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HUMAN RIGHTS AUTHORITY-SPRINGFIELD REGION

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REPORT 22-050-9010  
Broadstep

The Human Rights Authority (HRA) opened an investigation into allegations of inadequate services at a Broadstep Community Integrated Living Arrangement, or CILA, in Chatham. Complaints were that two residents did not have regular access to their personal money. Substantiated findings would violate the Mental Health and Developmental Disabilities (MHDD) Code (405 ILCS 5).

Broadstep provides an array of behavioral health services across the nation including residential care to adults with developmental disabilities in central and northern Illinois. There are seven CILAs in the Springfield area. The HRA met with the state director and the program's account manager who is based in Wisconsin. Relevant sections of two residents' records were reviewed with authorization.

Complaints specifically state that two residents in the Chatham CILA did not get their money as requested to buy gifts and other items at Christmas and were told there was only one person who released funds and she was not available at the holidays. The women reportedly still had not received their requested money well into the new year. Although Broadstep acquired the home in early 2021, it still has not taken over as representative payee from the previous provider, which is reported to be part of the problem. This review was extended to capture more recent access and system improvements.

#### FINDINGS

According to email trails between the residents' guardian and Broadstep, on December 10 the home's Qualified Intellectual Disabilities Professional, or Q, asked the rep. payee and Broadstep's account manager for \$100 for each of the women for shopping and was told they already had funds available. On December 20 the guardian sent another email stating that the women were upset and never got their money; they were told by home staff that the account manager was on vacation and would not be back until January 3. On the 22<sup>nd</sup> the Q reported to the guardian that she requested enough money back in November but still did not have it. On

January 5 the guardian alerted everyone that the women still had not received the money requested and were reasserting their request so they could go shopping. The rep. payee responded that there should be \$540 available since the first request, which they sent to Broadstep for “ready access”, and that they could have made purchases for Christmas. The HRA reviewed Broadstep ledgers from November that showed \$540 available to each woman at that time.

The rep. payee explained that they pay Broadstep for rent and send \$60 monthly for personal spending. The \$60 was stopped at some point when they noticed the money was not being spent and that Broadstep was not providing receipts. The process set up by Broadstep was that they would use a card system for big ticket purchases and then send an invoice to the rep. payee for reimbursement from the individuals’ accounts, but they were getting no receipts or requests for reimbursements.

Letters and calls from the HRA to local Broadstep management went unanswered until February/March when a new program leader reported major staff changes and that the Q and previous program leader had left. He soon informed us that he was leaving as well and provided written procedures for personal funds but no monthly Q notes as requested since they did not exist.

According to the procedure:

- \$60 is allocated monthly for each individual in the home, loaded onto the home’s debit card
- staff will assist individuals in making purchases
- staff will retain receipts and purchase records to reconcile remaining monthly balances
- balances do not accrue; unused funds will be supplemented each month to \$60
- additional funds can be requested by the individual for amounts exceeding \$60

More email exchanges were provided to show the account manager had reviewed the situation for the two residents. She found that one spent \$293.33 and the other spent \$140 between July and October 2021, and no receipts had been turned in since then so any purchases could not be documented and reconciled despite adding \$550+ to each in November 2021 through February 2022.

In May we met with Broadstep’s state director who started with the company in December 2021 and the account manager who explained that they were still in the process of acquiring rep. payee status from the previous owners which was taking a long time. Until then, the account manager loads money for residents on one house debit card; they purchase requested items up front if the payee approves the available amount individually, then they request a reimbursement from the payee when reconciliations/receipts are reviewed, which have not been received. That does not mean the residents have no access to their money or were not making purchases. All purchases are at the company’s expense until receipts are in. House debit cards are only used by staff, so if an individual wants to go shopping with family or a guardian, a prepaid debit card would need be requested directly from the payee. The manager said that her being away during the holidays is not an issue given the availability of other persons in her office. They also talked about the considerable leadership turnover in the region that likely lends

to the problem and that the remaining staff were not taking residents shopping as routinely as they should. They assured us that any unused funds do not accumulate on the house card but remain with the payee. It was offered that the former Q knew there was money available for the two women, and they had no idea why she failed to take them shopping before she left; everyone involved at the time is no longer with the program. The director said they were hiring a new Q and program leader and would begin training on resident personal funds immediately, including training on a mandated tracking system.

In July the director updated us on the situation and reported that a new Q, program leader and admissions coordinator had been trained on requesting personal funds and ensuring that individuals get to spend their money. But, the new Q had already left, and they were on the search for a new one who would also be trained on the newly established process. She also explained that acquiring rep. payee was still underway and that they joined a third-party administration group to streamline the process. She also met with direct care staff in the home to reinforce the need for residents to get their \$60 monthly, submit requests for additional funds and return receipts. The newly written process was provided for our review which included continued use of the house debit card until rep. payee was established, at which time each individual will have their own personal debit card.

Under the process:

- requests for funds will be approved by the rep. payee and any guardian; in writing from the guardian for any request over \$100
- on approval, staff will email immediate supervisor, guardian, account manager, rep. payee and include the amount and purpose for the request
- account manager and rep. payee respond to all if funds are available
- once amounts are verified staff submit a request form
- staff verifies all have approved
- account manager adds funds onto the house card on the following Thursday (funds added once per week)
- staff is to schedule a shopping outing by the end of that calendar month (funds do not roll over)
- repeat if the funds are not spent that month

The HRA followed up with both women in July and in August, and each verified getting their monthly \$60 and recent additional funds they had requested although there was no Q again and it took a little time to get the money. Also in August, the account manager reported that although the direct care staff were still not getting receipts in, the women were able to access and spend their money, and she provided debit card transaction sheets to verify their purchases from February through August 2022. Monthly transactions at various retail and miscellaneous stores, community activities and entertainment were included in the items listed. The women spent anywhere from \$3 to \$134 per visit at these locations throughout those months.

## CONCLUSION

*Pursuant to the MHDD Code, A recipient of services may use his money as he chooses, unless he is a minor or prohibited from doing so under a court guardianship order. A recipient*

*may deposit or cause to be deposited money in his name with a service provider or financial institution with the approval of the provider or financial institution. Money deposited with a service provider shall not be retained by the service provider. Any earnings attributable to a recipient's money shall accrue to him. (405 ILCS 5/2-105).*

Broadstep can demonstrate that the two residents have access to their own money and can spend it on a regular basis except for in December and January when the Q at the time failed, for whatever unknown reason, to take them shopping when the funds were there to use. A violation is substantiated. The main problem for Broadstep is obviously leadership turnover in the area and the inability to keep them in place to supervise and support direct care workers, of which they are keenly aware. In response they have established a new, temporary process for requesting and tracking personal funds and have provided training to newer leadership staff, at least those who are still there. It is puzzling why the rep. payee transfer is taking so long, but when completed they will provide individual debit cards, and until then the director and account manager should continue to personally monitor resident spending closely while pursuing a complete management team for the region. Q notes should be monitored as well, provided a Q is in place, since the notes typically refer to activities and spending.

## **RESPONSE**

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

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