – discharge planning, fitness determination. Site visit needed.

15-070-9013 – Alton Mental Health Center – diets. Site visit needed with contractual dietician.

15-070-9014 – Alton Mental Health Center – unit water turned off. Site visit complete, ready for report.

15-070-9015 – Department of Rehabilitation Services – worker issues; complaint process. Site visit complete, ready for report.

15-070-9016 – Caseyville Nursing Home – POA agent; physician services. Site visit scheduled

15-070-9020 - Molina Health Care – benefits covered, medical condition, etc. Site visit needed.

15-070-9023 – Touchette Regional Hospital – safety precautions. Site visit scheduled.

Draft Report Review

15-070-9008 - Adapt of Illinois - consumer accounts. A draft report was reviewed.

Reviews of Provider Responses

Provider responses were reviewed for the following cases:

14-070-9020 - Alton Mental Health Center - property and visitation.

14-070-9024 - Alton Mental Health Center - property and visitation.

15-070-9002 – Alton Mental Health Center – restrictions.

15-070-9003 – Alton Mental Health Center – restrictions.

15-070-9005 – Alton Mental Health Center – restraints and medications.

Upon returning to open session the HRA considered the following actions:

Motions Regarding Report Approvals

15-070-9008 - Adapt of Illinois - consumer accounts. Motion made by Michael Pintar to approve the report with revisions. Beverly Sweatman seconded the motion and the motion carried. The HRA approved the draft report with revisions.

Case Closures

14-070-9020 - Alton Mental Health Center - property and visitation. Motion was made by Michael Pintar to table the case until the HRA receives additional information and reviews the patient handbook. Beverly Sweatman seconded the motion and the motion carried. Case Tabled.

14-070-9024 - Alton Mental Health Center - property and visitation. Motion was made by Michael Pintar to table the case until the HRA receives additional information and reviews the patient handbook. Beverly Sweatman seconded the motion and the motion carried. Case Tabled.

15-070-9002 – Alton Mental Health Center – restrictions. Motion was made by Michael Pintar to close the case making the findings a part of the public record; Margaret Merrell seconded the motion and the motion carried. The provider does not want its response public. Case Closed.

15-070-9003 – Alton Mental Health Center – restrictions. Motion was made by Michael Pintar to close this case making the findings a part of the public record; Margaret Merrell seconded the motion and the motion carried. The provider does not want its response public. Case Closed

15-070-9005 – Alton Mental Health Center – restraints and medications. Motion was made by Michael Pintar to close this making the findings a part of the public record; Margaret Merrell seconded the motion and the motion carried. The provider does not want its response public. Case Closed.

ANNOUNCEMENTS, COMMENTS and ADJOURNMENT:

The next meeting is scheduled for May 14, 2015. Jane Nesbit made a motion to adjourn the meeting at 8:55 pm. Karen Kelly seconded the motion and the motion carried.

Jane Nesbit
Secretary