

**Egyptian Regional Human Rights Authority**  
**Meeting Minutes**  
**May 28, 2015**

The regular meeting of the Human Rights Authority (HRA) was held at Shawnee Community College Extension, 5385 Industrial Park Rd., Metropolis, IL. Chairperson Clarence Russell called the meeting to order at 5:30 p.m. and read the confidentiality statement. A quorum was present.

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

Members Absent: Al Farmer and Paul Jones

Staff Present: Kim Conway

Guests: Michael Quinn from Mulberry Center

Minutes: Jim Livesay made a motion to revise & approve the March 26, 2015 meeting minutes. Sue Barfield seconded and it carried. The only revision was on page 3 on case 15-110-9008 to strike Ginger McBride and Mary McMahan's name as leaving the meeting during the discussion because they were both absent from the March meeting.

Communications: Kim Conway shared communication from Craig Ward from Paradigm Medical stating that the genetic testing for medication metabolism is now approved for Illinois Medicaid. There was discussion on state operated facility admissions and how petitions and certificates are to be filed to comply with Mental Health Code. The board discussed how some community hospitals file successive petitions when the 72 hour timeline has not been met for the certificate and how this does not comply with the Mental Health Code requirements. Kim Conway mentioned two issues for discussion that the HRA has been approached with for direction and feedback. The first is that a community nursing home has discussed charging \$25.00 to transport residents to medical appointments or family can take them free of charge. Kim has researched the legal statutes and has not yet found anything prohibiting this but agreed to continue searching and if anything is found, the HRA will consider opening a case to investigate. The second issue was what options a state operated facility has if a patient is refusing medically necessary medication (not-psychotropic). The board discussed options such as if the person has capacity to make the decision to refuse and if the facility should petition the court. The final communication was to remind board members of their requirement to complete State of Illinois Ethics training and reminded of the deadline of June 11, 2015.

Ratifications: None

New Complaints:

15-110-9019 Public School System: Alleges that the school is not providing necessary accommodations for a student; specifically a 1:1 aide, assessments and educational accommodations. Also alleges that there is inadequate education planning for a student which includes not planning for a student to receive services in the least restrictive setting. There is a signed release.

**Other New Business:** The board reviewed and discussed new board member applications to fill the three vacancies that will begin July 1, 2015. There is one vacancy for a service provider member and the remaining two vacancies must be filled with citizen members. There were two service provider member applicants, Kathy Rambeau and Bonnie Henry. There were also two citizen member applicants, Kay James Phillips and Victor Metzger. Mary McMahan made a motion to accept Kathy Rambeau as the service provider member, Jim Livesay seconded and it carried. Jim Livesay made a motion to accept both citizen member applicants, Kay Phillips and Victor Metzger, to fill the remaining two vacancies, Mary McMahan seconded and it carried. Next, the board discussed the fiscal year 2016 officers and the chairperson vacancy that will be left when Clarence Russell exits the board. Sue Barfield made a motion to appoint Pam O'Conner as the new Chairperson, Rebecca Lewey seconded and it carried. Ginger McBride made a motion to appoint Mary McMahan as Vice Chairperson, Jim Livesay seconded and it carried. Rebecca Lewey made a motion to appoint Ginger McBride as secretary, Sue Barfield seconded and it carried. All new officers will become effective July 1, 2015.

**Unfinished Business:** Ginger McBride made a motion to enter into closed session at 6:17 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 Jim Livesay and it carried. The following summary of items was discussed in closed session: Case progress was reviewed for cases # 15-110-9005, 15-110-9008, 15-110-9009, 15-110-9010, 15-110-9011, 15-110-9012, 15-110-9013, 15-110-9014, 15-110-9015 & 15-110-9018. Draft reports were reviewed for cases #13-110-9039, 15-110-9001, 15-110-9002, 15-110-9004 & 15-110-9006. Case closures were considered for cases #14-110-9017, 14-110-9020, 15-110-9003 & 15-110-9007. Sue Barfield made a motion to return to open session at 8:45 p.m. having taken no action in closed session, Pam O'Connor seconded and it carried.

**Case Progress Reports:**

**15-110-9015 Mulberry Center** – The board discussed this case first to accommodate guest, Michael Quinn who joined the closed session. Rebecca Lewey and Kim Conway attended the site investigation and completed interviews with the Director of Behavioral Health as well as the treating Psychiatrist. Mr. Quinn explained to the board some changes that have already been implemented that should address some of the allegations raised in the HRA complaint.

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

**15-110-9008 Shawnee Community College** – Pam O'Connor, Ginger McBride, Mary McMahan and Rebecca Lewey left the meeting during the discussion of this case due to a conflict of interest and returned once the discussion had concluded. The investigation has been concluded and the 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 had second site investigations scheduled that were cancelled by the special education cooperative and the HRA has been instructed to communicate solely with its attorney

going forward. A second interview was completed with the student's family and personal support worker. 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 had second site investigations scheduled that were cancelled by the special education cooperative and the HRA has been instructed to communicate solely with its attorney going forward. A second interview was completed with the student's family and personal support worker. The case is still under investigation.

**15-110-9011 Chester Mental Health** – The HRA completed interviews with nurses but still has to complete interviews with the security therapy aide at the facility. The case is still under investigation.

**15-110-9012 Delta Center, Inc.** – The interview with Delta Center Director was completed as well as the interview with the child's mother. Further interviews are needed. 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. Kim Conway spoke to the jail staff to schedule an interview, but was told that the HRA needed to contact the public defender instead because the recipient was only in the care of the jail for 1 or 2 days. The case is still under investigation.

**15-110-9018 Chester Mental Health** – The chart review was completed in April and the HRA received requested documents the week of the HRA board meeting. The case is still under investigation.

### **Report of Findings:**

**13-110-9039 - Chester Mental Health** – The board reviewed the draft report. Pam O'Connor made a motion to approve the draft report as stated, Sue Barfield seconded and it carried.

**15-110-9001 Chester Mental Health** – The board reviewed the draft report. Mary McMahan made a motion to approve the draft report as stated, Pam O'Connor seconded and it carried.

**15-110-9002 Choate Mental Health and Developmental Center** – The board reviewed the draft report. Kim Conway informed the board that Teresa Parks had to complete the final review so there may be some minor changes made for the final version. Pam O'Connor made a motion to approve the draft report pending final review by Teresa Parks, Sue Barfield seconded and it carried.

**15-110-9004 Wabash County Jail** – The board reviewed the draft report. Mary McMahan made a motion to approve the draft report as stated, Rebecca Lewey seconded and it carried.

**15-110-9006 Department of Human Services (DHS)** – The board reviewed the draft report. Ginger McBride made a motion to approve the draft report as stated, Jim Livesay seconded and it carried.

**Case Closures:**

**14-110-9017 Chester Mental Health** – There were no substantiations and no response received. Pam O’Connor made a motion to close the case and make the report a part of the public record, Ginger McBride seconded and it carried.

**14-110-9020 Chester Mental Health** – The board discussed the response to substantiated findings. There was some concern about one of the responses, but after further discussion the board decided to close the case but to include an additional suggestion regarding a grievance process in the closure letter to the facility for consideration. Sue Barfield made a motion to close the case, include a statement in the closure letter regarding a grievance process and to make the report a part of the public record. Jim Livesay seconded and it carried.

**15-110-9003 Lawrence Correctional Facility** – There were no substantiations and no response received. Ginger McBride made a motion to close the case and make the report a part of the public record, Sue Barfield seconded and it carried.

**15-110-9007 Chester Mental Health** - There were no substantiations and no response received. Ginger McBride made a motion to close the case and make the report a part of the public record, Pam O’Connor seconded and it carried.

**Other Unfinished Business:**

The next meeting is scheduled for 5:00 p.m. on July 30, 2015 at Pagliai’s Pizza, 509 South Illinois Ave., Carbondale, IL.

Sue Barfield made a motion to adjourn the meeting at 8:45 p.m. Pam O’Connor seconded and it carried.

Respectfully Submitted,  
Pam O’Connor, Secretary