

Illinois Guardianship and Advocacy Commission



Annual
Report
Fiscal
Year
2015

WHERE ADVOCACY MATTERS

GOVERNOR

Bruce Rauner

CHAIRMAN

Anthony E. Rothert

DIRECTOR

Dr. Mary L. Milano

Our Mission Statement

To safeguard the rights of persons with disabilities by providing public guardianship services, legal representation and process to investigate alleged rights violations.

Our Vision

As a recognized leader in the human services area, the Illinois Guardianship and Advocacy Commission will ensure access to necessary guardianship and advocacy services for Illinois' citizens with disabilities. The agency will be defined by its commitment to quality service provision by well-trained professional staff, its dedication to increasing public awareness of disability issues and its active role in advocacy for legislation and processes that have a positive impact on the agency, its services and its clients.

It has been said that the only certainty in life is change, and to the extent that is true, the year covered by this annual report gifted GAC and its constituencies, clients and wards one which was rich with the need to respond to change with the certainty of its mission and the commitment of its people. Amidst economic uncertainties and operational challenges, GAC, together with its sister agencies, saw the promise of a renewed resolve that State government would be intentional about bringing down silos and breaking walls that in so many ways had become a pattern that hindered collaboration in addressing the multifaceted and critical issues arising from the needs of those we serve. The year, with all of its complex issues, in a very real way formed another important foundation stone for our ability to build on our experience and yet be empowered to intervene effectively and in ways that would positively signal real change.

Through the efforts of our staff, our Commissioners, our volunteers and of our many partners in mission, we have continued to provide support, advocacy, services, dependability of presence and relationship, and empowerment to thousands of persons with disabilities. We have done this not only in our traditional methods and views of service, but with an additional and significant focus on identifying those who have remained underserved – or virtually unserved – as a result of geography, budgetary constraints, insufficient resources and social stigma. Approaching this as a critical component of who we are, we believe it is necessary to utilize all of our resources and relationships in ways which push our boundaries farther in order to drive our mission, and the mission of state government, as deeply and broadly as we can achieve, remaining consistent in service, but asking ourselves to imagine explosively.

To concretize this path, we have institutionalized approaches with which we had previously experimented. These include -

- Development of a supra-regional HRA tasked with responsibility for Human Rights issues that are statewide and of a degree of complexity that would tax the resources any regional HRA panel, but utilizing the strengths and experience of those panels;
- Developing cross divisional responsibilities for newly hired lawyers, particularly in areas of the State where many counties are served by only one GAC Office, enabling those lawyers to bring their expertise to bear more widely, support a broader scope of the Agency's work, and themselves develop additional professional depth and expertise;
- Increased use of flexible time and telecommuting arrangements, oriented in each case first to the Agency's operational needs across wide geographic areas with constituencies that have multiple needs, and allowing for as great a degree of independent and quick and responsive action on the part of staff members as they can achieve;
- Increased institutionalization of relationships that produce not only a consistent stream of volunteers and interns, but most importantly develop increased community ties that support our mission and a web of relationships in the community that will be able to better support our wards and clients in the future. This includes guiding experiences which intentionally train and sensitize a diverse set of individuals (law students, high school students, students with special needs as well as special possibilities, social work students, business students, retirees, college students in any area who present an interest in service to the vulnerable) to become multipliers of our efforts, whether immediately or in the future, and to become advocates for those with disabilities;
- Increasing efforts to improve on cross agency collaboration, based on an expansive rather than limited view of the ways in which agency missions, needs of our citizens and communities, and best practices intersect. This includes seeking opportunities to collaborate across units of government – state, local and federal – as well.

This was a year in which new seeds were planted, which we trust will grow in the coming years, supported by a view we have articulated before – that this work is not the work of a remote government for the benefit of needy citizens, but rather a work of the commonweal in which mutuality of assistance and respect form the ties that make the work belong to all of us, and to benefit all of us as well. And this is with certainty the basis for change which is exceptional.

Dr. Mary L. Milano
Executive Director



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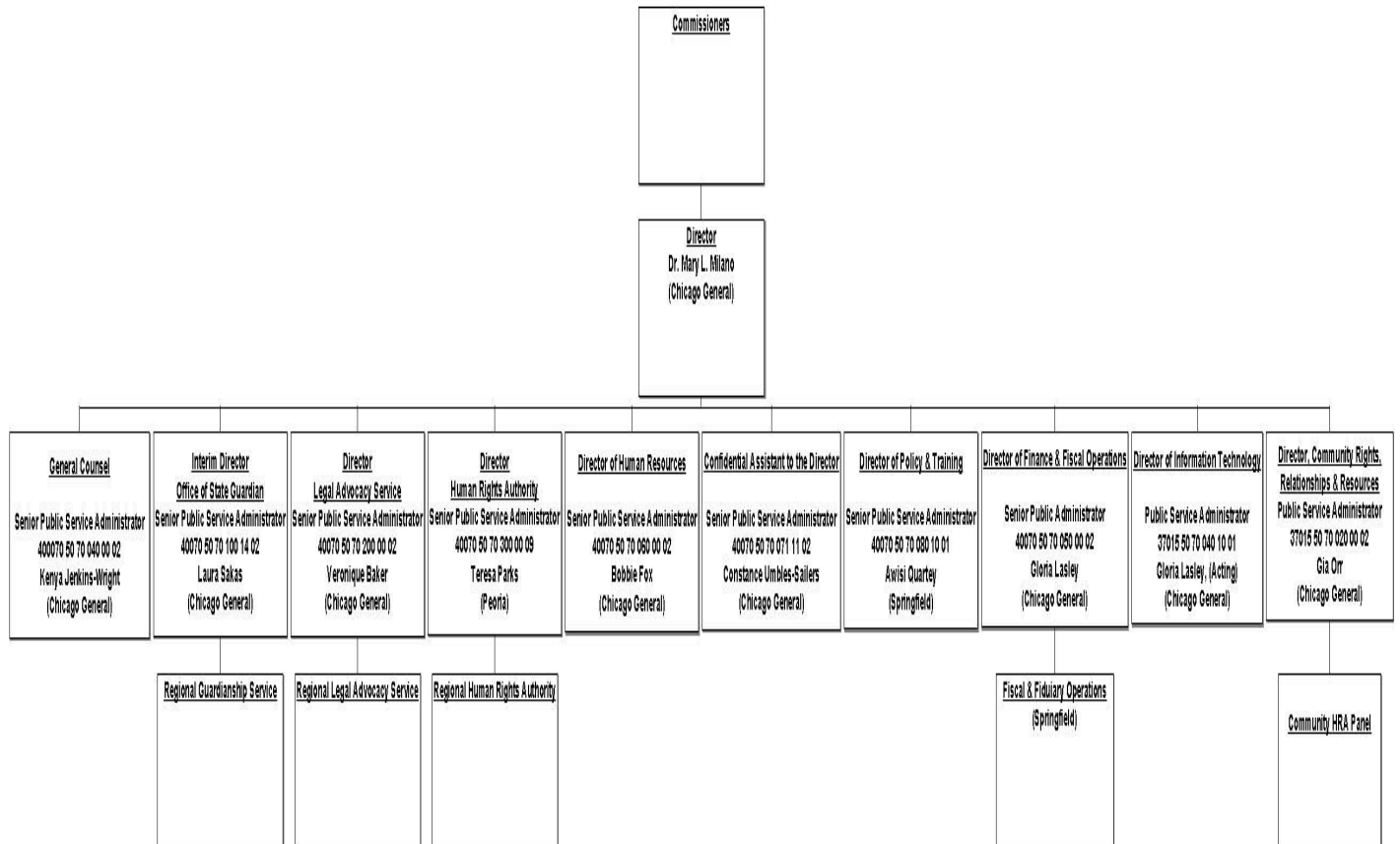
OFFICE DIRECTORY.....pg. 34

Since its inception in 1979, the Illinois Guardianship and Advocacy Commission has safeguarded the rights and promoted the welfare of countless persons with disabilities throughout the State. Governed by a board of eleven commissioners, who serve without compensation, the responsibilities of the Commission are carried out through three programmatic divisions strategically located in nine regions across the state. The divisions are as follows: The Office of State Guardian (OSG), Legal advocacy services (LAS), and the Human Rights Authority (HRA).

The Office of State Guardian (OSG): Appointed by the courts as a guardian of last resort, OSG provides case services and money management to more than 5,073 persons with disabilities.

The Legal Advocacy Service (LAS): LAS represents persons with disabilities at commitment hearings and makes counsel available to enforce the rights of those with disabilities under the Illinois Mental Health and Developmental Disabilities Code and other related laws.

The Human Rights Authority (HRA): With the assistance of a team of volunteers, regional HRAs conduct investigations of alleged rights violations by disability service providers committed against people with disabilities. Additionally this program area works closely with disability service providers to help resolve rights issues.



Anthony E. Rothert, Chairman
Legal Director, ACLU of Eastern Missouri

Honorable Andrea M. Schleifer, Vice-Chairman
Judge, Circuit Court of Cook County

Rev. Barbara Berry-Bailey
Program Director, Companionship for Africa
Evangelical Lutheran Church in America

Inez Torres Davis
Director for Justice
Women of the Evangelical Lutheran Churches of America

Honorable Senator Don Harmon
Democrat, 39th District

Sharon Jenkins-Collins
Doctor of Chiropractic and Naprapathy

Marlene O. Rankin
Managing Director, Jessie Owens Foundation

Brian N. Rubin
Rubin Law, A Professional Cooperation

Honorable Senator Ira Silverstein
Democrat, 8th District

Dr. Mary L Milano, Executive Director

Mary L. Milano has served as Executive Director of GAC since October of 2005. Immediately prior, and in her initial State service, she spent two years as Associate Director and Chief of Staff of the Illinois Criminal Justice Information Authority, with responsibility for federal programs and grants. With a lifelong commitment to social justice, her professional background has intentionally crossed traditional professional barriers and includes appointments to the Executive Staff in World Hunger of the Evangelical Lutheran Church in America, as Full Professor of Christian Social Ethics in the graduate program in pastoral ministry at Saint Mary of the Woods College, and the private practice of law in the international firm of Baker & McKenzie. She holds degrees in both law and theology through the post-doctoral level, at institutions including Mundelein College of Loyola University, Northern Illinois University College of Law, McCormick Theological Seminary, Graduate Theological Foundation and the University of Leicester. She has held fellowships in law and international human rights at Northwestern University, Universite Libre de Bruxelles, and the Institute for Higher Studies in International Criminal Justice in Siracusa, Sicily. She has been active in substantive work in the Chicago, Illinois and American Bar Associations, as well as service in the Italian American community. She is also an ordained priest of the Episcopal Diocese of Chicago.

Kenya Jenkins-Wright, General Counsel

Ms. Jenkins-Wright is the General Counsel for the Illinois Guardianship and Advocacy Commission. She received her Juris Doctor, magna cum laude, from Northern Illinois University College of Law, DeKalb, IL and her Bachelor of Arts, magna cum laude, from Valparaiso University, Valparaiso, IN.

Ms. Jenkins-Wright joined the Commission February 2015. Prior to her employment with the Commission, Ms. Jenkins-Wright was a civil litigation attorney at the law firm of Greene and Letts. Ms. Jenkins-Wright is active in the legal community. She is Vice-President of the Black Women Lawyers' Association of Greater Chicago, Inc. She is the current President of the Chicago Bar Foundation's Young Professionals Board. She is a member of the Illinois State Bar Association (ISBA) Assembly and a past member of the ISBA Board of Governors.

Gloria Lasley, Chief Fiscal Officer & Chief Information Officer

Ms. Lasley has a Bachelor of Science in Business Administration from Loyola University of Chicago; an MBA from Keller Graduate School of Management, and certification from DePaul University's Computer Career Program. She joined GAC's executive team in 2011.

Her prior experiences include 10 years as the Director of Finance and HR for L-Technology Enterprises, an IT Consulting Firm; 3 years with Oracle Corp where she worked as a Technical Sales Consultant helping clients find the right technical solutions for their business needs; and 5 years with Heller Financial, (now part of GE Credit) where she started as a mainframe programmer, and moved up to a Business Analyst and then a Database Administrator. Ms. Lasley lives in Chicago with her husband and three children.

Constance Umbles-Sailers, Confidential Assistant to the Executive Director & Director of Labor Relations

Ms. Umbles-Sailers, brings to the agency many years of supervisory and leadership experience, which includes program design, implementation, management and analysis; organizational strategic planning; grant writing, budget management; and recruitment.

Prior to working for the State, Ms. Umbles-Sailers accumulated more than twenty years of experience in higher education. The bulk of her professional career was serving as the Assistant Dean of Urban Health at the University of Illinois, College of Medicine. After leaving the College of Medicine, Constance spent several years at UIC as an Analyst, in the Chancellor for Human Resources' office monitoring, analyzing and reporting to the Chancellor and auditors, the hiring practices of the University's numerous colleges.

Constance holds a Bachelor of Science degree in Biology and a Master of Science in Biology Pre-Medical Studies, both from Chicago State University.

Bobbie Fox, Director of Human Resources

Ms. Fox is the Director of Human Resources for Guardianship & Advocacy Commission. She has over 30 years of dedicated state service in Human Resources. Prior to coming to Guardianship & Advocacy Commission, she was the Associate Director of Human Resources for the Criminal Justice Information Authority. Her extensive experience includes the areas of workers compensation, labor relations, interview & selection, FMLA, classifications and CMS personnel rules and regulations.

Teresa Parks, Director, Human Rights Authority

Ms. Parks is the statewide Director of the Human Rights Authority, Illinois Guardianship and Advocacy Commission. She holds a Master's Degree in Social Work from the University of Illinois in Champaign/Urbana and is a National Certified Guardian through the Center for Guardianship Certification. Parks has worked for the Commission for 26 years starting as a Guardianship Representative and then working as a Guardianship Estate Representative and a Regional Human Rights Authority Coordinator before becoming the Human Rights Authority Director. Parks has prior work experience with the Central Illinois Nursing Home Ombudsman Program, Peoria County's case coordination service for senior citizens and the Mental Health Association of Illinois Valley. She has also served on various disability-related boards, including the Heart of Illinois Down Syndrome Association, the Peoria Chapter of the Alzheimer's Disease Association, the Parent Advisory Committee for the Peoria Local Interagency Council for Early Intervention and the Illinois Guardianship Association. She currently serves as the Board President for the Family Matters Parent Training and Information Center, a statewide organization that educates parents on special education rights. She also serves on Committees for Illinois Imagines, the Healthy Brain Initiative and Aces for Woodford County, a county-based parent support group for parents of children with disabilities. Parks is the parent of a daughter in college and the parent and guardian of an adult son with disabilities.

Laura N. Sakas, Interim Director & Managing Attorney, Office of State Guardian

Ms. Sakas has a Master of Laws (LL.M.) in Health Law from the Institute for Health Law at Loyola University Chicago School of Law, and a Juris Doctor (J.D.) from The John Marshall Law School. She holds a Bachelor of Arts degree in Criminal Justice from St. Xavier University. She has more than 26 years of experience in the area of adult guardianship.

Ms. Sakas also acts as a private guardian for her sister Ramona, who has developmental disabilities. She lives in the western suburbs with her husband and son.

Veronique Baker, Director, Legal Advocacy Service

Ms. Baker has been with the Commission for 10 years and served on the Board of the National Guardianship Association for three years. Prior to her employment with the Commission, she was employed by the Chicago Legal Clinic as a staff attorney and then a Supervisory Attorney. Baker's legal practice was concentrated in the areas of family law, probate law and bankruptcy.

She holds a Doctorate of Jurisprudence from Vanderbilt Law School, Nashville, TN and a Bachelor of Science from Tennessee State University, Nashville, TN. She is the mother of a 14 year old son.

Awisi A. Quartey, Director of Policy and Training & Hispanic Affairs Liaison

Ms. Quartey holds a Bachelor of Science in Political Science, Spanish and French international Studies from Purdue University. Multicultural experiences are at the core of her international education. She has lived and schooled in Europe, Africa, Cuba and the United States and is fluent in five languages including French and Spanish.

Awisi has been with the Commission for 3 years. Some of her past experiences include a Fellowship with the Governor's Office of Constituent Affairs, Senior Case Manager for a nonprofit organization located in Gary, Indiana, Interning with the United Nations' Economic Commission for Africa and the African Union in Ethiopia and serving in a volunteer capacity as a Court Appointed Special Advocate for abused and neglected children for Lake County, Indiana.

Gia T. Orr, Director, Community Rights, Relationships & Resources**Illinois Guardianship & Advocacy Commission**

Ms. Orr holds a B.S. in Political Science/Criminal Justice, an M.S. in Human Services Administration and an M.Ed in Leadership/Organizational Structure. Gia began her tenure as the Director of Community Rights, Relations and Resources in July 2014.

Her responsibilities are centered on agency public awareness, programmatic support to communities/service entities, and advocacy in areas underserved/underrepresented. Additionally, she is the coordinator of state-wide human rights panel members who focuses on research, collaboration, advisement, education and resolutions in the areas of safeguarding the rights of persons with disabilities in both traditional and non-traditional settings. Her advocacy, policy and organizational structure roots date back to career ventures in other state and state supported systems as well as fifteen year tenure in education. She is currently a legislative advocacy appointee for ASCD based in Arlington, VA.

Florence Martin, Executive Staff**Private Secretary to the Executive Director (Chicago)**

Since 2008, Ms. Martin has provided administrative support to IGAC's Executive Director and Executive staff as a whole.

She came to the Agency after a lengthy tenure as Executive Director of the Chicago Multi-Cultural Dance Center, a not-for-profit arts organization in Chicago's South Loop. She has extensive experience in the areas of customer relations and communication having worked with a client base of students ages 3 through adult, parents, and coordinating schedules for the Artistic Director, Board of Directors, faculty and staff. She holds a B.A. from Mundelein College, now of Loyola University.

Michelle Braker, Executive Staff**Private Secretary to the Executive Director (Springfield)**

Ms. Braker has worked for the Commission for one year. Her prior work experience was in the Illinois House of Representatives from 1985 to 2015, with eleven of those years serving as Executive Assistant to the House Republican Leader.

GUARDIANSHIP AND ADVOCACY 2015

Source of Funds

Fiscal Year 2015 appropriation was a lump sum appropriation. Detailed line items of these expenditures are below.

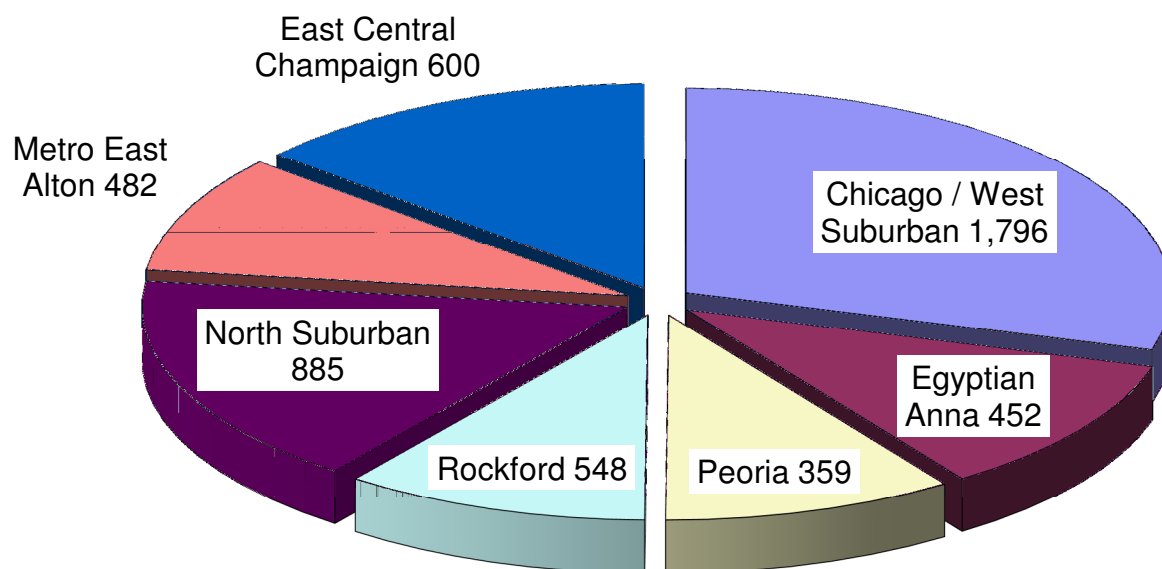
FUND	Enacted Appropriations	Appropriations After Transfers	Expenditures
GRF Fund	\$ 10,000,000	\$ 10,000,000	\$ 9,768,903
Less GRF Reserve	\$ -225,000	\$ -225,000	
GAC Fund	\$ 700,000	\$ 700,000	\$ 668,283
Special Appropriation Governor's reserve	\$ 200,000	\$ 200,000	\$ 117,930
TOTAL	\$ 10,675,000	\$ 10,675,000	\$ 10,555,315

Category of Expenditure	GRF	GRF Special Appropriation	GAC Fund
Payroll	\$ 9,402,112	\$ 117,930	\$ 201,694
Contractual	\$ 192,880		\$ 256,918
Travel	\$ 57,575		\$ 60,240
Printing	\$ 8,290		\$ 1,992
Commodities	\$ 3,465		\$ 3,130
Equipment	\$ 911		\$ 911
EDP	\$ 7,116		\$ 12,107
Telecom	\$ 93,082		\$ 128,326
Auto	\$ 3,440		\$ 1,965
Interest	\$ 32		\$ 1,000
Total Expenditure by Fund	\$ 9,768,898	\$ 117,930	\$ 668,283

As the guardian of last resort in Illinois, the Office of State Guardian (OSG) provides guardianship services for adults with disabilities by court appointment when alternatives to guardianship have been exhausted, when the appointment of a guardian is necessary, and when family or friends are unavailable to serve as guardian. The purpose of adult guardianship is to provide substitute decision making for medical treatment, residential placement, money management and direct care planning. The OSG monitors and advocates for appropriate medical and other services for each ward and provides guardianship information, advice and assistance to families of persons with disabilities. The OSG is the largest public guardian in the United States, serving 5,108 adults. The average caseload of an OSG Guardianship Representative is 123 cases. Most OSG wards are Medicaid recipients and indigent, but the office does serve persons with estates valued at \$25,000 or less.

The Office of Fiduciary Services provides assistance with processing deposits and payments for wards of the Office of State Guardian. Last fiscal year, the Fiduciary Unit processed more than \$12,254 separate financial transactions totaling more than \$7,725,435. This unit also prepares state and federal tax returns for wards and assists state guardians and wards in basic financial management.

OSG WARDS BY REGION



BE YOUR OWN SUCCESS STORY

OSG ART

This work of art belongs to OSG ward Matt.



His work was on display during the Peoria First Friday Art Walk.

He works at a community workshop that collaborates with local art studios.

JOURNEY TO INDEPENDENCE

In October 2014, a client came to our agency after having a stroke and cancerous lesion on her lip, and depression symptoms. She was placed in two nursing homes during her time with OSG due to funding issues. The individual went through cancer radiation treatments for her lip and was cured of basil cell carcinoma. She also started taking medications to treat her depression symptoms which in turn helped her attain a better outlook on her future. OSG had forwarded her mail, per protocol, and eventually a birthday card arrived from Sandra's 88 year old mother who resided in Kentucky. OSG sent a letter to inquire about other family members and informed her mother of her whereabouts.

Eventually OSG was contacted by her sister, who lives in New York State. A relationship was reestablished between the two sisters and her sister made several trips to see our client over the past year. Our client was able to have her rights restored as her mental health needs were managed and she was now medically stable.

She had her rights restored on 9/25/15. OSG staff visited briefly with our client when she was at the healthcare center. Our agency was notified then, that she would be returning to New York State to reside in a nursing home for which her sister had made arrangements for. She can now be closer to her family and loved ones.

This was a very happy resolution for both GAC and our client. This is a remarkable story that exemplifies how OSG meets the needs of our communities. With love, compassion and the appropriate care of a family support system, a person can have their rights restored, enabling us to fulfill our obligations as guardians. We look forward to more positive success stories in 2016.

PROUD TO BE HER OWN GUARDIAN

In 2011, OSG became guardian for 'CB' after a family member had misused funds from her estate. She was in her mid-20's and had been placed in a long term care facility for people with mental illness. Her family life was chaotic and she had very little support. Because of her placement, she was part of the Williams consent decree. She was screened in February 2013 and recommended for community placement. She moved into her own apartment in April 2013, where she continues to live. She has utilized supports from the community mental health agency and is functioning much more independently, to the point that her rights were restored in 2015. She is happy and proud to be her own guardian.

INDIVIDUALIZED ATTENTION - TRUE COMMUNITY INTEGRATION

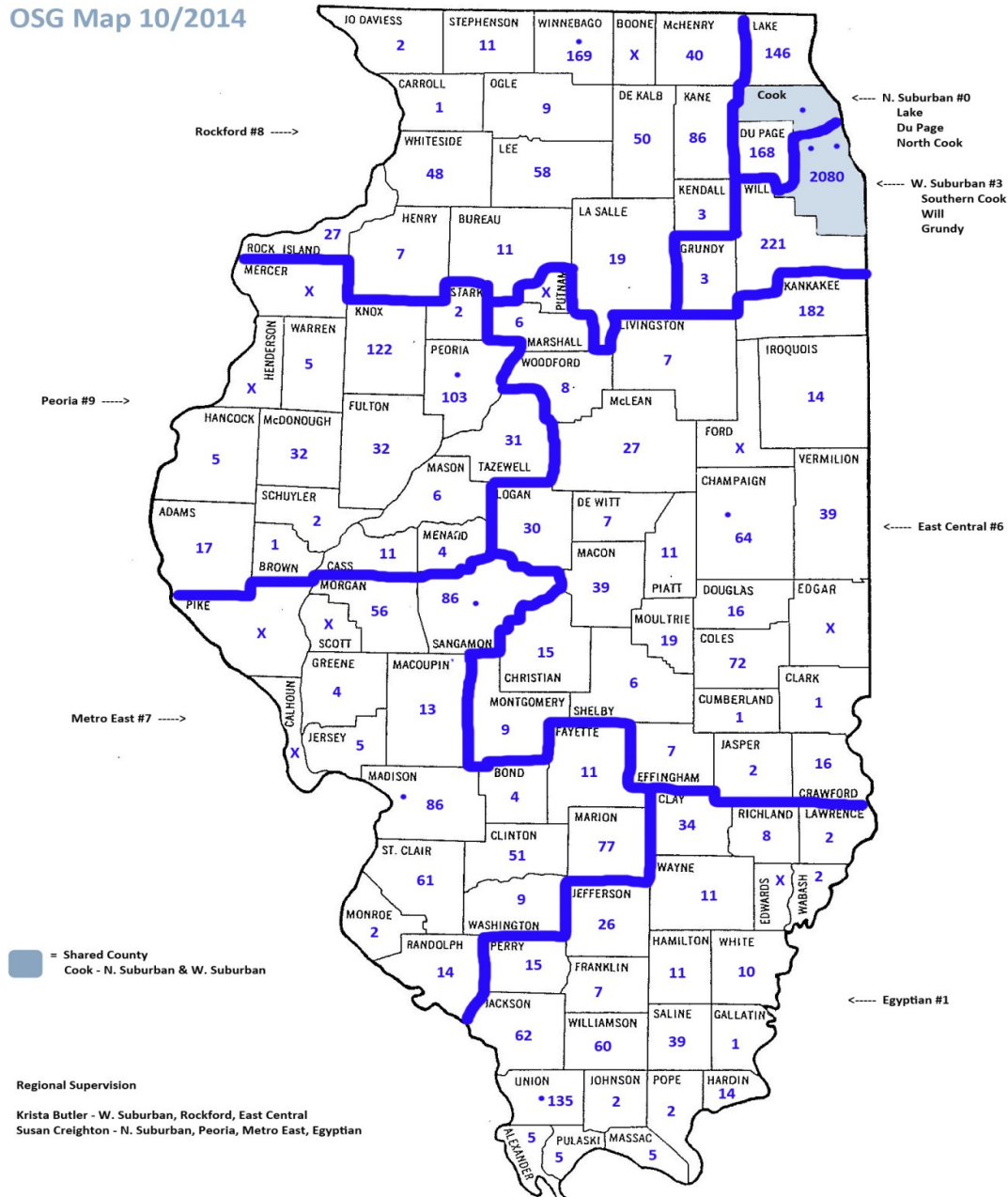
'J B' moved from a CILA into a Mentor Home in the Springfield area. Now she has her own bedroom and bathroom, and shares the home with the homeowner who is also her mentor. This experience has provided 'J B' with an opportunity for individualized attention and true community integration.

SLEEPING IN SOMETHING LARGER THAN A TWIN

'TS' resides in the Egyptian Region and lives in West Frankfort. His previous home was a 16 bed ICF/DD group home where he had lived since 1989. He now lives in a Community Integrated Living Arrangement (CILA). At 59 years of age he is now experiencing having his own bedroom, and for the first time is sleeping in something larger than a twin bed. Moreover, instead of residing with 15 other individuals, he shares a home with 3 other gentlemen and enjoys being part of the community.

OSG MAP

OSG Map 10/2014

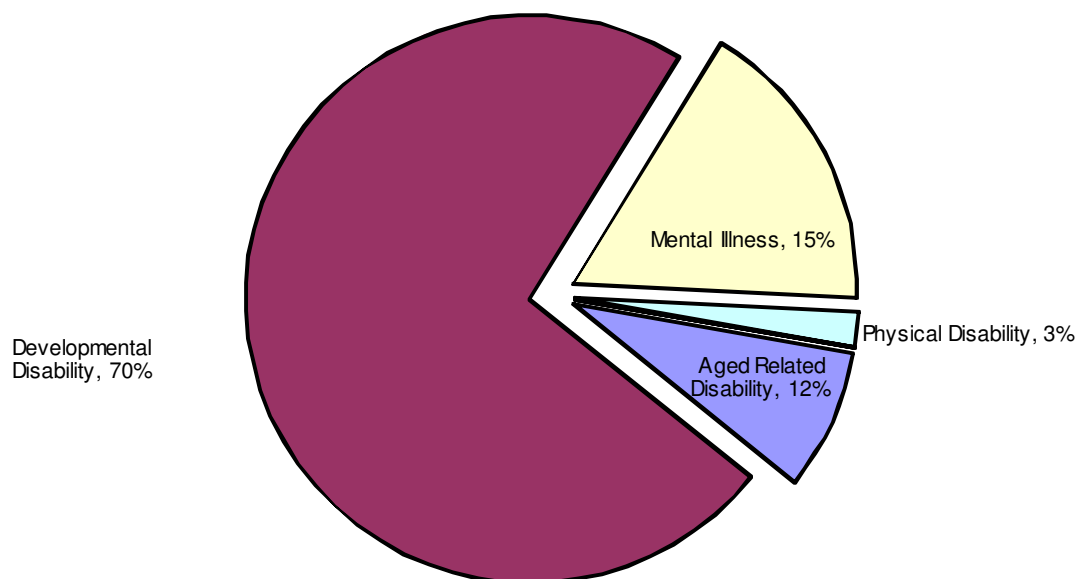


OSG Statistics for Fiscal Year 2015

• Documented visits to wards	18,759
• Medical consent activities	12,884
• After hour calls regarding services for wards	8,149
• New temporary guardianships	375
• New plenary guardianships	418
• Rights restored to wards *	21

(*No longer in need of guardianship)

OSG Ward Profiles



The Legal Advocacy Service (LAS) provides independent legal counsel to persons of all ages with disabilities in judicial proceedings arising out of the Mental Health and Developmental Disabilities Code; and provides advocacy services to persons with disabilities under related State and Federal laws. Clients include residents of mental health facilities, nursing homes, residential facilities, community placements and those living independently.

In most cases, the Illinois Circuit and Appellate Courts appoint LAS attorneys to represent people facing involuntary hospitalization and treatment, or people who wish to appeal their judgment for involuntary hospitalization and/or treatment.

LAS attorneys also provide legal training and educational seminars regarding mental health law to hospitals, nursing homes, mental health organizations and County Bar Associations throughout the State of Illinois.

LAS Activities for Fiscal Year 2015



- ☐ **9058 clients served**
- ☐ **6767 cases handled**
- ☐ **Provided information and other services to 1,052 people**

VETERANS' AFFAIRS

The Legal Advocacy Service successfully represented veterans charged with disorderly conduct; charges dismissed in U.S. Federal Court.

The Illinois Mental Health Code, which applies to Veteran's Administration facilities with mental health units in Illinois, provides for emergency treatment interventions when a person is at risk of serious and imminent harm. Sometimes hospitals will contact security (or in the case of VA hospitals, the VA police) to assist with imposing or enforcing an emergency intervention. Such an intervention is always considered *treatment*, and should not result in charging the patient as a criminal in addition to the treatment intervention. The Illinois Supreme Court recognizes that persons with mental illness are not thereby "criminals" and should not be treated as such. In *re* *Stephenson*, 67 Ill. 2d 544, 556 (1977).

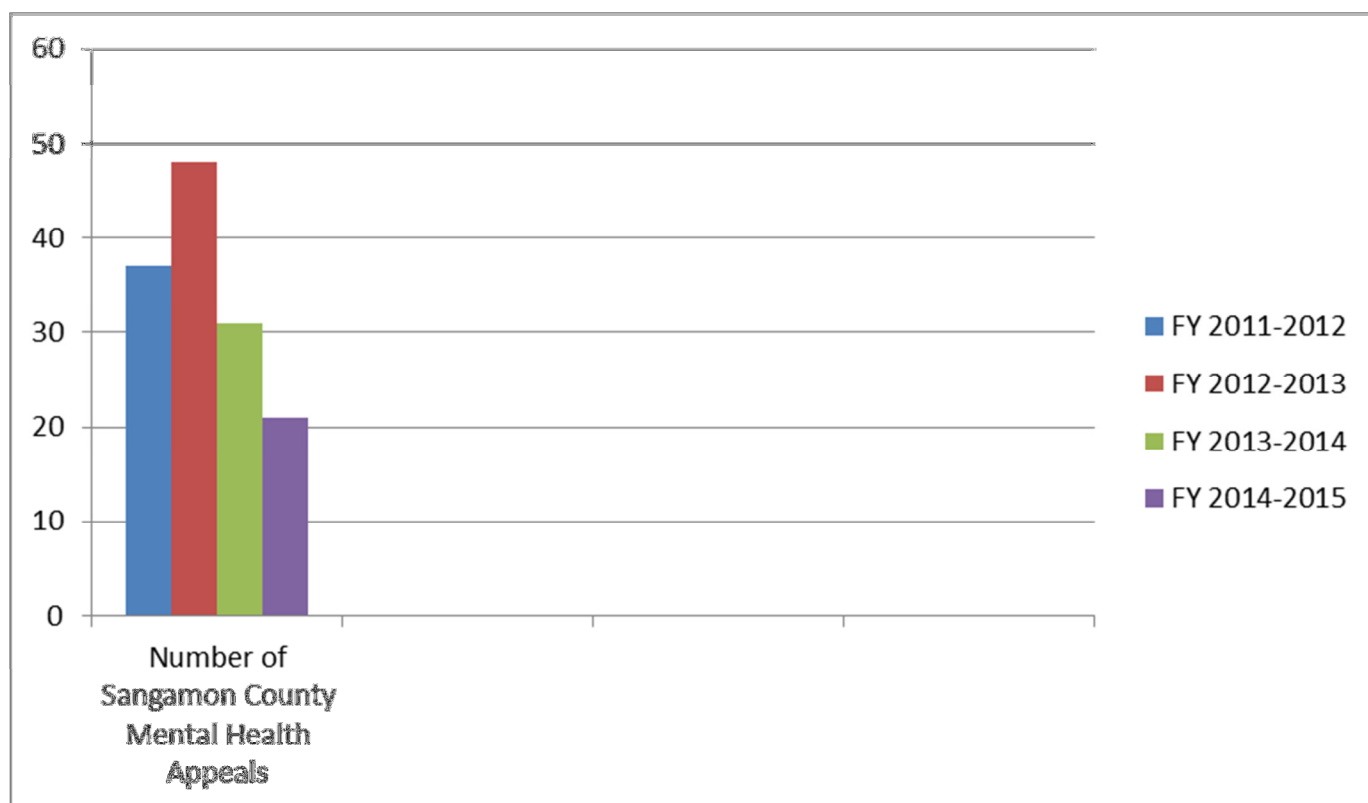
Legal Advocacy Service attorneys saw the injustice of treating the two veterans with mental illness – who had each been adjudicated as “mentally ill” by the circuit court in involuntary mental-health proceedings – as criminals willingly engaging in “disorderly conduct” LAS attorneys, on behalf of each veteran, contacted both VA hospital's administrators and legal counsel, urging them to withdraw the criminal charges. LAS attorneys argued that the veterans had received emergency treatment interventions in response to their symptomatic behavior, that forcing the veterans to appear in Federal Court to face criminal charges would be counter-therapeutic, and that the veterans may have lacked capacity to understand that their behavior could be viewed as criminal disorderly conduct.

In the first veteran's case, the VA hospital initially refused to negotiate or to dismiss the criminal charge. After numerous letters, meetings, telephone calls and emails, with VA police, mental –health treatment staff and legal counsel, the VA requested that the U.S. Attorney dismiss the criminal charge. The U.S. Attorney did so, and the veteran was spared from appearing in court to contest the charge. But in the second veteran's case – at a different VA hospital – the administration persisted in refusing to negotiate or to dismiss the charge. Because the veteran lacked funding to hire an attorney, and because the prospect of appearing alone in Federal Court on a criminal charge was intimidating and stressful, an LAS attorney filed an appearance on the veteran's behalf and appeared with him in Federal Court in November 2014. After a full trial, the LAS attorney argued for a directed finding stating that the Prosecutor had not met its burden of proof. The U.S. District Court granted LAS's motion for directed finding and the criminal charge was dismissed with prejudice.

LAS is now working with State and Federal agencies to address and change the VA's policy of charging veterans with criminal disorderly conduct for symptomatic behavior occurring while the veterans are hospitalized in VA mental health units.

SPRINGFIELD: FILLING A VOID

It has been a long standing theory of LAS that quality representation at trial court level would reduce the number of appeals. If respondents subject to involuntary hospitalization and treatment were represented by counsel who was proficient in mental health law, policy and procedure at the trial court level there should be a reduction in the number of appeals. Historically, The Guardianship and Advocacy Commission did not have LAS attorneys in its Springfield, Illinois office. Respondents in civil mental health cases were represented by the Sangamon County Public Defender's office. However, in FY 2014-2015, LAS hired two full time attorneys and took over the civil mental health call from the Sangamon County Public Defender's office. With the addition of two new attorneys LAS was able to test its theory and the chart below demonstrates the difference in the number of appeals as a result of quality legal representation from attorneys dedicated to the civil mental health call in Springfield, Illinois.



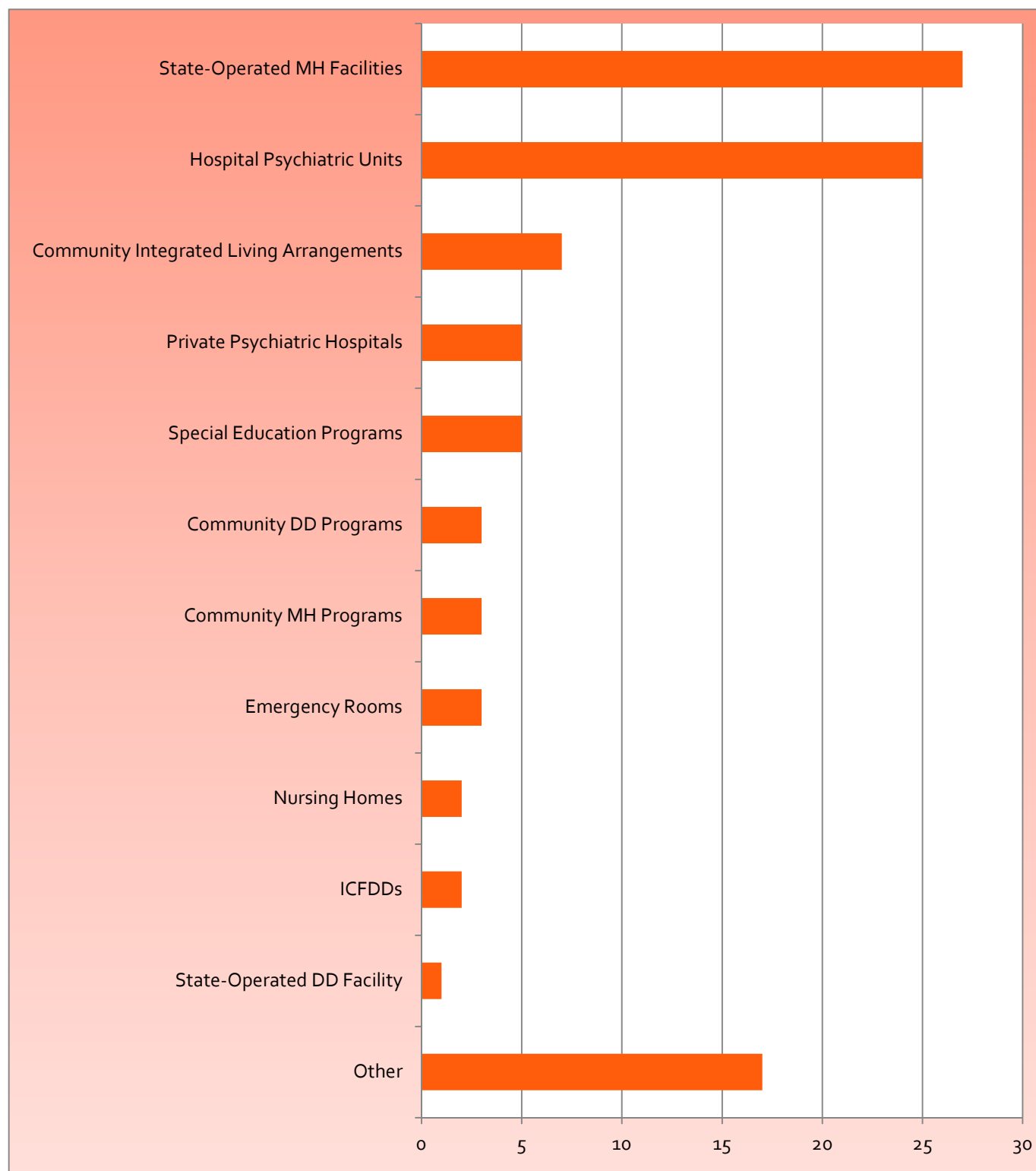
The Human Rights Authority is mandated to investigate allegations of rights violations committed against both children and adults with disabilities by service providing agencies. Every year, the Authority receives hundreds of complaints of alleged disability rights violations. Complaints can come from a variety of sources and the Authority can initiate case investigations; the Authority is mandated to protect the identity of the complainant. In Fiscal Year 2015, most complaints were reported to the Authority by the person with a disability (52%) or a family member (19%). Allegations reported in Fiscal Year 2015 involved a range of disability service providers, however, most allegations involved mental health service providers including state-operated mental health facilities (27%), hospital psychiatric units (25%), private psychiatric hospitals (5%) and community mental health agencies (3%). Other providers investigated during Fiscal Year 2015 included, community integrated living arrangements (7%), special education programs (5%), community agencies serving persons with developmental disabilities (3%), hospital emergency rooms (3%), skilled and intermediate care nursing homes (2%), intermediate care facilities for persons with developmental disabilities (2%), state operated developmental disability centers (1%) and other services (17%).

The complaints investigated during Fiscal Year 2015 involved varied rights issues but the most frequent rights issues included the following: inadequate treatment and programs (27%); medication issues (14%); admission, transfer and discharge practices (11%); rights restrictions (7%); access to personal property (7%); and communication or visitation restrictions (6%).

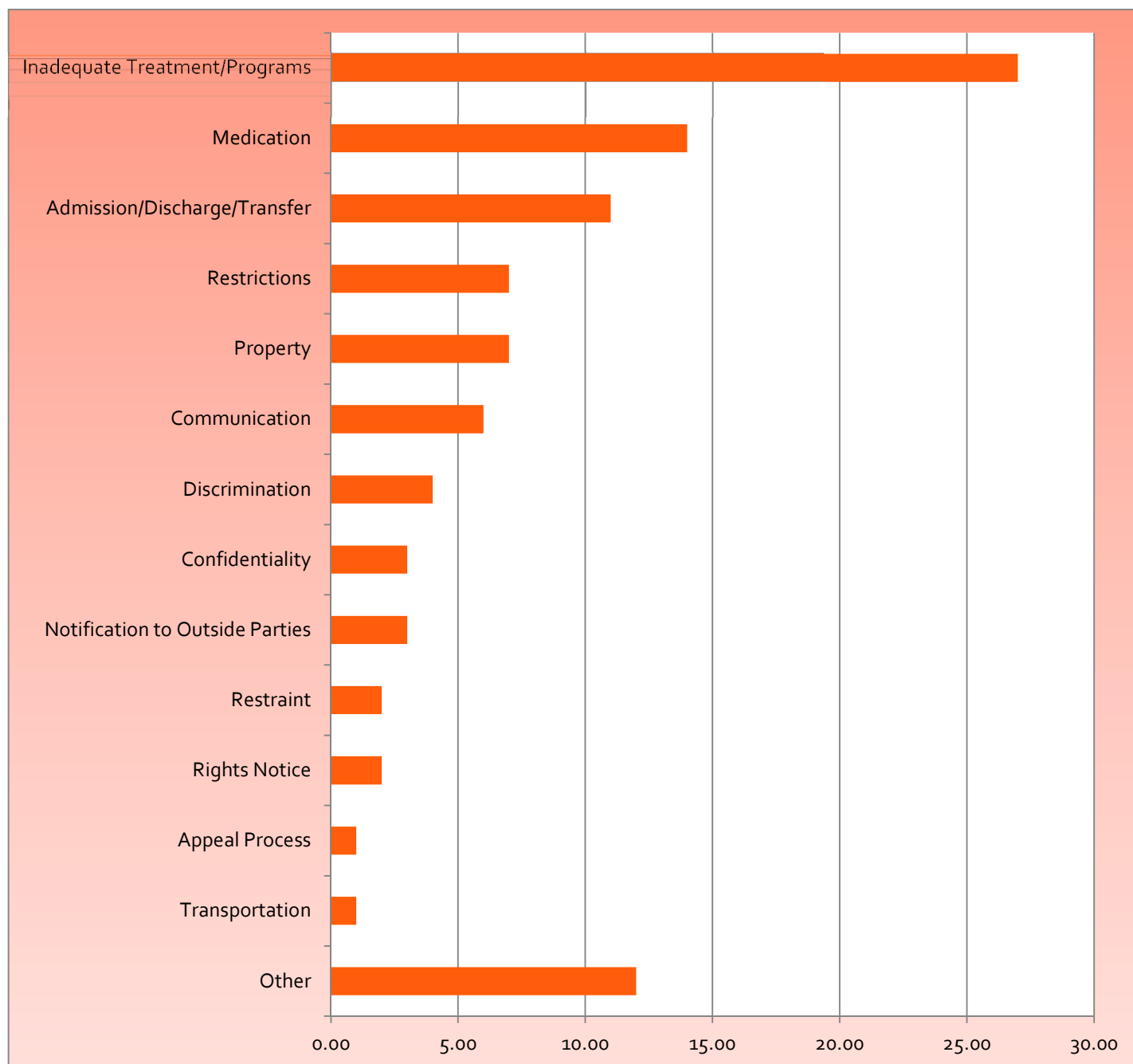
The Authority is comprised of nine regional Authorities located across the State of Illinois; each regional panel consists of nine volunteer HRA members for a total of 81 volunteers who conduct the disability rights investigations. The HRA members are appointed by the Commission and have expertise and experience in disability related issues: three of the nine regional HRA members are service provider representatives, and the remaining six members are either consumers of disability services, family members of consumers or concerned citizens. In Fiscal Year 2015, volunteers contributed 2,647 hours to the Human Rights Authority.

After the conducting investigations, the Authority issues findings which identify whether or not disability rights were violated. For substantiated rights violations, recommendations for improved rights protections are included in the findings to which the service providers are mandated to respond. The goal of the Authority's work is to negotiate with providers for systemic changes to agency policies, procedures and practices that will enhance rights protections for current and future recipients of services. During Fiscal Year 2015, 85% of the Authority's recommendations for improved systemic disability rights protections were accepted and implemented by service providers investigated impacting 35,295 individuals with disabilities. A total of 284 cases were handled in Fiscal Year 2015 and closed cases generated 106 public reports. The Authority's reports are available to the public and posted on the Commission web site at <http://gac.state.il.us>.

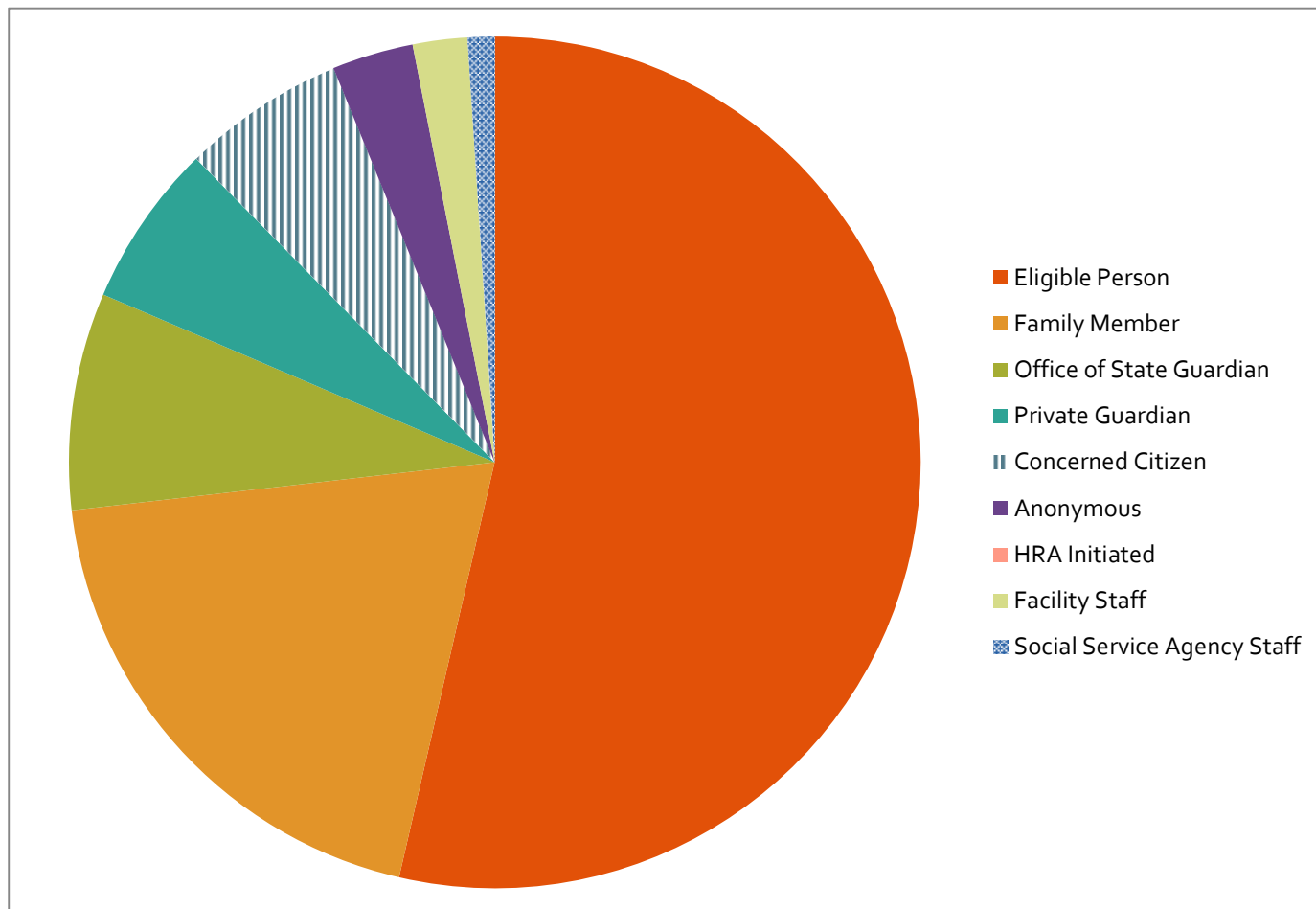
Percentage of Disability Service Providers Represented in new HRA Cases



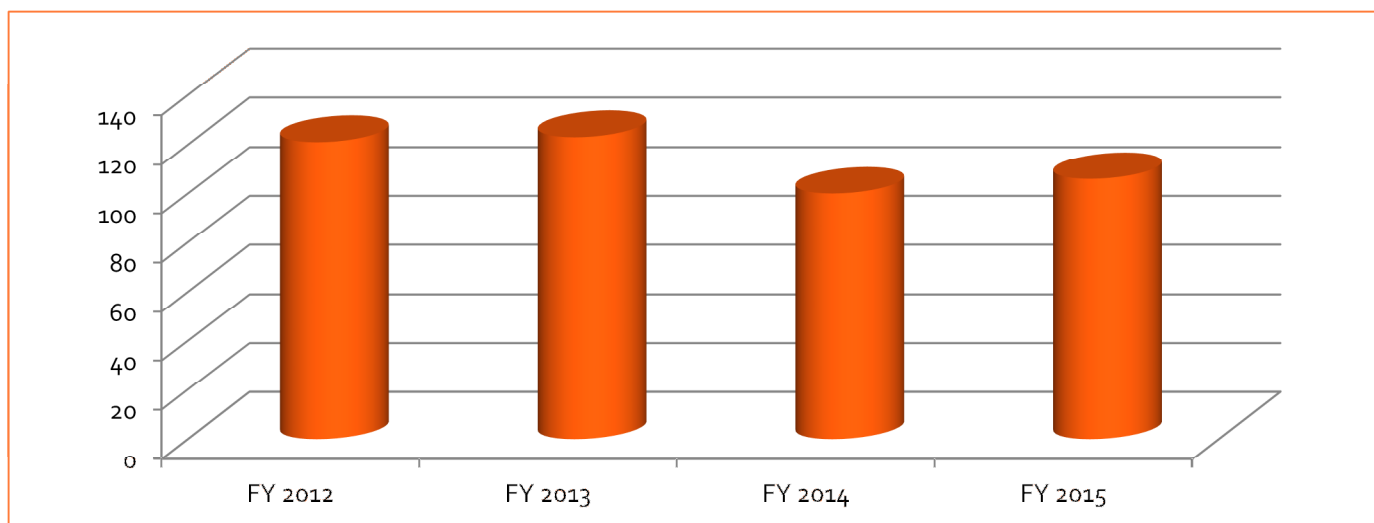
Percentage of Rights Issues Presented In New HRA Cases



Categories of Complaints



Number of Public Reports Issued in Closed HRA Cases





POLICY CHANGES AND OUTCOMES FROM FY 2015 HRA CASES

- A psychiatric hospital retrained staff on the role of a court-appointed guardian when the HRA found that a hospital did not seek guardian consent before administering psychotropic medication to a recipient with mental health needs.
- After an HRA investigation concerning accommodations for a student with a developmental disability, a special education cooperative held an Individualized Education Program planning meeting to review and update the student's needs and services. In addition, the cooperative agreed to ensure that parents are invited to any special education planning meetings involving their children.
- As a result of substantiated HRA findings, a hospital behavioral health unit agreed to modify its practice of utilizing blanket communication restrictions in favor of limited and specified restrictions that only involve the affected parties. Physicians and staff were re-trained on the practice which is now more in line with the communication protections guaranteed by the Mental Health and Developmental Disabilities Code.
- The HRA had findings that a hospital emergency room did not document decisional capacity evaluations for patients with mental health needs before securing consent for treatment. In addition, the hospital did not document the provision of psychotropic medication education. Both are requirements of the Mental Health and Developmental Disabilities Code. In response, the hospital updated its policy to include decisional capacity requirements. Flags were added to the hospital's computerized medication administration system to monitor compliance with the provision of psychotropic medication education. Emergency room physicians were trained on decisional capacity and psychotropic medication education requirements for patients with mental health needs.
- The HRA found policy deficiencies on treatment planning and the handling of consumer funds at an agency that provided Community Integrated Living Arrangements (CILAs) for persons with developmental disabilities. The agency revised its policies consistent with CILA regulations and trained staff accordingly.
- In response to HRA findings, hospital emergency room physicians were given additional training on Mental Health Code requirements related to informing patients of their rights before certifying patients for involuntary admission.
- A hospital agreed to change its practice of completing repeated petitions for involuntary admission in order to detain persons with mental illness. As a result of an HRA recommendation, the hospital agreed to file and proceed with its initial petition.



HRA Success Stories

Privacy Rights

The Human Rights Authority (HRA) accepted for investigation a complaint regarding private communications at a state-operated mental health facility. According to the complaint, facility nurses documented what they overheard from a recipient's phone conversations and visits with family. The HRA found that nursing staff had indeed listened to recipient phone calls and visits to the extent that specifics of the recipient's communications were documented in her record. Thus, the HRA substantiated a violation of the Mental Health and Developmental Disabilities Code with regard to the right to private communication. The HRA recommended that the facility stop instructing staff to document private phone and visit conversations unless the restriction was needed to protect the recipient or others from harm, harassment or intimidation as per the Code. The HRA also recommended that all staff be retrained on private communication rights. In response, the facility met with facility Clinical Directors to address the complaint and indicated plans to address the matter during a facility-wide Unit Clinical Management Team meeting. In addition, the facility's procedural guide language was strengthened with regard to recipient privacy and the guide along with a cover letter highlighting the change was distributed to all staff and posted on units. Finally, recipient privacy is to be reiterated at community meetings, and the use of conference rooms and offices for private communications will be encouraged whenever possible.

ABUSED IN JAIL

A regional HRA received a complaint that a jail detainee with disabilities was stripped, tied to a chair for hours, taunted and provoked to anger. The complaint also indicated that the detainee was suicidal and she was not provided with mental health care at the jail. The HRA investigated the allegations and compared jail policies against Illinois county jail standards, including jail standards that protect detainees with mental health needs. The HRA's investigation entailed interviews with jail administration, policy reviews, an examination of the jail's contract for mental health services, and, with the detainee's consent, a review of the detainee's jail records as well as an examination of video surveillance of the incident.

The HRA found violations of jail policies and procedures regarding inadequate staff training of restraint chair use, a lack of adequate physical checks of the detainee, a lack of documentation of the incident with regard to clothing removal and time frames, and the failure to remove a spit sock when the detainee stopped spitting. The HRA did not find that the guard provoked the detainee to anger or that the jail lacked adequate mental health services. The HRA made several recommendations including: 1) staff training for all staff who apply or assist with restraints and restraint chair use, 2) three staff assisting with restraint chair placement as per its policy; 3) physical checks of restraints in accordance with jail policy; 4) thorough documentation of the time frames for restraint chair use; 5) monitoring of restraint chair use at all times; 6) limiting restraint chair use to 2 hour intervals as per policy; 7) removal of spit socks after the detainee stops spitting; and 8) documentation of the removal of or placement in a Ferguson suit or clothing.

Although the jail did not agree with all the findings and recommendations, it did agree to revise its restraint jail policy, reissue the restraint policy to all corrections officers for review and signature and remind officers to ensure checks are done, and remind and reeducate officers to remove the spit sock when a detainee stops spitting. The HRA attempted to negotiate the outstanding concerns and when unsuccessful, it closed the case, published its findings and referred the matter to the Illinois Department of Corrections for an additional review. Although the Department of Corrections had no further findings, it did review and confirm staff training and it confirmed that restraint chair training is now included in jail standards. Furthermore, the case has served as an example in legislative pursuits related to the jail detainment of persons with disabilities.

FEES TO USE PUBLIC TRANSPORT

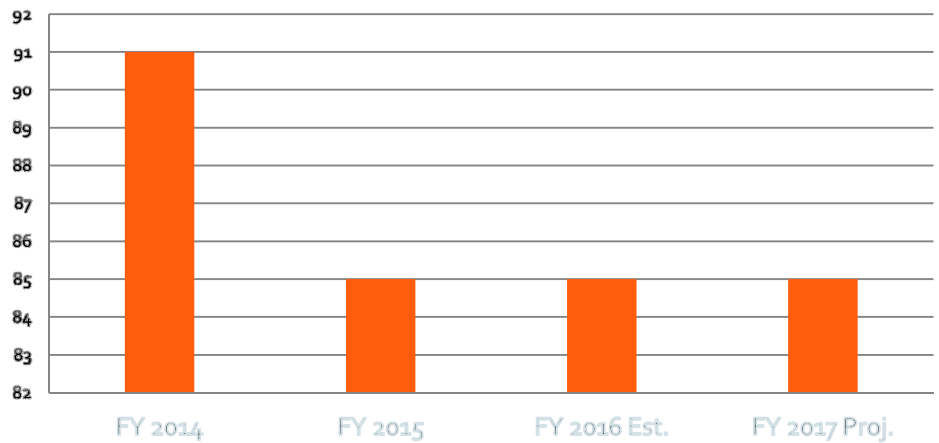
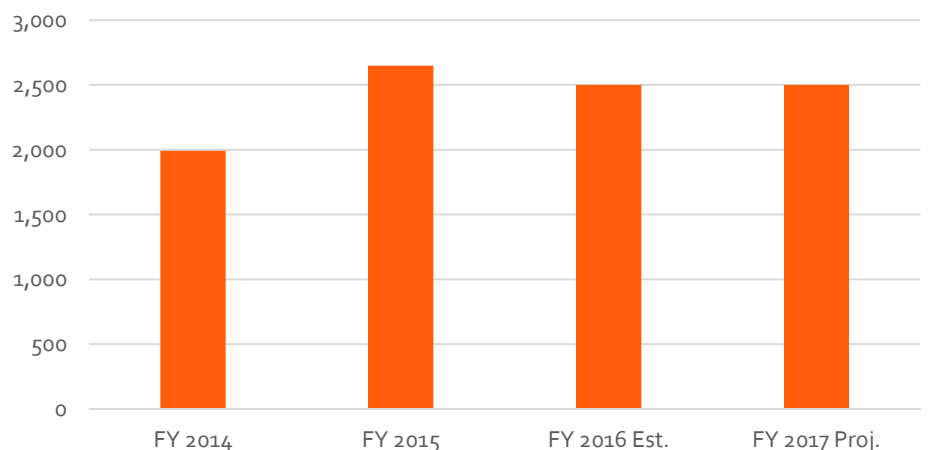
The HRA was made aware of a situation regarding a public transportation service in a metropolitan area that proposed to charge local disability service agencies an extra fee to transport clients. The transportation service was calling this charge an "agency fee" and stated that it was due to complaints that riders were being bumped from scheduling rides because too many rides were dedicated to "subscription service" riders in the agency. The HRA discussed the matter and chose to address the issue informally because there had not yet been a formal decision on the agency fee. The informal investigation started with research in which the HRA discovered that it was within the ADA regulations for the facility to take measures to assure subscription services are not absorbing 50% of the ridership for that day (49 CFR 37.133) but there was no evidence or suggestion that charging an extra fee would solve that issue. The HRA discussed the issue with the General Manager of the service who confirmed that there had been discussion of raising the rates. The HRA asked how this decision fit within regulations and the General Manager pointed towards an ADA regulation which stated a social service agency could be charged more for trips (42 CFR 37.131). The agency then announced a series of public meetings regarding the changes and the regional coordinator, HRA Director and two HRA members attended those meetings. There was a large turnout of disability advocates and the HRA questioned whether charging a higher rate would actually solve the issue of overloading subscription service riders and also questioned the service's definition of a subscription rider. The HRA also attended the meeting where the feedback from the public meetings was presented to the ADA board. Ultimately, at the transportation agency's board meeting, it was determined that the fare increase would be postponed until the following fiscal year while it worked with local agencies to attempt to schedule services differently so that the subscription services would not be absorbing regular riders.

INTRODUCTION

The following program data is derived from the goals reported to the Budgeting for Results Illinois Performance Reporting System (IPRS). This new web enabled performance metric reporting platform allows for more efficient transmission of up-to-date performance metrics between state agencies and the Governor's Office of Management and Budget (GOMB).

In keeping with Budgeting for Results' focus on the program as the primary unit of analysis, IPRS shifts the focus on metrics away from the agency bureau or division level to the agency programmatic level. The public report for Illinois Guardianship and Advocacy Commission may be retrieved on the State of Illinois website.

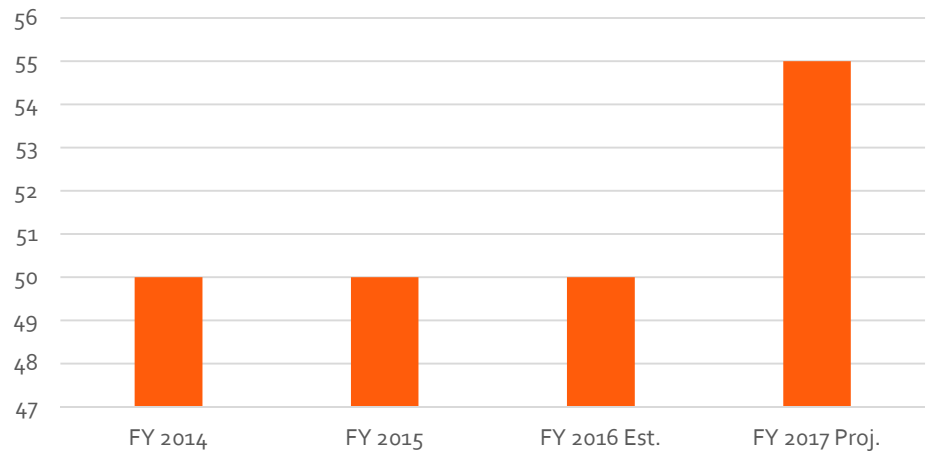
HRA DATA (IPRS)

FY 2014 → 91%**FY 2015 → 85%****FY 2016 Estimated → 85%****FY 2017 Projected → 85%**Percent of Recommendations for
Corrective Action Implemented**FY 2014 → 13,139****FY 2015 → 35,295****FY 2016 Estimated → 20,000****FY 2017 Projected → 20,000**Number of Persons With Disabilities
Benefitting From HRA Recommendations**FY 2014 → 1,991****FY 2015 → 2,647****FY 2016 Estimated → 2,500****FY 2017 Projected → 2,500**Number of Volunteer Hours
Contributed to the HRA

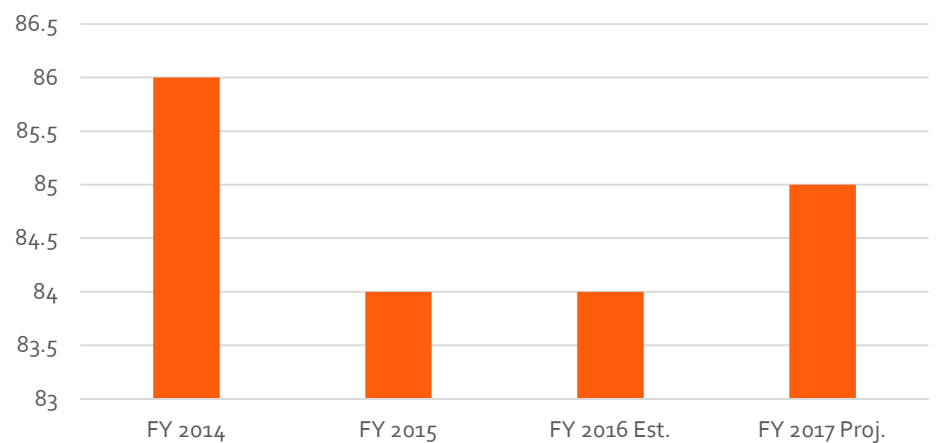
OSG DATA (IPRS)

FY 2014 → 50%**FY 2015 → 50%****FY2016 Estimated →50%****FY 2017 Projected →55%**

Percentage of Wards in Community-Based Placements

**FY 2014 → 86%****FY 2015 → 84%****FY2016 Estimated →84%****FY 2017 Projected →85%**

Percentage of Guardianship Referrals Where An Alternative To State Appointment Was Found



LAS DATA (IPRS)

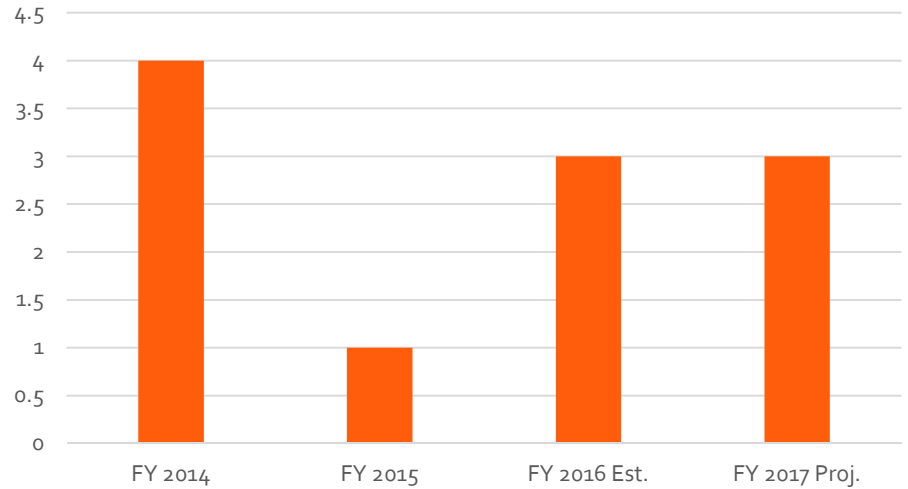
FY 2014 → 4

FY 2015 → 1

FY2016 Estimated →3

FY 2017 Projected →3

Training for Special Education



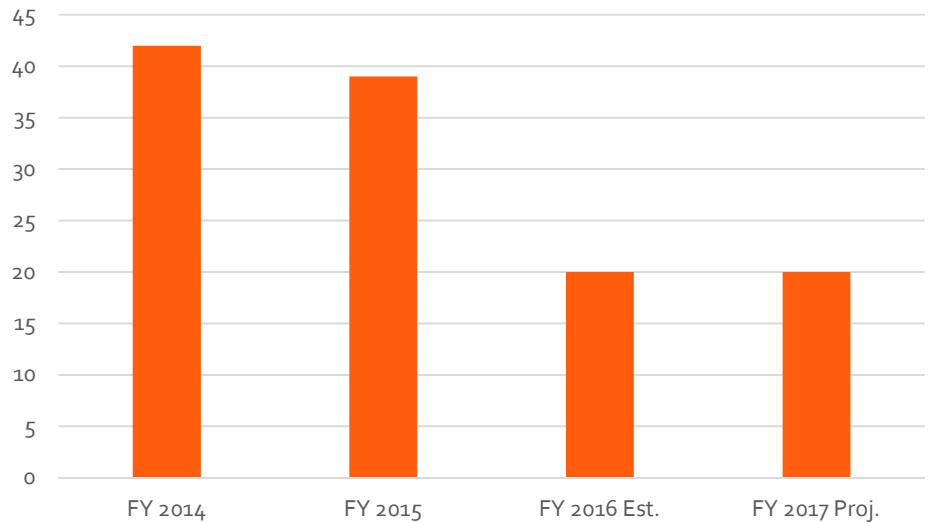
FY 2014 → 42

FY 2015 → 39

FY2016 Estimated →20

FY 2017 Projected →20

Number of Appeals Based on Merit



FY 2014 → 0

FY 2015 → 0

FY2016 Estimated →0

FY 2017 Projected →500

Number of Advanced Directives (FY17 Revised Measure)



A renewed focus on rights in non-traditional settings:

The creation of the Community Human Rights Authority (CHRA) gave the Director of Community Rights, Relations and Resources the responsibility of collaborating with various intrastate colleagues to implement the initiatives set forth by Executive Director Milano and the three program directors. The focus areas are related to justice/jail/correctional institutions and settings, development/enhancement of special education initiatives and coordinated care for Veterans. To this end, the first tasks at hand were establishing and developing networks that include, but are not limited to, a cadre of individuals, groups and various sized entities that have programs that impact persons with disabilities individually, as a large scale group or identified sub-groups. Over the past year GAC's established networks have grown to include more targeted or new fluid working relationships with:

- Illinois State Board of Education
- Joint Education Leadership Committee and P-20 Council
- Governor's Cabinet on Youth and Children
- Intra-Agency Committee on Employees with Disabilities
- Cook County Board of Ethics
- Cook County Sheriff's Department
- Westside Research Institute c/o Jesse Brown Veterans Administration
- Illinois Joining Forces
- Residences for Patriots
- John Marshall Law School Veterans Outreach Clinic
- United States Department of Education- Office of Safe and Healthy Schools
- ASCD- Legislative Advocacy Team and more.....

Expanded community relations focus in underserved/unserved areas of the state:

In accordance with specific program goals, objectives and outcome measurements, a considerable amount of effort and time has been dedicated to meeting the needs of constituents living anywhere in communities throughout the state. These communities include, but are not limited to, independent living, transitional and coordinated care sites. In this light, the following community outreach services and publications have been offered and presented:

- Guardianship and Advocacy Commission overview
- The Human Rights Authority as a resource for persons with disabilities and families
- Guardianship and Volunteerism
- Disability Advocacy
- Procedural rights
- Advanced Directives
- The Illinois Mental Health/Developmental Disabilities code

Representatives have presented/exhibited at senior fairs, veterans fairs, veterans outreach initiatives, state and federal legislators offices, aldermanic Ward events, Local townships, City mayors' offices and South Suburban hospitals. Once the current fiscal climate is resolved the aforementioned topics and locations will expand to targeted areas in 10 counties identified by use of geographical data and outreach coordination with local health and human service agencies. Topics will also be expanded exponentially as will be the number of representatives who will visit communities throughout the state.

Supporting the work of the Commission internally and externally:

Resources are integral to maintaining the stellar professional capacity of GAC employees. In this age of information at the speed of light, it is vital that ever evolving research and evidence-based practices are shared to increase knowledge based understanding while decisions are being made in the best interest of those we serve. Over the past year research findings have been disseminated via the web, but a recent update led by this department has led to a resource depository being added to the intranet. Publications and updates are being added to the folders by way of program application, but left open for all program employees to peruse. Employees are encouraged to request information, which is researched and vetted by the Director of this program and the division directors. Vested parties are also kept abreast of policy and legislative updates at the state, local and federal levels which may in some way have a positive or negative effect on GAC's ability to facilitate services in the most efficient manner per mandates.

Resources, in varied capacities, are central to maintaining and achieving beneficial impacts on the facilitation of services by GAC externally. Publications and materials are vital to reaching Illinois residents, but exhibit and speaker presentations are an expanded means of outreach. While many GAC employees present at a myriad of events of large and small scales, there is a new targeted approach to requesting presentations for special events.

The culminating spotlight of this report for the Rights, relations and resources department is the specific relationships that have been built with educational institutions from various points of the state. The ability to mentor and train students from 10th grade through post-secondary choices has expanded in FY16. In addition to an on-going partnership with University of Illinois-Springfield and Bradley University, the following educational entities have become partners with the Guardianship and Advocacy Commission:

- Perspectives Charter Schools- A Disciplined Life
- Chicago Public Schools- Office of Diverse Learners and Supports Transitions Program
- Governors State University
- Lake forest College Career Advancement Center and Department of Psychology
- Illinois State University Career Advancement Center

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