



FOR IMMEDIATE RELEASE

North Suburban Regional Human Rights Authority
Report of Findings
HRA #11-100-9003
Concepts Plus, Incorporated

The North Suburban Regional Human Rights Authority (HRA) has completed its investigation into an alleged rights violation at Concepts Plus, Incorporated. The issues accepted for investigation are as follows:

1. Concepts Plus violated the rights of persons with disabilities when it failed to provide services pursuant to an individualized services plan without input from the service recipient or guardian. Clients of four ICF DD (Intermediate Care Facility Developmental Disabilities) facilities were forced to transfer to a different vocational program without regard to client/guardian choice or individualized services planning. Clients who refused to transfer to the new vocational program were inappropriately threatened with discharge. One guardian was not informed of the transfer. There was a lack of discharge planning with regard to the vocational change in that information from the prior vocational provider was not sought (some clients went from paid contract work to unpaid work; behavioral plans were not in place; some clients sat idle all day; and one client sat idle because staff did not know or understand ambulation needs; clients have been segregated from the rest of the vocational clients.)
2. A client with involved family was not informed of her right to include family in service planning. Subsequently, the facility refused to share client information with the family even though the client agreed with and consented to the family's involvement.
3. Clients, guardians and interested family (for whom client consent had been given) do not receive quarterly statements of finances.
4. The homes do not have an adequate grievance process. Information about agency contacts is not made readily available to families and guardians. Calls made are not returned. There is retaliation for filing complaints with Public Health, including forcing the change in vocational placements. The prior vocational provider refused to accept one client back from an illness without a physician's release; when the client showed up and the provider attempted to send her home, Concepts Plus personnel threatened to pull all its clients from the vocational provider.
5. The homes did not maintain an up to date contract with vocational providers. When the vocational providers attempted to secure an updated contract, there was no response.
6. A contract provision inappropriately requires the vocational provider to contact the residential provider before filing reports to IDPH.

7. The residential provider does not meet a client's needs when the provider does not provide adequate food quantities for lunch.
8. A guardian was not notified of a client's tooth extraction; thus consent was not obtained.

If substantiated, the allegations would violate the Intermediate Care for the Developmental Disabilities Facilities Code (ICF/DD) (77 Ill. Admin.Code 350), the Centers for Medicare/Medicaid Conditions of Participation (42 C.F.R. 483), and the Probate Act of 1975 (755 ILCS 5/11a-17).

Background

Concepts Plus Incorporated is a residential program that serves adults with developmental disabilities. The focus of this investigation centered on the programs located in Waukegan.

Methodology

To investigate the allegations, the HRA requested and received facility policy relevant to the allegations. Also reviewed were IDPH (Illinois Department of Public Health) investigation documents as well as written correspondence from family members/guardians. The HRA conducted an on-site visit to review client charts; a site visit was conducted at which time the matters were discussed with the Executive Director, an Administrator and a Regional Trainer. In addition, the HRA went to the vocational program and discussed some matters with the Day Training Manager and took a tour of the program.

Allegation #1: Concepts Plus violated the rights of persons with disabilities when it failed to provide services pursuant to an individualized services plan without input from the service recipient or guardian. Clients of four ICF DD facilities were forced to transfer to a different vocational program without regard to client/guardian choice or individualized services planning. Clients who refused to transfer to the new vocational program were inappropriately threatened with discharge. One guardian was not informed of the transfer. There was a lack of discharge planning with regard to the vocational change in that information from the prior vocational provider was not sought (some clients went from paid contract work to unpaid work; behavioral plans were not in place; some clients sat idle all day; and one client sat idle because staff did not know or understand ambulation needs; clients have been segregated from the rest of the vocational clients.)

FINDINGS

According to the complaints, Concepts Plus ended its arrangements with two vocational providers and moved its clients to a new vocational provider. As noted in the allegation, some parents/guardians were not notified of the transfer to the new vocational provider, and those that were notified were not afforded the opportunity to provide input regarding the matter. If a guardian voiced that they did not want their client transferred, they were met with discharge options.

The HRA reviewed an IDPH investigation which found that guardians and clients were not afforded an opportunity to voice concerns prior to the final decision regarding the blanket company action which impacted the clients' rights to attend the vocational program of their choice. The IDPH investigation showed that a guardian reported that she/he was not advised of

the transfer to the new vocational program; instead a letter was received from the previous vocational program regarding the transfer. The HRA reviewed correspondence that was written by a guardian to a community case management agency. The guardian wrote that he/she was told by Concepts Plus that if the client and/or guardian choose to not go to the new vocational program, the client would need to move out of Concepts Plus Homes.

The HRA reviewed the ISPs (Individual Services Plan) for nine clients; the charts contained an "Addendum to ISP" dated 6/6/10 which stated that "[new day training program] will begin providing day training services to all Concepts Plus clients on July 6, 2010. For the first 30 days, [new program] will run joint programs based on the residential programming in place at that time. This will ensure an accurate assessment of each individual's needs. 30-day staffings will then be held for each client to determine goals for the upcoming years. All guardians and individuals have been notified of this change." Some of the charts reviewed had this statement included in the ISP's Pre-Vocational/Vocational/Education section of the ISP.

At the site visit, Concepts Plus personnel stated that they made the decision to change vocational providers prior to any discussion with the clients/guardians. The change in vocational programs was made because they became dissatisfied with the performance of the old providers based on a number of issues, including the fact that numerous IDPH citations had been issued. It was stated that the guardians were contacted by telephone regarding the transfer of services on May 28th, 2010. A letter was sent on June 1, 2010 asking for questions or concerns about the move. To transition, a meeting was held with the clients explaining the transfer to the new vocational provider. And, an open house was held at the new provider for anybody who wished to come. (The HRA notes that in a letter from a guardian to a community agency, the guardian mentions attending the open house). Concepts Plus personnel explained that meetings were held with the new provider and that staff members were sent to the new provider for a short period to assist in the transition. It was stated that all client programs had been given to the new site (prior to the first day that the clients started) including behavior plans; there were no changes required to the clients ISP because of the move.

Concepts Plus personnel reported to the HRA that the thirteen clients involved in the transfer to the new vocational program are currently satisfied with the move. It was stated that the clients do not sit and do nothing at the new program. They are involved in many activities and the new program has significantly more activities and work than the previous program. It was stated that client ambulation needs are being met and that walkers and wheelchairs are used when needed. It was also stated that the Concepts Plus clients are not segregated.

When asked if any of the clients were at risk of discharge if they did not agree to transfer to the new vocational program, Concepts Plus personnel responded that all of the clients/guardians did ultimately agree to the change. However, if a client refused to accept the new transfer of service, they could have been discharged from their facility. They explained that they are required to have a vocational program contract and that, providing that the service needs of the clients can be met by the new program, the clients/guardians must accept this change or the client can no longer be maintained at the facility.

The HRA conducted an unannounced visit to the vocational program and learned from the Day Training Manager that they have provided services to Concept Plus residents for several years and they are very impressed by their attentiveness to the needs of their clients and the responsiveness to the vocational program's questions. The Manager stated that they have daily contact with administration as well as the direct care staff who are always accessible to staff. In response to a question, the Manager stated that she could not recall a time when Concepts Plus

did not provide needed or requested information in providing service to their clients. Before the new residents began attending, the vocational program received comprehensive packets of information on each client which included behavioral plans. And, tours were set up not only for the residents of each home but tours were offered to guardian/parents. The Manager stated that she recalled a time or two early-on where a walker may have been forgotten or broken but a simple telephone call to the house resolved the issue within the same day.

The HRA learned that there are two separate buildings for the vocational programs. One program building is for those clients with severe/profound disabilities; at the time of the visit the clients seemed to be engaged in structured activities (various eye-to-hand coordination tasks, grooming, etc). The Day Training Manager explained that in an effort to accommodate the clients from Concepts Plus, a classroom was built. It was stated that although most of the clients in the new classroom are Concepts Plus clients, clients from other placements are included in the classroom. It was determined that it would be best to not disrupt those clients in the established classrooms by adding new clients, thus the reason why most Concepts Plus clients remained in the same room. Clients eat lunch in their classroom. The second program is the paid contract program where clients receive wages for work completed. At the time of the visit, most of these clients were getting ready to go home for the day, but we did observe some clients completing work tasks.

Agency Client Rights policy states that "each individual shall be given the opportunity to participate in planning his/her total care and medical treatment." The policy also states that "all client rights and responsibilities of an Individual pass to the Individual's Guardian, next of kin, or sponsoring agency if an Individual: 1) is adjudicated incompetent under State law; 2) is determined by the QMRP to be incapable of understanding his/her rights and responsibilities.

STATUTORY BASIS

Pursuant to the Code of Federal Regulations, Section 483.440 (c) "(2) Appropriate facility staff must participate in interdisciplinary team meetings. Participation by other agencies serving the client is encouraged. Participant by the client, his or her parent (if the client is a minor) or the client's legal guardian is required unless that participation is unobtainable or inappropriate... v) Include physical development and health, nutritional status, sensory motor development, affective development, speech and language development and auditory functioning, cognitive development, social development, adaptive behaviors or independent living skills necessary for the client to be able to function in the community, and as applicable, vocational skills. (4) Within 30 days after admission, the interdisciplinary team must prepare for each client an individual program plan that states the specific objectives necessary to meet the client's needs, as identified by the comprehensive assessment required by paragraph (c)(3) of this section, and the planned sequence for dealing with those objectives. These objectives must-- (6)(vi) Include opportunities for client choice and self-management. (7) a copy of each client's individual program plan must be made available to all relevant staff, including staff of other agencies who work with the client, and to the client, parents (if the client is a minor) or legal guardian."

CONCLUSION

The HRA concludes that Concepts Plus violated the rights of persons with disabilities when it failed to provide services pursuant to an individualized services plan without input from the service recipient or guardian. Clients were forced to transfer to a different vocational program without regard to client/guardian choice or individualized services planning. The allegation is substantiated.

Clients who refused to transfer to the new vocational program were told that alternative placement would need to be considered - this could be construed as a threat. The allegation is substantiated.

Regarding the assertion that there was a lack of discharge planning because information from the prior vocational provider was not sought is unsubstantiated. This information did not need to come directly from the prior vocational provider as it would have been part of the client's ISP. According to agency personnel at the new vocational program, behavior plans were in place prior to the clients starting the new vocational program.

The HRA found no evidence to show that some clients went from paid contract work to unpaid work or that some clients sit idle all day. It was learned that all clients have lunch in their respective classrooms. The allegations are unsubstantiated.

Based on the information obtained, some Concepts Plus clients have been segregated from the majority of the other vocational clients. It was determined that it would be disruptive to the other clients to add an influx of new clients into the classrooms, therefore a new classroom was built; client rights have not been violated.

As stated, a client(s) walker may not have accompanied the client to the program and/or the walker was broken; according to the Manager, the matter was resolved within the same day. Although the matter was resolved quickly, a client should not be without a walking device; it is concluded that client rights were violated.

Recommendations

1. The facility must provide services pursuant to an individualized services plan **with** input from the service recipient or guardian. Clients must not be forced to transfer to a different vocational program without regard to client/guardian choice or individualized services planning.
2. The facility must train its staff members to treat all clients and/or parent/guardian with respect and never use alternative placement to achieve a desired result. Involuntary discharge can only occur for medical reasons, safety or non-payment as per applicable regulations (77 Ill. Admin. Code 350.3300).
3. The facility must ensure that all walking devices are operational and that the device accompanies the client as needed.

Allegation #2: A client with involved family was not informed of her right to include family in services planning. Subsequently, the facility refused to share client information with the family even though the client agreed with and consented to the family's involvement.

FINDINGS

The complaint states that a client who retains her own rights has a cousin that is involved in her life. Concepts Plus has not engaged this cousin as the designated support person for the client.

This client's chart contained a form dated 12/10/10 inviting the cousin (as identified in the complaint) to the client's staffing that was to be held on 1/14/11.

At the site visit it was stated that family/guardians are involved in the development of the ISP and that a notification of the staffing is sent out 30 days prior.

STATUTORY BASIS

Pursuant to the Illinois Administrative Code Section 350.1030, "d) As appropriate during the developmentally disabled person's admission to and while receiving services in the facility, the social worker shall provide liaison between him, the facility, the family, and the community, so as to help the staff to: 1) Individualize and understand the needs of the client and his family in relation to each other. 2) Understand social factors, including staff/client relationships, in the client's day-to-day behavior. 3) Prepare the client for changes in his living situation.

CONCLUSION

The HRA is uncertain whether the cousin was invited and/or asked to engage as the designated support person for the client at the time the complaint was received. But the record showed the cousin is currently being invited to the ISP meetings. Based on the information obtained, it is concluded that this allegation is unsubstantiated.

Allegation #3: Clients, guardians and interested family (for whom client consent had been given) do not receive quarterly statements of finances.

FINDINGS

The complaint suggests that clients, guardians and authorized persons no longer receive financial statements; it was stated that these were sent from the provider several years ago but the practice has ceased.

At the site visit it was stated that each client/guardian receives a quarterly financial statement. The client also receives a monthly bank statement. A staff member reviews the monthly statement with the client and the client is required to sign the statement. The HRA noted one chart that contained a Social Service document indicating that the bank statement was reviewed with the client. Nothing was found to show that the statements were mailed on a quarterly basis.

STATUTORY BASIS

Pursuant to the Illinois Administrative Code, Section 350.3260, the facility, "shall provide, in order of priority, each client, or the client's guardian, if any, or the client's representative, if any, or the client's immediate family member, if any, with a written itemized statement at least quarterly, of all financial transactions involving the client's funds."

CONCLUSION

Since nothing was found to show that the statements are mailed on a quarterly basis, the allegation is substantiated.

Recommendation

Concepts Plus must provide, in order of priority, each client, or the client's guardian, if any, or the client's representative, if any, or the client's immediate family member, if any, with a

written itemized statement at least quarterly, of all financial transactions involving the client's funds. Documentation should state the same.

Allegation #4: The homes do not have an adequate grievance process. Information about agency contacts is not made readily available to families and guardians. Calls made are not returned. There is retaliation for filing complaints with Public Health, including forcing the change in vocational placements. The prior vocational provider refused to accept one client back from an illness without a physician's release; when the client showed up and the provider attempted to send her home, the residential provider threatened to pull all its clients from the vocational provider.

FINDINGS

It was reported that family members have difficulty obtaining agency contact information; when calls are made to staff members they are often not returned. It was stated that because the vocational provider reports many complaints about Concepts Plus to IDPH, a retaliatory move was made to change programs. On one occasion the (previous) vocational provider refused to accept one client back from an illness without a physician's release; when the client reported to the program with the order, the vocational program attempted to send her home. Concepts Plus staff insisted that the client remain at the program, further saying that if she did not stay they would pull all its clients from that vocational program.

A review of a guardian's case notes documented that the guardian received a telephone call from the (previous) vocational provider that a client was behaving unusually. A subsequent call to Concepts Plus staff revealed that they speculated that the client was acting unusual because she had not had her antipsychotic medication for a couple of weeks. The nurse was contacted and the vocational provider requested that the client stay home until she had resumed the medication for three days. It was documented that an administrative representative from Concepts Plus threatened the vocational program personnel that if they did not take the client back, then Concepts Plus would change vocational programs. A subsequent noted telephone call showed that the client was sent to the vocational program without having had the medication resumed for a period of three days.

Regarding the assertion that telephone calls made to the facility are not returned, guardian case notes documented that the guardian was having a difficult time directly connecting with Concepts Plus staff members. Calls were not returned or not returned in a timely manner.

Concerning the grievance process, a review of the IDPH investigation indicated that an adequate grievance process was not met. The IDPH report documented that "Guardians for 2 of 2 individuals in the sample were not afforded an opportunity to voice concerns/rights prior to final decisions regarding blanket company action which impacted rights to attend work of their choice." Concepts Plus responded to this citation by saying they would provide in-service training and that the Director would monitor for compliance.

At the site visit, Concepts Plus personnel stated that they have no specific policy regarding filing a grievance. In general, the specific grievance is brought to the attention of management who then attempts to resolve the matter. They have had no grievances in at least the past six months. Staff members return telephone calls in a timely manner, and staff members are not disciplined for contacting IDPH. Regarding the matter that a client was sent to a vocational program sick, it was stated that an ill client, when at all possible, will stay in his/her own home for the day. A staff member might need to be pulled from another home to accomplish this;

however, on occasion a client might need to spend the day at another residential site if staffing numbers do not permit the client to stay home. It was stated that it is not the ideal situation and all provisions are made to ensure that the client can recuperate in his/her own bed.

STATUTORY BASIS

Pursuant to the Illinois Administrative Code, Section 350.3310, "A client shall be permitted to present grievances on behalf of himself and others to the administrator, the Long-Term Care Facility Advisory Board, the clients' advisory council, State governmental agencies or other persons without threat of discharge or reprisal in any form or manner whatsoever. The facility administrator shall provide all clients or their representatives with the name, address, and telephone number of the appropriate State governmental office where complaints may be lodged." Section 350.660 e) of the Illinois Administrative Code states that, "The facility shall provide for the registration and disposition of complaints without threat of discharge or other reprisal against any employee or resident."

Pursuant to the Code of Federal Regulations Section 483.10," (f) a client has the right to (1) Voice grievances without discrimination or reprisal. Such grievances include those with respect to treatment which has been furnished as well as that which has not been furnished; and (2) Prompt efforts by the facility to resolve grievances the client may have, including those with respect to the behavior of other clients." Section 483.420 (c) (2) with regard to client, parental and guardian communications requires facilities to "Answer communications from clients' families and friends promptly and appropriately."

CONCLUSION

It is concluded that Concepts Plus does not have an adequate grievance process. The HRA found no evidence to prove or disprove the assertion that information about agency contacts is not made readily available to families and guardians or that there is retaliation for filing complaints with Public Health.

Based on documentation, the allegation that Concepts Plus threatened to pull all its clients from the vocational provider because the vocational provider did not want to accept an ill client to the program is substantiated.

Based on the information obtained, it is concluded that calls made to Concepts Plus staff member are not returned and/or are not returned in a timely manner.

Recommendations

1. In-service staff members about being professional to outside contacts and in-service staff members about the importance of timely communications.
2. Ensure that clients and their representatives are able to present grievances without discrimination or reprisal consistent with state and federal regulations. Train staff accordingly.

Suggestion

1. Develop a written grievance policy.

Comment

The HRA finds it appalling that a client did not receive her prescribed psychotropic medication for a *couple of weeks*. The facility **must ensure** that each client receives all medical needs as prescribed by the physician.

Allegation #5: The homes did not maintain an up to date contract with vocational providers. When the vocational providers attempted to secure an updated contract, there was no response.

FINDINGS

It was stated in the complaint that the contracts have a 30-day buy-out and they did receive a 30-day notice. However there were no signed copies of contracts and when requested, Concepts Plus would not provide the signed contract.

At the site visit it was stated that there were no contracts in place with the two former day training site because they refused to meet with Concepts Plus personnel. The previous contract was signed in 2006, and since then the contract became valid on a month-to-month basis.

STATUTORY BASIS

Pursuant to the Code of Federal Regulations 483.410, "(a) Standard: Governing body. The facility must identify an individual or individuals to constitute the governing body of the facility. (d) Standard: Services provided under agreements with outside sources. (1) If a service required under this subpart is not provided directly, the facility must have a written agreement with an outside program, resource, or service to furnish the necessary service, including emergency and other health care.(2) The agreement must—(i) Contain the responsibilities, functions, objectives, and other terms agreed to by both parties; and(ii) Provide that the facility is responsible for assuring that the outside services meet the standards for quality of services contained in this subpart.(3) The facility must assure that outside services meet the needs of each client.(4) If living quarters are not provided in a facility owned by the ICF/MR, the ICF/MR remains directly responsible for the standards relating to physical environment that are specified in §483.470 (a) through (g), (j) and (k).(e) Standard: Licensure. The facility must be licensed under applicable State and local law."

CONCLUSION

It is concluded that this matter is a licensing issue and not a client rights subject.

Allegation #6: A contract provision inappropriately requires the vocational provider to contact the residential provider before filing reports to IDPH.

FINDINGS

The Contract For Active Habilitation Services Between Facility & Day Program states that "Acute medical and behavioral issues, as well as allegations of abuse, neglect, and/or exploitation shall be communicated **immediately** to the FACILITY administrator, in addition to reporting to any other mandated Regulatory Agency."

It was stated that vocational staff members are not directed to contact facility administration before the mandated regulatory agency is contacted, but - the vocational staff members are directed that when the IDPH is contacted, that facility administration must also be notified. Direct care staff members are not to contact the IDPH directly - they contact their immediate supervisor at all times - the supervisor then contacts the IDPH.

A review of IDPH materials showed that vocational staff members contacted Concepts Plus to report an incident of staff abuse (a client reported to vocational staff that a staff member

had pulled on his arm and hit him twice on the head with the shower head). The IDPH report documented that the facility's report to IDPH dated 4/30/10 included the following: "Please allow this letter to serve as notification of a possible inappropriate interaction involved R6 client and an unknown staff member. On 4/30/10, the facility was notified by day training that an incident was reported to them on 4/25/10..."

STATUTORY BASIS

Pursuant to the Illinois Administrative Code, Section 350.3310, "A client shall be permitted to present grievances on behalf of himself and others to the administrator, the Long-Term Care Facility Advisory Board, the clients' advisory council, State governmental agencies or other persons without threat of discharge or reprisal in any form or manner whatsoever. The facility administrator shall provide all clients or their representatives with the name, address, and telephone number of the appropriate State governmental office where complaints may be lodged. A facility employee or agent who becomes aware of abuse or neglect of a client shall immediately report the matter to the facility administrator. A facility administrator who becomes aware of abuse or neglect of a client shall immediately report the matter by telephone and in writing to the client's representative. A facility administrator, employee, or agent who becomes aware of abuse or neglect of a client shall also report the matter to the Department."

Pursuant to the Abused and Neglected Long Term Care Facility Clients Reporting Act, "Any long term care facility administrator, agent or employee or any physician, hospital, surgeon, dentist, osteopath, chiropractor, podiatrist, accredited religious practitioner who provides treatment by spiritual means alone through prayer in accordance with the tenets and practices of the accrediting church, coroner, social worker, social services administrator, registered nurse, law enforcement officer, field personnel of the Department of Healthcare and Family Services, field personnel of the Illinois Department of Public Health and County or Municipal Health Departments, personnel of the Department of Human Services (acting as the successor to the Department of Mental Health and Developmental Disabilities or the Department of Public Aid), personnel of the Guardianship and Advocacy Commission, personnel of the State Fire Marshal, local fire department inspectors or other personnel, or personnel of the Illinois Department on Aging, or its subsidiary Agencies on Aging, or employee of a facility licensed under the Assisted Living and Shared Housing Act, having reasonable cause to believe any client with whom they have direct contact has been subjected to abuse or neglect shall immediately report or cause a report to be made to the Department."

CONCLUSION

The HRA concludes that the contract is worded to require the vocational provider to contact the residential provider before filing reports to IDPH.

Recommendation

Change the contract wording so that vocational staff members understand that they are not directed to contact facility administration before the mandated regulatory agency is contacted.

Comment

The HRA finds it disturbing that the incident was not reported until two days after the report was given from vocational staff and that it was reported as "possible inappropriate interaction" involving a client and an unknown staff member. Alleged physical abuse should never be described as "possible inappropriate interaction" and allegations of abuse must be reported within the mandated timeframe.

Allegation #7: The residential provider does not meet a client's needs when the provider does not provide adequate food quantities for lunch.

FINDINGS

It was said that a client only received 2 to 3 ounces of tuna fish in the lunch brought from the facility.

According to the IDPH report, a family member went to the day training site and opened her daughter's lunch bag; she found only a 3 oz. cup of tuna. Home staff that made the lunches for that day were interviewed and stated that the complete menu was made for that meal. When substitutions are made, a vegetable is given for a vegetable, fruit for a fruit etc.; the substitutions are not recorded. The investigation documented that a staff member from Concepts Plus contacted the vocational program and learned that the client had eaten part of her lunch for her morning snack. IDPH found that Concepts Plus did not keep menus for food actually served for 30 days.

At the site visit, the HRA referenced the above IDPH investigation and asked what action had been taken since the investigation. It was stated that they re-educated their staff about meal preparation and the meals are monitored. However, they have no specific monitoring tool in place. It was stated that the same process to monitor the meals (which is just to observe) that was used prior to the IDPH visit has been unchanged.

STATUTORY BASIS

Pursuant to the Illinois Administrative Code Section 350.1850, "Each client shall be served food to meet the client's needs and to meet physician's orders. The facility shall use this Section to plan menus and purchase food in accordance with the following Recommended Dietary Allowances of the Food and Nutrition Board of the National Research Council, National Academy of Sciences."

Pursuant to the Code of Federal Regulations 483.35, "The facility must provide each client with a nourishing, palatable, well-balanced diet that meets the daily nutritional and special dietary needs of each client."

CONCLUSION

At the time of the HRA's investigation, the HRA found no evidence to prove or disprove the assertion that Concepts Plus does not provide adequate food quantities for lunch. It is suggested that a specific monitoring system be developed that ensure that each lunch meal contains the food items from the recommended menu.

Allegation #8: A guardian was not notified of a client's tooth extraction; thus consent was not obtained.

FINDINGS

A review of client records showed that the client whose tooth was extracted retains her own rights.

Facility personnel did explain that a general consent for dental procedures is obtained from the clients/guardians for routine dental procedures. Specific consents for procedures not covered by this are obtained by the medical professionals involved.

STATUTORY BASIS

Under the Probate Act of 1975, personal guardians are to procure for their wards' support, care, and health (755 ILCS 5/11a-17).

CONCLUSION

Based on the findings, the allegation is unsubstantiated.

RESPONSE

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



ENRICH... ENHANCE... ENGAGE

June 1, 2011

Dan Haligas, Chairman
 North Suburban Regional Human Rights Authority
 Illinois Guardianship and Advocacy Commission
 9511 Harrison St., W-300
 Des Plaines, IL 60016-156

Re: HRA #11-100-9003

Dear Mr. Haligas,

Please accept this letter as acknowledgement of receipt of findings and recommendations for Case #11-100-9003. All recommendations have been thoroughly reviewed and appropriate action has taken place where needed.

Allegation #1:

- 1.) Concepts Plus does provide services pursuant to individual service plans with input from recipient or guardian as noted by Community Services Team signature sheet as well as the Individual Service Plan Agreement. IDPH has reviewed this and POC was accepted. No further action is required.
- 2.) Concepts Plus has only discharged individuals per applicable regulation (77 Ill. Admin. Code 350) prescribed. No further action is required.
- 3.) Concepts Plus does provide walking devices and responded immediately to the one occasion when the device did not accompany the individual to day training. No further action is required.

Allegation #3:

Quarterly statements of finances are mailed to guardians of estates as required. Copies of the statements with the date and signature of the staff mailing the information are included in the Case File. No further action required.

Allegation #4:

- 1.) Staff are in-serviced upon hire and as needed thereafter regarding professionalism. No further action needed.
- 2.) Concepts Plus has a written policy for Resident Advisory Council to present grievances. No further action needed.



ENRICH... ENHANCE... ENGAGE

Allegation #6:

Concepts Plus feels the contract signed by day training and the facility is appropriate. The contract states "Acute medical and behavioral issues, as well as allegations of abuse, neglect, and/or exploitation shall be communicated immediately to the FACILITY Administrator, in addition to reporting to any other mandated Regulatory Agency." The contract wording does not state that the facility must be notified before any other Regulatory Agency. Concepts Plus agrees that it is disturbing that the Day Training did not notify the facility until 5 days after the allegation was reported to them by the resident; therefore the facility could not meet their mandated reporting timeframes to IDPH. No further action needed.

Concepts Plus appreciates your time and diligence throughout this investigation.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Bennett", is written over a horizontal line. The signature is stylized and somewhat cursive.

Steve Bennett
Executive Director