



FOR IMMEDIATE RELEASE

North Suburban Human Rights Authority
Report of Findings
St. Alexius Medical Center
HRA #08-100-9008

Case Summary: The HRA concluded that the consumer was in fact at the hospital against his will. However, professionals determined that he needed to be monitored for his safety and detained him by authority of a completed petition. The allegation was unsubstantiated. **The HRA's public record on this case is recorded below.**

The North Suburban Regional Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission has completed its investigation of alleged rights violations at St. Alexius Medical Center. On September 4, 2007, the HRA notified St. Alexius of its intent to conduct an investigation, pursuant to the Guardianship and Advocacy Act (20 ILCS 3955). The complaint investigated was that a consumer of behavioral health services was detained in the emergency department against his will. If found substantiated the allegation would violate the Mental Health and Developmental Disabilities Code (405 ILCS 5/3-604).

Background

St. Alexius Medical Center, located in Hoffman Estates, is a 321-bed community hospital providing healthcare to the residents of the northwest suburbs for over 20 years. St. Alexius Medical Center is accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

Investigative Methodology

The HRA conducted an on-site visit in November 2006. While at St. Alexius, the HRA discussed the allegation with the Vice President of Patient Care Services and the Director of the Emergency Department. The complainant was interviewed by telephone. The HRA reviewed the clinical record of the consumer with written authority. Also reviewed were hospital policies relevant to the allegation.

Findings

The consumer reported that he called a local physicians' group office to see if he could get an appointment with a Psychiatrist. When he learned that it would take a few days to get this appointment, he hung-up on the Intake Worker, the police were subsequently contacted for a well-being check and he willingly went with them to the hospital. He stated that when he received a copy of the petition, he read that he had made a statement indicating that he wanted to kill himself. The consumer stated that he made no such claim and thus the hospital was not justified in detaining him.

According to the ambulance report, they were called by a third party for a suicidal patient. Upon arrival to the home, the consumer was noted to be oriented and alert, and he was talking appropriately. The consumer reported to the ambulance personnel that he had called a mental health clinic to get his medication but that he did not make any suicidal statements. The paramedics

then called the third party who reiterated that the consumer was upset that he could not get an earlier appointment, he was worried about his finances in relation to his medical conditions, and that he told the worker from the mental health clinic that he would "off myself". The paramedics advised the consumer that he needed to go to the emergency department and it was documented that the consumer went willingly.

The hospital's nursing notes showed that the consumer entered the hospital at about 5:30 p.m. and security personnel were present in his room. About 15 minutes after admission, he denied making the suicidal statement and denied suicidal ideation. About three hours later, it was documented that the consumer was upset and agitated because he had been there for three hours, and that he was being held against his will. About an hour later, the consumer was assessed by a behavioral health representative. The behavioral health assessment summary documented that the consumer presented to the emergency department agitated with pressured speech. He was brought by ambulance after making a suicidal threat over the phone. The assessment documented that the consumer denied making the threat and stated that he was angry about his psychiatric bills and the cost of medication. The assessment documented that the consumer had been hospitalized at the beginning of the month for increased depression. The consumer reported to the assessor that he believed that his medication needed to be adjusted. It was documented that the consumer had calmed down by the end of the assessment, and that he was "not happy" about being in the hospital. The petition was completed around 6:00 p.m. and the certificate at about 11:00 p.m. The consumer was transferred to a nearby behavioral health hospital.

At the site visit, hospital personnel stated that the ambulance personnel will call the hospital when transporting an individual to the hospital to report the symptoms. It was explained that after the nurse assesses the individual of needing possible mental health services, the physician is advised of same. The physician completes his/her assessment and if it is determined that mental health services are indicated, a behavioral health representative is contacted for a further assessment. When asked, it was stated that when the ambulance calls regarding a suicidal individual, the behavioral health representative is not automatically contacted for a further assessment. It was stated that most individuals first receive assessments from hospital personnel. An exception would be when the ambulance is transporting an individual who had obviously harmed themselves - in that situation they would immediately make a call to the behavioral health representative. It was stated that although this consumer did not want to be there, they were concerned for his safety and could not let him go. It was stated that he was unfortunately, at the hospital for some time, but all assessments take time. It was stated that the behavioral health assessment alone can take an hour to complete. It was stated, and the record confirms, that the consumer was placed on suicidal precautions while at the hospital.

The policy for Psychiatric Hospitalizations states (in part) that any patient who is admitted to St. Alexis Medical Center or who is an observation patient for an ingestion of medicinal substance/suicide attempt shall be seen by a psychiatrist to determine the need for inpatient psychiatric care and/or outpatient services. If the patient refuses voluntary admission to a psychiatric facility, the psychiatrist may have the patient be admitted on an involuntary basis.

Conclusion

Pursuant to the Mental Health and Developmental Disabilities Code, Section 3-604, "No person detained for examination under this Article on the basis of a petition alone may be held for more than 24 hours unless within that period a certificate is furnished to or by the mental health facility. If no certificate is furnished, the respondent shall be released forthwith."

The HRA concludes that the consumer was in fact at the hospital against his will. However, professionals determined that he needed to be monitored for his safety and detained him by authority of a completed petition. The allegation is unsubstantiated.