



FOR IMMEDIATE RELEASE

North Suburban Regional Human Rights Authority
Report of Findings
HRA #11-100-9004
Elgin Mental Health Center

Case Summary: the HRA did not substantiate the allegations presented. The HRA's public record on this case is recorded below; the provider's response immediately follows the report.

In September 2010, the North Suburban Regional Human Rights Authority (HRA) opened this investigation regarding Elgin Mental Health Center, Forensic Treatment Program, Unit L. A complaint was received that alleged that recipients are not receiving mail/packages in a timely manner. If found substantiated, the allegation would be a violation of the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5/2-103).

Recipients receiving services at EMHC's Forensic Treatment Program have been remanded by Illinois County Courts to the Illinois Department of Human Services (DHS) 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.

To pursue this investigation, a site visit was conducted in October 2010, at which time the allegation was discussed with the unit's Nurse Manager and three recipients of services.

Findings

The complaint reported that it is facility policy that packages received at the program building are to be delivered to the patient within 24 hours. It was stated that recently, it has taken anywhere from two to five days to get a package. In addition, excess items (from said packages) are stored in a locked area and prior to June 2010, these items could be retrieved by staff at any day/time of the week. Since June, a new system was implemented in that the staff are only to retrieve the stored items three times per week. It was reported that staff members were only retrieving the items once per week.

At the site visit, the HRA learned that all incoming packages go to the Mail Center where they are sorted according to program building. The packages then are delivered to the security department where they are sorted by unit and unit staff are notified of the packages. A unit staff member and the recipient then retrieve the package from security at which time the package is opened in front of security. Some items can be taken back to the unit and some items- excess commodities - are stored and the recipient is given an inventory of the stored items.

The excess commodities are placed in a locked storage area (located off-unit) and may be picked up Monday, Thursday and Friday. The Unit Manager stated that the process had temporarily been reduced to once per week due to staffing issues. The three days a week pick-up had been reinstated on 10/4/10; the HRA observed a notice posted on the unit denoting the three

day process. To obtain items in the locked storage area, the recipient must complete a receipt list, indicating which items are being requested from storage. The recipient must then get specific staff signatures (Nurse Manager, Program Director, and STA) before the item(s) can be retrieved.

The allegation was discussed with the Chief of Security who stated that when a package arrives in the program, (whether via mail or during visitation) an officer contacts the unit to report that a package has arrived. The officer logs in his/her name, the recipient's name, the date the package arrived and the unit staff member that he/she spoke to about the package. There is no specific time or day of the week that the packages are delivered to the recipient. However, packages are not delivered during visitation hours or during the period that recipients leave on passes. If the recipient is able to leave the unit, the staff member (as stated above) and recipient retrieves the package from security. If the recipient is unable to leave the unit, security will take the package to the unit.

When discussing this allegation with the recipients, two of the three recipients stated that getting the items only three days a week is not as much problem as getting the needed signatures for the items. It was stated that when the unit's nurse manager is away, the covering manager will sign for food but is hesitant to sign for other items.

The facility's mail policy states (to summarize) that incoming mail is delivered by the Mail Room personnel to each residential treatment unit at least once per day. Prior to handing mail to the patient receiving it, unit staff must inform the patient that staff must check the mail for contraband and money in excess of the applicable program limits. If the mail is a package, the package must be opened in the presence of a Security Officer, or the patient's caseworker, or the Nurse Manager, or a staff member designated by the Nurse Manager.

Conclusion

Pursuant to the Mental Health and Developmental Disabilities Code Section 2-103, "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. The facility director shall ensure that correspondence can be conveniently received and mailed, that telephones are reasonably accessible, and that space for visits is available. Writing materials, postage and telephone usage funds shall be provided in reasonable amounts to recipients who reside in Department facilities and who are unable to procure such items."

It is concluded that rights are not being violated; the allegation as presented is unsubstantiated. However, the HRA asks that management review the process for obtaining signatures, since a delay in obtaining the signatures could result in delayed access to personal possessions.

RESPONSE

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



Pat Quinn, Governor

Grace Hong Duffin, Acting 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

November 12, 2010

Mr. Dan Haligas - Chairperson
North Suburban Regional Human Rights Authority
9511 Harrison Street, W-300
Des Plaines, IL 60016-1565

Re: HRA #11-100-9004

Dear Mr. Haligas:

Thank you for your thorough review of this matter. Getting packages to patients is a high priority for us, as we know how important they are to them. As you are aware, in a forensic facility we cannot compromise security procedures. All packages must be opened in front of Security, unit staff, and the patient. All packages with restricted or contraband items must be approved by the unit Nurse Managers. In the absence of the unit Nurse Manager, a covering Nurse Manager or Associate Director of Nursing may need more time to review the clinical/security issues of a patient they may not be familiar with. Nurse Managers are well aware of the timeliness issue and will make every effort to avoid unnecessary delays.

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

Sincerely,

Paul N. Brock, M.P.A., M.H.A.
Hospital Administrator

PNB/JP/aw

Elgin Mental Health Center
750 S. State St.
Elgin, IL 60123-7692
Voice (847) 742-1040
TTY (847) 742-1073

Singer Mental Health Center
4402 N. Main St.
Rockford, IL 61103-1278
Voice (815) 987-7096
TTY (815) 987-7072