



FOR IMMEDIATE RELEASE

HUMAN RIGHTS AUTHORITY-NORTHWEST REGION

REPORT 11-080-9003
SINNISSIPPI CENTERS, INC.

Case Summary: there were no violations found. The Authority's findings are recorded below, and a facility response was not required.

INTRODUCTION

The Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission opened an investigation after receiving complaints of possible rights violations in services provided by the Sinnissippi Centers. Allegations were that a program counselor pressured a recipient's evaluation responses and entered false information into a petition for involuntary admission, which, if substantiated, would violate protections under the Mental Health and Developmental Disabilities Code (405 ILCS 5).

Sinnissippi is a community-based behavioral healthcare center that serves people of all ages in Carroll, Lee, Ogle and Whiteside counties. The centers are headquartered in Dixon. Program counselors, or qualified examiners, are summoned throughout the region whenever evaluations for involuntary hospitalizations are needed. People of Ogle County who are in potential crises are often taken to the county jail chapel for these evaluations as there are no nearby hospitals.

The HRA visited Sinnissippi's Oregon location and discussed the matter with program representatives. The office sits across the street from the jail chapel, which we observed as well. Relevant sections of the recipient's record were reviewed with authorization.

SUMMARY

The complaint states that a program counselor filed a fictitious petition, the contents of which were the result of badgering. It was said that the counselor appeared irritated at being called to the jail in the middle of the night; she pushed the recipient into saying anything to imply suicide and used a ten-year-old story about the death of his son to justify hospitalization.

FINDINGS

A petition for involuntary admission was included in the record. It was completed by a sheriff's deputy who at 10:20 p.m. asserted that the recipient had just broken up with his girlfriend, sent her multiple text messages saying he wanted to be with his deceased son, and was tired of living alone. An accompanying certificate, completed by a licensed Sinnissippi counselor a few minutes later, stated that the recipient presented with suicidal thoughts and had plans to close his garage door and turn on his car. He was quoted as saying "I've just had it", and he would not promise to follow a safety contract. The certificate designated him as someone reasonably expected to be harmful without immediate hospitalization, and it declared by signature that the counselor personally examined him and explained the examination's purposes.

We reviewed the counselor's progress notes which accounted for the crisis evaluation in more detail. She wrote that the recipient remained depressed and tearful throughout the evaluation. He spoke about his wife who left him years ago, about his son who committed suicide ten years ago, about past relationships that have caused emotional distress, including one that just ended, and about his parents who died over the past couple of years. He was noted to say he felt alone and lacked motivation; his energy and sleep were poor. He reported being depressed on a daily basis, having no support system and significant financial stressors. He verified suicidal thoughts and plans including starting his car in a closed garage, which he said he attempted to do. The counselor described him as being oriented to person, place and time; his thoughts were intact and sequential, but at times he cried with difficulty stopping, expressing hopelessness. Given the information gleaned from the petition and the evaluation, the counselor concluded that the recipient was at imminent risk of harm and recommended psychiatric hospitalization. She sorted out insurance and admission particulars from the same location, and the recipient was transported to an available hospital.

The HRA interviewed the counselor and the program's compliance officer for support of the documentation. The counselor explained that she has been with Sinnissippi for thirteen years and has completed countless assessments in that time. Recalling what took place, she said she got some background information from the officer first and then began her evaluation as the recipient was seated in the small chapel at the far end of a table opposite from her. He appeared calm and was very cooperative, requiring no prompting during the interview. He openly discussed the information about his current crisis and included his son's death. She remembered him saying he was having a difficult time; he mentioned repeatedly that he had no support system and that his latest relationship just ended. He was forthcoming in the discussion, even questioning her understanding of a gender identity disorder. He talked about his mental health treatment and also about his suicidal thoughts, saying he had sent a text to his girlfriend and went out to the garage twice to start the process. She said he was quite easy to talk to and that whatever he offered was said willingly. She reiterated that there was no prompting, badgering or pressure of any kind on her part and that the contents of the certificate and her notes were factual, completely based on her observations and on the recipient's statements. The counselor said that looking back she would still have completed the certificate and believes he needed to be hospitalized.

CONCLUSION

Sinnissippi has no specific policy on petitioning and certifying, relying instead on the Code's established process and required elements. Its compliance policy calls for diligent adherence to all laws, rules and regulations that apply and states that staff will be oriented and trained accordingly.

Under the Mental Health Code, any adult may be detained and evaluated for potential involuntary admission upon the completion of a petition that submits the reasons why and includes signs, symptoms, acts, threats or other behaviors that were observed. Knowingly making a material false statement on the petition is a Class A misdemeanor (405 ILCS 5/3-601). Peace officers may take a person into custody and transport him to a mental health facility when the officer has reasonable grounds to believe that person is in need of immediate hospitalization for protection from physical harm. The officer may complete a petition on arrival, otherwise it must contain the officer's badge number and employer information (405 ILCS 5/3-606). To proceed with an admission, a certificate must be completed by a physician, a psychiatrist, a clinical psychologist or a qualified examiner who personally examined that person not more than seventy-two hours prior and determined him to be in need of immediate hospitalization. The certificate shall include the examiner's clinical observations and other factual information relied upon and a statement as to whether the person was advised of his rights under Section 3-208 (405 ILCS 5/3-602). Every petition and certificate is executed under penalty of perjury as though under oath or affirmation (405 ILCS 5/3-203).

Contrary to the complaint, a peace officer completed the petition in question, not the Sinnissippi counselor. Although the petition was not the strongest in that it failed to include the officer's own observations, the Code allows him to transport someone to safety based on reasonable grounds. The counselor met face-to-face with the recipient soon after and observed compelling reasons for hospitalization, all of which were cited consistently in the petition, the certificate, crisis notes and in her statements to us. There is no evidence to say her tactics were coercive or that she pressured his responses and entered false information. The complaint is not substantiated.

SUGGESTIONS

The counselor said she was sure to cover the recipient's rights with him before the examination began, except for his right not to speak. Sinnissippi should remind all qualified examiners to recite a recipient's rights in full at the beginning of every evaluation as required by the Code (405 ILCS 5/3-208):

Whenever a petition has been executed pursuant to Section 3-507, 3-601 or 3-701, and prior to this examination for the purpose of certification of a person 12 or over, the person conducting this examination shall inform the person being examined in a simple comprehensible manner of the purpose of the examination; that he does not have to talk to the examiner; and that any statements he makes may be disclosed at a court hearing on the issue of whether he is subject to involuntary admission. If the person being

examined has not been so informed, the examiner shall not be permitted to testify at any subsequent court hearing concerning the respondent's admission.

Sinnissippi has the unique chance to educate sheriff's deputies when petitions and certificates are being done simultaneously at the jail chapel. Counselors can take that opportunity to remind officers that petitions should include not just hearsay from callers or witnesses but what they personally observed when approaching people at their homes. They can also encourage jail staff to provide phone access for people waiting for evaluation.