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**FOR IMMEDIATE RELEASE**

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**REPORT OF FINDINGS 12-040-9006  
MIDWAY NEUROLOGICAL AND REHABILITATION CENTER  
HUMAN RIGHTS AUTHORITY— South Suburban Region**

[Case Summary— The Authority made corrective recommendations regarding the allegation that were accepted by the service provider. The public record on this case is recorded below; the provider did not request that its response be included as part of the public record.]

## **INTRODUCTION**

The South Suburban Regional Human Rights Authority (HRA) has completed its investigation into an allegation concerning Midway Neurological and Rehabilitation Center. According to the complaint, the facility failed to safeguard a resident's property. If substantiated, this allegation would violate the Nursing Home Care Act (NHCA) (210 ILCS 45/2-103) and the Illinois Administrative Code for Skilled Nursing and Intermediate Care Facilities (77 Ill. Admin. Code 300.3210).

Midway Neurological and Rehabilitation Center provides 24-hour skilled nursing care and offers a range of programs. The 404-bed facility located in Bridgeview reportedly had about 316 residents when the complaint was discussed with the facility staff.

## **METHODOLOGY**

To pursue the investigation, a site visit was conducted at which time the Facility Acting Administrator and the Assistant Administrator were interviewed. The complaint was discussed with the Facility Acting Administrator during closed session at the South Suburban Regional public meeting. The complaint was discussed with the resident and her new nursing home staff. The resident's record was reviewed with written consent. Relevant facility policies were also reviewed

## **COMPLAINT STATEMENT**

The complaint stated that the resident's belongings which included her new hearing-aid, a leather jacket, hooded sweatshirts, pants, a crocheted blanket and legal documents (i.e. birth certificate) were stolen while she was hospitalized in 2011. The resident was reportedly transferred to another nursing facility upon her discharge from the hospital and calls from the

individual have been unsuccessful in getting her missing belongings returned. The complaint acknowledged that the former resident's socks, underwear, one pair of sweat pants and one pair of shorts were returned by the facility.

## FINDINGS

After reviewing the record, the HRA determined that the resident had been previously admitted to the facility, and she was readmitted on January 18<sup>th</sup>, 2011. On that same day, a form entitled "Patient's Clothes List" documented that the resident had one coat, two jackets, three pairs of panties, three brassieres, ten pairs of trousers and twelve blouses. The form was not signed by the resident nor was the facility's name on the document. She was diagnosed with depression and many physical problems including a hearing impairment. She received a new hearing aid on August 11<sup>th</sup>, 2011, but her property form was not updated. The hearing device cost \$1400.00 and included a one-time lost replacement and damage policy that expired one year from the date above.

According to the record, the resident was admitted to a hospital's behavioral health unit for a psychiatric evaluation on September 29<sup>th</sup>, 2011. There was no documentation that the facility's staff removed the resident's belongings from her room or to the disposition of her property during her hospitalization. A grievance form stated that the Director of Nursing was informed that the resident's belongings were allegedly missing on that next month. A staff person reportedly searched the facility's storage, housekeeping areas and other rooms, but the resident's alleged missing clothing and other items were not found. According to the form, the resident did not return the staff person's call regarding the outcome of the search. The record does not provide any specific information about the resident's alleged missing items

When the complaint was discussed with Midway Neurological and Rehabilitation Center administration, the HRA was informed that the facility's nursing assistants are responsible for inventorying residents' property during the admission process, and inventory sheets are updated or another form would be completed when new items are obtained. If a resident refuses to sign the property form, this should be documented in the record. There was some discussion regarding the facility's procedures for safeguarding residents' property. The facility reportedly has seven storage areas, and the nursing assistants and activity staff are the only personnel who have keys to them. The investigation team was told that personal property is removed from residents' rooms when they are hospitalized or discharged from the facility. Residents' items are reportedly inventoried prior to storage. According to the staff interviewed, the resident's record should have indicated that her possessions were inventoried and placed in the facility's storage area. But, this is not always documented in residents' records.

According to the Facility Acting Administrator, an administrative nurse said that the resident's hearing-aid had been returned to the manufacturer because there was something wrong with the device before she was hospitalized. She said that the resident's other belongings had been picked up by someone of her choice, but they were not inventoried. She was unable to provide the specific date, and she reportedly has discussed inventorying resident's belonging with the facility's staff. As before, we note that the disposition of her belongings was not found in her record. The staff interviewed said that the resident filed a grievance with the facility concerning

her alleged missing items and that an investigation was done. The HRA was told that residents sometimes may complain that they did not get their clothing back from the laundry room and that a search is done and the items are usually found.

After the site visit, the Facility Acting Administrator reported that the audiologist told her that the resident should schedule an appointment with the hearing center to have another earmold made. She said that there was no mention of any cost for a new ear impression. On April 9<sup>th</sup>, 2011, the HRA informed the resident's new social worker about the need to schedule an appointment for an earmold. A nurse at the nursing facility subsequently confirmed that the resident's hearing aid was replaced. She also reported that the resident chooses not to wear the device daily.

According to the facility's "Storing Residents Personal Belongings" policy, its purpose is to safeguard items of residents who have been temporarily or permanently discharged from the facility. The policy states that the resident's belongings will be secured in a storage area. The responsible party will be notified due to the limited space if items are left for more than thirty days in storage. The inventory form will be signed by the resident or responsible party upon completion if the individual is permanently discharged or items are removed due to limited space from the facility.

The facility's grievance policy states that every effort will be made to resolve any complaint, concern or grievance brought to the staff's attention. This includes grievances concerning missing property and allegations of improper resident treatment. A complaint or grievance may be presented to any staff person who may resolve the issue immediately. If unable to resolve, a written grievance should be given to the Social Work Department or the Administrator for resolution. The policy directs the Administrator to ensure that the resident or family member is provided with a prompt response or summary of the action taken to resolve the complaint. According to the policy, the facility respects each person's right to make a formal or informal complaint or grievance without fear of reprisal or discrimination.

## CONCLUSION

Pursuant to the NHCA Section 45/2-103 and Section 300.3210 of the Illinois 77 Administrative Code,

The facility shall provide adequate storage for personal property of the resident .... shall provide a means of safeguarding small items of value for its residents in their rooms or in any other part of the facility so long as the residents have daily access to such valuables .... shall make reasonable efforts to prevent loss and theft of residents' property and may include, but are not limited to, staff training and monitoring, labeling property, and frequent property inventories .... develop procedures for investigating complaints concerning theft of residents' property and shall promptly investigate all such complaints.

The complaint that the facility failed to safeguard the resident's property is substantiated. The Authority finds that the facility's efforts for safeguarding residents' property are inadequate because the facility's policy lacks procedures for labeling and inventorying property prior to storing the items. According to the Facility Acting Administrator, the resident's belongings were picked up by someone of her choice, but this was not documented in her record. The staff lacked accountability for the items removed from her room for safekeeping and supposedly released to someone of her choice. This violates Sections 45/2-103 and 300.3210 and the facility's policy.

#### RECOMMENDATIONS

1. Midway Neurological and Rehabilitation Center shall follow Sections 45/2-103 and 300.3210 of the Illinois 77 Administrative Code regarding frequently inventorying residents' property.
2. The facility shall follow its policy regarding documentation of residents' personal belongings when they are discharged or their items are removed from the facility's storage areas.
3. Provide staff documentation training regarding inventorying residents' property and disposition of items when individuals are hospitalized or discharged from the facility.

#### SUGGESTION

1. The facility's administration should contact the resident and offer to replace her other missing items or make some monetary reimbursement to resolve this issue.