



FOR IMMEDIATE RELEASE

North Suburban Human Rights Authority
Report of Findings
Elgin Mental Health Center
HRA #08-100-9020

Case Summary: Based on the information obtained, the visitor was asked to provide her social security number. This requirement was an unnecessary impediment to visitation. Although the visitation did occur, it is concluded that rights were violated. Since the new policy no longer requires this, the matter has been resolved and no recommendations were issued. Regarding the allegation that additional personal information was being required and stored in a database, the HRA learned that only the name of the visitor is being stored in a database; it was concluded that this measures would not violate patient rights. The HRA's public record on this case is recorded below; the provider's response immediately follows the report.

The North Suburban Regional Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission has completed its investigation of alleged rights violations at Elgin Mental Health Center (EMHC), Forensic Treatment Program. In December 2007, the HRA notified EMHC of its intent to conduct an investigation, pursuant to the Guardianship and Advocacy Act (20 ILCS 3955). The complaint accepted for investigation was that a family member was initially denied visitation with a consumer of services because the family member refused to provide the facility with her social security number. The family member was allowed to visit after providing her drivers license, but the social worker has required more personal information. It was also reported that this information is being stored in a data base.

The rights of consumers receiving services at EMHC are protected by the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-103).

To pursue this investigation, an on-site visit was conducted in January 2008 at which time the allegation was discussed with the Director of the Forensic Program.

Background

Consumers receiving services at EMHC's Forensic Treatment Program have been remanded by Illinois County Courts to the Illinois Department of Human Services 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 315 beds.

Findings

As stated above, the complaint was that when a family member went to the facility to visit her relative (November 2007), she was told that before the visit could take place, she had to provide her social security number to the security personnel. It was stated that prior to this, all that was required was picture identification (ID) or a driver's license with a photograph. It was reported that when the family member refused to give her social security number, the security personnel did accept her driver's license and then wrote down the number of the license opposite her name and stated that it would be stored in a database. Subsequent this visit, the family member has been contacted by her relative saying that the Social Worker needs the family member's date of birth and either a social security number or a driver's license number for future visitations. The HRA received a copy of a Work Sheet for Approved Visitation form. The form asks for the name of each visitor, address, phone number, relationship, date of birth, identification number of visitor (driver license number, state identification number, social security number, or other legitimate identification.)

At the site visit (January 2008), it was stated that following a security breach in September 2007, the policy regarding visitation needed to be reviewed and updated. Currently personnel are working under an interim policy utilizing components of both an old policy and a proposed new policy.

The process is as follows:

1. The visitor arrives and requests permission to see the patient.
2. The security officer calls the unit and tells the nurse the patient has a visitor.
3. The nurse checks with the patient to see if they will receive the visitor.
4. If the patient wishes to accept the visitor, the security officer asks the visitor for a State or Governmental issued valid, photo ID which has an identification number on it.
5. If the visitor has such an ID – the ID is given to the security officer for the duration of the visit and it is returned to the visitor at the end of the visit.

The new policy, revised March 31, 2008, states (in part) the following: "Prior to proceeding to a visitation area, visitors shall pass a metal detector test. All packages, bags and boxes shall be searched to prevent the introduction of contraband, restricted or illegal items into the Program. Restricted items shall be stored in the metal storage lockers provided for this purpose. Visitors shall show proper identification, be signed in, issued a Visitor's Pass and an ID bracelet by the Security Officer at the lobby desk or at the entry to the William White unit visitation area."

It was stated that some visitors might have been subjected to an interim policy that asked for a social security number absent a driver's license number. The Director stated that this requirement is not currently in place and is not included in the new policy.

Conclusion

Pursuant to Section 2-103 of the Mental Health and Developmental Disabilities Code, a recipient who resides in a mental health or developmental disabilities facility shall be permitted unimpeded, private, and uncensored communication with persons of his choice by mail, telephone and visitation. Unimpeded, private and uncensored communication by mail, telephone, and visitation may be reasonably restricted by the facility director only in order to protect the recipient or others from harm, harassment or intimidation, provided that notice of such restriction shall be given to all recipients upon admission.

Based on the information obtained, the visitor was asked to provide her social security number. This requirement was an unnecessary impediment to visitation. Although the visitation did

occur, it is concluded that rights were violated. Since the new policy no longer requires this, the matter has been resolved and no recommendations are issued. Regarding the allegation that additional personal information is being required and stored in a database, the HRA has learned that only the name of the visitor is being stored in a database; it is concluded that this measures would not violate patient rights.

RESPONSE

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

Rod R. Blagojevich, *Governor*



Carol L. Adams, Ph.D., *Secretary*

Division of Mental Health - Region 2
Elgin Mental Health Center ■ Singer Mental Health Center

RECOVERY IS OUR VISION
Recovery is a Personal Journey of Hope, Healing, Growth, Choice, and Change

May 12, 2008

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

Re: HRA #08-100-9020

Dear Ms. Larson:

Thank you for your always comprehensive review of the above listed complaints. The safety and confidentiality of our consumers and visitors are paramount at Elgin Mental Health Center.

As stated in your findings, we quickly responded to the visitor complaint regarding use of a visitor's social security number in our Forensic visitor database. The use of visitor social security numbers has been removed from our visitor forms. Our new Forensic visitor's policy has also been modified to reflect this change.

Let me again take this opportunity to thank you for your investigation. We continue to strive to provide the best possible care for our consumers and visitors.

I would request that this response be attached to the report and be included with any public release of your Report of Findings.

Sincerely,

Tajudeen Ibrahim, BA
Acting Hospital Administrator

TI/JP/pb

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