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**FOR IMMEDIATE RELEASE**

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**METRO EAST REGIONAL HUMAN RIGHTS AUTHORITY**

**REPORT OF FINDINGS**

**HRA CASE # 13-070-9034**

**ALTON MENTAL HEALTH CENTER**

**INTRODUCTION**

The Metro East Regional Human Rights Authority (HRA) has completed its investigation of complaints at Alton Mental Health Center (Center), a state-operated facility (SOF) that has 125 inpatient beds in Alton. The allegation states that the Center may have violated consumer's rights when it did not return all property upon discharge. If substantiated, the allegation would be a violation of the Mental Health and Developmental Disabilities Code (405 ILCS 5) and Center Policies.

Specifically, the allegation states that the Center violated a consumer's rights when, upon discharge, not all of his property was returned to him.

**METHODOLOGY**

To pursue the investigation, an HRA team visited the Center and interviewed the Chief Security Officer and administrators from three of the four state facilities where the consumer had been assigned during his admission to Department of Human Service Centers. This report will refer to the Center where the consumer was first admitted as Administrator 1: Administrator 2 refers to the Center where the consumer was prior to transfer to Alton Mental Health Center.

**FINDINGS**

The consumer stated that when he was discharged from the Center all of his property was not returned because throughout transfers between institutions portions were lost or did not accompany him the day of the transfers. After returning to the community the consumer attempted to contact the other three facilities and none of them initially would respond to his phone calls.

Recently the consumer contacted the HRA and stated that Administrator 2 visited him and returned "almost all" of the property that had been retained at center 2. When asked the consumer stated that he had shared and traded some property with other consumers at center 2 and that he was satisfied that most of his property had been returned.

Administrator 1 explained that the Center to which the consumer was initially admitted is designed to serve persons with developmental disabilities. After evaluation and testing the Center questioned whether the consumer qualified for admission as a person with a developmental disability, or whether his disability was even mental illness. After a serious incident the consumer required transfer for safety reasons and, in part because of bed availability, the transfer was made to Center 2 and his property accompanied him to that Center.

Administrator 2 stated that the consumer's transfer history showed admission at the developmental Center, transfer to Center 2, from Center 2 to a maximum security center and finally to Alton Mental Health Center and then ultimately to the community. Administrator 2 explained that the consumer's mother came to Center 2 and picked up as much as she could fit in her car after his transfer to the maximum security Center. Administrator 2 said he suspected that some of the items that Center 2 staff were unable to locate, may be in the consumer's mother's possession. Administrator 2 also said that staff from the maximum security center would not return his phone calls regarding additional property. The administrator explained that the consumer's records, including property lists would have followed him to Alton Mental Health Center.

According to Administrator 2, after reviewing a list of lost property provided by the consumer, Center 2 had the following:

Two pairs of Sony Headphones-Center. Inventory reflects these were broken. Alton Property Inventory reflects he had 1 pair of black headphones.

20 puzzle glues-not identified on [the developmental center], Center 2 or Alton Center inventories. Need to check [the maximum security center] or possibly with his mother. He may have given acquired items while at Center 2, puzzles he gave away to residents at Center 2.

3 packs of different kinds of puzzles (30)-Given to other residents by [the consumer]. Alton MHC property inventory identifies 3 boxes of puzzles on their inventory.

Office desk and chair-given to another resident by [the consumer] who shared puzzle hobby and to use for that purpose of assembling puzzles.

Book shelf (3 shelves). Center 2 did not locate that property but there is "one more location to search and I will advise soon on that."

Center 2 has located Coffee Ice Tea Maker/20 boxes of tea.

The listed Game Boy Advance with 5 games is not on property sheet of [the developmental center] when he transferred to Center 2. Not identified on Center 2 personal property inventory.

4 Master Locks with keys-picked by his mother.

Play Station with 15 games, Center 2 located one; will send to him. No games found with it.

Bag of winter clothes were not located at Center 2.

Winter Coat-not reflected on [the developmental center] Center property inventory and not located at Center 2. Check [the maximum security center] inventory. Not on Alton inventory.

Winter hat and gloves-not located at Center 2

3 boxes of VHS tapes-not at Center 2 or on [the developmental center] inventory

2 boxes of DVD's-see below

2 CD cases full of CD's - 61 CD's, DVD's X box games identified on Alton MHC property intake inventory along with two leather CD cases. No breakdown of how many in above categories.

The Security Officer stated that almost all of the consumer's property was given to him upon discharge. The Officer provided a property sheet that recorded the property returned at discharge. Upon notice of the complaint, the Officer searched for property and found one box of crayons that were given to the consumer by the Center; however it is not clear why those items were not included at discharge.

The Security Officer explained that the Center does not have a form that consumers sign to verify that their property is returned; however, there is a Personal Property (release for all recipient property) form. He said that the form does not require a consumer's signature. He stated that because of contraband, it is necessary to keep portions of personal property away from consumers until they either walk out the door or are delivered to their destination and that is when all property is delivered.

## **DOCUMENTATION**

Center 2 documentation included the following:

Item identified by [the consumer] as missing items include 2 MP-3 players. One identified on Center 2 property being received from [the developmental center]. Unable to identify as being stored. [The property] could be at [the maximum security center] or with property mother picked up.

The Security Officer provided a four-page list of property that arrived at the Center with the consumer and four pages of property received during his admission to the Center.

Other documentation indicated that, upon discharge, the consumer's property was returned to him and that form is signed by a security staff member.

## **MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CODE**

The following rights are guaranteed under these Sections:

Every recipient who resides in a mental health or developmental disabilities facility shall be permitted to receive, possess and use personal property and shall be provided with a reasonable amount of storage space therefore except in the circumstances and under the conditions provided in this Section....

(c) When a recipient is discharged from the mental health or developmental disabilities facility, all of his lawful personal property which is in the custody of the facility shall be returned to him. (405 ILCS 5/2-104)

## **ALTON MENTAL HEALTH CENTER POLICY**

Alton Mental Health Center Policy (PPD 01.24.00.01 thru 01.24.30.01)

...C. AT THE TIME OF DISCHARGE

### **Personal Property**

1. As part of the routine discharge procedure, the patient is to receive all personal property that has not been considered illegal and disposed of as per procedures.
2. The patient, assisted by unit staff, will fill out a Personal Property Withdrawal form. Unit staff will send the completed form to security, who will retrieve the personal property and deliver the property to the unit for patient discharge.

3. Weapons and dangerous items considered as such which were given directly to security at the time of admission must be returned to the patient if staff are unable to make arrangements for family/significant others to retrieve the items, or if the patient refuses to consent to the property being picked up by other than him/herself. Security will return the items to the patient at the actual time of discharge without the items being brought to the living unit; this exchange should take place at the edge of the campus immediately prior to the patient leaving grounds. These items may not be returned via mail after discharge. This is to ensure that we maintain a safe environment for all patients.
4. Should the patient be discharged and not receive his/her personal property, it will be held for only two (2) years after discharge. Efforts will be made by the social worker and security to contact the patient to come for their items; if this is unsuccessful, the property will be disposed in accordance with DHS procedures.
5. At the time of discharge, staff will return to the patient items stored in the grooming boxes.

### **CONCLUSION**

According to the Mental Health Code, when a recipient is discharged from the mental health or developmental disabilities facility, all of his lawful personal property, which is in the custody of the facility shall be returned to him.

Alton Mental Health Center policy states that "as part of the routine discharge procedure, the patient is to receive all personal property that has not been considered illegal and disposed of as per procedures. The patient, assisted by unit staff, will fill out a Personal Property Withdrawal form. Unit staff will send the completed form to security, who will retrieve the personal property and deliver the property to the unit for patient discharge."

The HRA recognizes that the Center returned most property, except facility issued crayolas upon discharge. Also, many lost items were returned to the consumer by Center 2's Administrator. The HRA concludes that the allegation that the Center violated the consumer's rights when it did not return his property is not substantiated.

The HRA notes that the Center policy calls for a Personal Property Withdrawal form and that security should deliver the property to the unit for patient discharge.

That form was not a part of the documentation provided.

### **SUGGESTIONS**

The HRA makes the following suggestions:

1. Ensure that required forms are completed at the time of discharge.
2. Consider development of a form to address property given to the consumer at discharge, including a description of property that is not returned to the consumer. Include a signature page to verify receipt of property.