



---

**FOR IMMEDIATE RELEASE**

---

North Suburban Regional Human Rights Authority  
Report of Findings  
HRA #18-100-9018  
Elgin Mental Health Center

**Introduction**

The North Suburban Regional Human Rights Authority (HRA) opened this investigation regarding Elgin Mental Health Center (EMHC), Forensic Treatment Program (FTP) after receiving a complaint of alleged rights violations. The complaint accepted for investigation alleged the Dietary Department is not following Physician's orders regarding a patient's nutritional needs.

The rights of patients receiving services at EMHC are protected by the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5).

Patients receiving services at EMHC's Forensic Treatment Program have been remanded by Illinois County Courts to the Illinois Department of Human Services (DHS) under statutes finding them Unfit to Stand Trial (UST) and Not Guilty by Reason of Insanity (NGRI). Placement evaluations determine the most appropriate inpatient or outpatient setting for forensic treatment based on a number of factors including age, gender, mental health diagnosis, and security need. Unless a person is specifically ordered to receive services in an outpatient setting, court ordered referrals under state forensic statutes call for placement in a secure inpatient setting. The Forensic Treatment Program has approximately 315 beds.

**Methodology**

To pursue this investigation, the HRA requested and reviewed facility policy relevant to the allegation and a portion of the patient's clinical record, with consent. A site visit was conducted, at which time the allegation was discussed with Dietary personnel.

**Findings**

The HRA requested and reviewed physician's orders for a period to include January through March 2018. Documentation showed that in January, the physician ordered a heart healthy diet, with 2 extra bread or rolls or extra rice. In February, the order was modified to a vegetarian diet due to religious reasons; the extra carbohydrates were renewed, in addition to a peanut butter/jelly sandwich for the evening snack and a nutritional shake. At the end of March, the Physician requested a dietary/nutritional consultation. It was documented that the reason for the referral was because the patient had lost 10 pounds in three months.

The consultation documented that the patient was referred by the Medical Physician for a consultation because, per the patient's claim, he had lost 10 pounds. It was documented that the unit RN conducted the monthly weight (3/23/18) on the patient and the following was noted: "wt. 168#, BMI -26.4 (overweight) 2# wt. loss over 3 mos. (not significant), 3/14/18 labs – kidney function – wnl blood count – wnl. Alb – 3.9 (wnl) TP-6.6 (wnl)." The patient was asked to be weighed on 3/27/18 to validate the previous weight, but the patient refused to be weighed. It was

recommended by the Dietitian that the patient not have any additional food items added to his meals because he was not engaged in any physical activities. (To clarify, wt.-weight, #-pounds, BMI –body mass index, alb-albumin, wnl-within normal limits, TP-total protein).

At the site visit, the HRA met with the Dietitian. She explained that she and another Dietitian service the approximate 350 patients at the Center. It was stated that all newly admitted patients must be assessed within 72 hours of admission. Patients that are on special diets, for medical and/or religious reasons, are then assessed every three months. Patients on regular diets, which is a heart healthy diet that consists of about 2300/2400 calories per day, receive annual assessments. In this case, the patient's Physician requested a nutritional consultation due to the patient's reported weight lost. The Dietitian explained that she assessed the patient's nutritional needs by reviewing not only his weight, but also his medical laboratory information (as noted above). She stated that it was determined, based on her professional assessment, that he did not need the extra calories and she made that recommendation in the consultation. The Physician then, on the recommendation of the Dietitian, wrote an order that discontinued the additional evening snack and the nutritional shake. The Dietitian stated that Physician's orders cannot be arbitrarily discontinued by a Dietitian. The Physician requests a consultation and the order would then be modified by the Physician, based on the results of the consultation.

The Center's Food Served to Patients policy states that all patients have regular meals as prescribed by the Primary Care Physician, to meet their nutritional needs. The Food and Drug Administration nutritional expert says (in part) to balance calories to manage body weight.

### **Conclusion**

Pursuant to the Illinois Mental Health and Developmental Disabilities Code, Section 2-102,"(a) A recipient of services shall be provided with adequate and humane care and services in the least restrictive environment, pursuant to an individual services plan." Based on the information obtained, the complaint that the Dietary Department is not following physician's orders regarding a patient's nutritional needs is unsubstantiated.

---

## **RESPONSE**

**Notice: The following page(s) contain the provider response. Due to technical requirements, some provider responses appear verbatim in retyped format.**

---



Illinois Department of Human Services

Bruce Rauner, Governor

James T. Dimas, Secretary

Elgin Mental Health Center  
750 South State Street • Elgin, IL 60123

June 15, 2018

Ms. Patricia Getchell- Chairperson  
North Suburban Regional Human Rights Authority  
9511 Harrison Street, W-300  
Des Plaines, IL 60016-1565

Re: HRA #18-100-9018

Dear Ms. Getchell:

Thank you for your thorough review of this case. We are content to learn the allegation was unsubstantiated.

Please feel free to include our response with any public release of your Report of Findings.

Sincerely,

Brian Dawson, B.S.  
Hospital Administrator

BD/tms