



FOR IMMEDIATE RELEASE

HUMAN RIGHTS AUTHORITY- CHICAGO REGION

**REPORT 08-030-9007
RIVEREDGE HOSPITAL**

Case Summary: The HRA did not substantiate the complaint that the facility did not follow the Mental Health Code procedure when it involuntarily petitioned a recipient for admission to a mental health facility.

INTRODUCTION

The Human Rights Authority of the Illinois Guardianship and Advocacy Commission opened an investigation after receiving a complaint of possible rights violations at Riveredge Hospital. It was alleged that the facility did not follow Code procedure when it involuntarily petitioned a recipient for admission to a mental health facility. If substantiated, this would violate the Mental Health and Developmental Disabilities Code (405 ILCS 5/3- 601).

Riveredge is a 210-bed private psychiatric hospital located in Chicago.

To review this complaint, the HRA conducted a site visit and interviewed the Director of Risk Management and the Intake Director. Relevant hospital policies were reviewed, and records were obtained with the consent of the recipient. The recipient is an adult who maintains his legal rights.

FINDINGS

The record indicates (and recipient confirms) that the recipient was brought by his mother to Riveredge Hospital on 9/21/07 at 11:30 a.m. Progress Notes from the Intake Department show that the mother requested that her son be hospitalized for medication adjustment and because the recipient was hearing voices and having difficulty sleeping. An assessment was completed on the recipient and he was told that he could be admitted for medication adjustment, however he would have to pay out of pocket for his care because Riveredge was out of network for his mother's insurance, which covered him. Because the recipient and his mother could not pay out of pocket for the expenses, the hospital agreed to refer the recipient to another facility because he was diagnosed in need of care.

The Intake Department staff reported that they began the arrangements for referral to an in-network facility as soon as the assessment was completed and the recipient was determined to be in need of care. Progress Notes indicate that a bed was secured at a nearby hospital and both

the recipient and his mother were informed of this decision. Staff who were interviewed regarding the incident stated that at this time the recipient objected to the referred hospital and wanted another, closer facility of his choice (collaborated by the recipient and his mother). The preferred facility was notified, and it was determined that they were on by-pass (meaning they were not accepting ambulance arrivals), so the Intake Department staff informed the recipient that he would be transferred to the original hospital and that his mother could move him at a later time if desired. At 1:45 p.m. a petition was completed which stated, "Patient is experiencing auditory hallucinations, paranoia, difficulty sleeping, loss of appetite, or motivation to sleep."

The record shows that an ambulance was called at 1:00 p.m. Notations in the Progress Notes and report of the mother indicate that the mother and the recipient remained very upset due to the fact that the recipient was being involuntarily sent to this hospital. Riveredge Intake staff, however, stated that they were bound to the information gleaned from the assessment and the collateral information from the mother, indicating that the recipient was an imminent threat of harm to himself. Their standard practice is to seek treatment for a recipient who is determined to be in need of care, whether they are admitted to Riveredge or transferred to another facility. The recipient was then transferred at 2:00 p.m.

STATUTORY BASIS

The Mental Health Code specifically describes the process whereby a person who is believed to be subject to involuntary admission and in need of hospitalization may be taken to a mental health facility for evaluation:

When a person is asserted to be subject to involuntary admission and in such a condition that immediate hospitalization is necessary for the protection of such person or others from physical harm, any person 18 years of age or older may present a petition to the facility director of a mental health facility in the county where the respondent resides or is present. The petition may be prepared by the facility director of the facility.

The petition shall include all of the following:

- 1. A detailed statement of the reason for the assertion that the respondent is subject to involuntary admission, including the signs and symptoms of a mental illness and a description of any acts, threats, or other behavior or pattern of behavior supporting the assertion and the time and place of their occurrence.*
- 2. The name and address of the spouse, parent, guardian, substitute decision maker, if any, and close relative, or if none, the name and address of any known friend of the respondent whom the petitioner has reason to believe may know or have any of the other names and addresses. If the petitioner is unable to supply any such names and addresses, the petitioner shall state that diligent inquiry was made to learn this information and specify the steps taken.*
- 3. The petitioner's relationship to the respondent and a statement as to whether the petitioner has legal or financial interest in the matter or is involved in litigation with the respondent. If the petitioner has a legal or financial interest in the matter or is involved*

in litigation with the respondent, a statement of why the petitioner believes it would not be practicable or possible for someone else to be the petitioner.
4. The names, addresses and phone numbers of the witnesses by which the facts asserted may be proved (405 ILCS 5/3-601).

CONCLUSION

The recipient in this case arrived at Riveredge hospital hoping to be admitted for medication adjustment and help with feelings of paranoia as well as trouble sleeping. It was his insurance that necessitated his referral to an in-network hospital, so the decision was made to transfer him to another facility. When the recipient declined the referred facility, he had already been assessed in need of care and was properly petitioned for an involuntary admission.

The complaint that Riveredge Hospital did not follow Code procedure when it involuntarily petitioned a recipient for admission to a mental health facility is not substantiated.