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North Suburban Regional Human Rights Authority  
Report of Findings  
HRA #13-100-9007  
Elgin Mental Health Center

**Introduction**

In October 2012, the North Suburban Regional Human Rights Authority (HRA) opened this investigation regarding Elgin Mental Health Center (hereafter referred to as Center), Forensic Treatment Program, Hartman Unit. A complaint was received that alleged the following:

1. The unit constantly runs out of toilet paper, towels, blankets and female sanitary supplies.
2. The quality of the toilet paper, shaving razors, towels and sanitary supplies is poor/unacceptable.
3. Consumers cannot order their own personal hygiene supplies.
4. Consumers receive inadequate medical services, in that medical referrals are ignored and/or get lost or consumers have to wait an unacceptable amount of time to get medical needs met.
5. Consumers receive dental fillings that fall-out in a matter of days and are not refilled; consumers are not getting their teeth cleaned on a regular basis.
6. The waiting time to see the eye doctor is excessive; consumers wait for months to get prescribed eye glasses; eye glass frames are very cheap and break soon after receiving them.

The rights of consumers are protected by the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5).

Consumers 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.

**Methodology**

To pursue this investigation, the HRA met with two consumers whose rights were alleged to have been violated. The HRA with written consent, reviewed portions of these consumers' clinical records. A site visit was conducted at which time the allegations were discussed with one of the Unit Social Workers and the Unit Nurse Manager. The HRA also interviewed four other consumers; two from the Hartman Unit and two from other units within the forensic treatment program.

**Allegations:**

- The unit constantly runs out of toilet paper, towels, blankets and female sanitary supplies.
- The quality of the toilet paper, shaving razors, towels and sanitary supplies is poor/unacceptable.
- Consumers cannot order their own personal hygiene supplies.

### **Findings**

In October 2012, a consumer reported to the HRA that she had ordered panty liners and she was not given the product because they were considered contraband. The HRA contacted the Assistant Director of Nursing (in October 2012) for the forensic program and she stated that she, as well as other team members, had spoken with this consumer regarding her issue. It was stated that the Center supplies female consumers with both regular sanitary pads and/or panty liners depending on what the consumer requests. It was stated that this consumer wanted her own pads/liners, which the Center does not allow. It was explained that the Center does not allow females to order sanitary pads because staff members need to keep track of the menstruation cycles. It was further stated that due to this consumer's request, the Center did expand the order to include panty liners and that they were available on the unit. The HRA was given a copy of a letter written in April 2012 from the program's Director saying that panty liners had been ordered.

In discussing the allegations with Center personnel, it was stated that unit supplies are ordered every two weeks by the unit nursing supervisor. When asked what happens when supplies run-out before they can get reordered, it was explained that the unit can get supplies from the general store and/or they can ask another unit for the needed items.

The HRA toured the unit's supply room. At that time, it seemed very well stocked with personal hygiene products as well as blankets and towels. Center personnel stated that the unit housekeeper is very particular and makes sure that the items do not get low and/or run out. The personal products are being supplied by a company called Bob Baker. This company is described on its web-site as America's Leading Detention Supplier. Each consumer receives a small bottle of "all-in-one" soap that is used as shampoo, body wash, etc. The HRA mixed the soap with water and noted that the soap had little to no suds, but that is not to say that the item is ineffective. The complaint had reported that the toilet paper was of such poor quality that it was stamped with what was assumed to be the manufactures name. Center personnel confirmed that a few rolls of toilet paper did in fact have some words stamped on it. The toilet paper is one-ply and the HRA noted that it was not at all soft to the touch, but again, this is not to say that the product is ineffective.

When asked if consumers are able to order personal hygiene supplies, it was stated that consumers cannot order their own supplies due to safety reasons (many alcohol based products), but they can purchase supplies at the commissary. The HRA observed the items at the Commissary and noted that it contained brand-name type products.

### **Allegations:**

- Consumers receive inadequate medical services in that referrals are ignored and/or get lost or recipients have to wait an unacceptable amount of time to get medical needs met.
- Consumers get dental fillings that fall-out in a matter of days and are not refilled; recipients are not getting their teeth cleaned on a regular basis.
- The waiting time to see the eye doctor is excessive; recipients wait for months to get prescribed glasses; eye glass frames are very cheap and break soon after receiving them.

### **Findings**

A review of two dental treatment records from the Hartman unit showed that in March 2012, one consumer was a "no call, no show" for her prophylaxis (cleaning) appointment. On May 25, 2012, a referral was made for this consumer because she complained of pain in her molars, she wanted a new crown, and she wanted her teeth cleaned. The examination was conducted on July 16, 2012; an appointment was recommended for the prophylaxis T.B.S. (to be scheduled). It was documented that the consumer denied any discomfort. The prophylaxis was completed on August 8, 2012. On September 25, 2012, a referral was made for this consumer because she had been hit in the face by another consumer and had a chipped molar; she was seen on September 27, 2012.

A review of the second chart showed that on January 26, 2012, the consumer was not feeling well and the unit staff requested that the annual appointment be rescheduled. On April 9, 2012, documentation indicated that the consumer refused his annual appointment.

Regarding podiatry, a review of one chart showed that a referral was made On February 16, 2012, because of hardened toe material. A consultation was completed on April 13, 2012; documentation indicated that the consumer refused the consultation and returned to the unit. A second referral was made on July 23, 2012, because the consumer reported painful heels; the examination was completed on July 27, 2012.

The HRA requested and obtained masked (identifiable data redacted) records for two consumers that received optometry services in 2012. The first record showed that a referral was made on August 13, 2012, as the consumer requested new glasses due to poor vision; it was noted as a routine examination. The examination was completed on September 24, 2012 at which time new glasses were ordered. The second record showed that a referral was made on November 27, 2012 due to the consumer's complaints of poor vision; this was noted as a routine examination. The examination was completed on December 17, 2012 at which time new glasses were ordered.

At the site visit it was stated that at times, it does take some time for the consumer to be seen for routine examinations. It was stressed, however, that when a consumer reports pain or discomfort, the referral is made and the consumer is seen as soon as possible. It was stated that there is only one optometrist and he/she is at the Center only once per month. The Center employs a full-time dentist that provides services to both the civil and forensic consumers.

### **Consumer interviews**

The HRA talked with consumers on this unit and other units about the personal hygiene supplies, and the dental, podiatry, and optometry services. The first consumer interviewed stated that a few months ago (about January 2012) her unit (Hartman) was running out of supplies but that this is no longer an issue. This consumer stated that she buys soap from the commissary because the Center supplied soap makes her itch. She went on to say, however, that a lot of the consumers like the soap. She stated that she sees the Dentist on a regular basis and that she did have a filling that fell out, but she stated she thought it fell out because she eats a lot of peanuts. She stated she has not had any problems with the new filling.

The second consumer interviewed (from the White unit) stated that in an emergency, it usually takes about 5 to 10 days to see the Dentist; he stated that he receives an annual cleaning. When asked, he stated that eye appointments are made only when needed/requested. He stated that he wears glasses supplied by the Center and he believes they look quite good on him and that the glasses are of good quality. He stated he does not have any problem getting personal hygiene products. He stated that the shampoo/body wash is industrial strength but he had no concerns about its quality.

The third consumer interviewed (from the Hartman unit) stated that she orders all of her personal supplies from the commissary; when asked why, she stated because she has the money. She stated that in December 2012, the unit was without toothpaste for five days. Regarding medical

services, she said she had a back molar break and she reported it to nursing immediately. It took a month to get the initial appointment at which time putty was placed on the tooth; the putty fell out within two days. Upon hearing this, the HRA obtained consent from this consumer to review her dental records. The dental records showed that on December 7, 2012, a referral was made for a broken upper tooth; the examination was completed on December 27, 2012. It was documented that temporary restoration was placed on the tooth and the consumer reported no discomfort. On February 14, 2013, a referral was made because the filling fell out; the examination was completed on March 14, 2013. It was documented that the tooth was restored with composite and that due to the location of the fracture, the prognosis was questionable.

The fourth consumer interviewed (from the I unit) stated that when hygiene products run out, the items are usually replaced within a day or two; he stated that the unit always has toothpaste. He stated that he sees the Dentist once a year and he has obtained reading glasses. The HRA notes that each consumer interviewed reported liking the toothpaste and mouthwash.

### **Center policy**

The Center's policy on patient assessment states that all patients will have a medical history and physical examination within 24 hours of admission.

The HRA reviewed the Forensic Treatment Program Patient/Family/Significant Other Information Booklet which states (in part) that, "Due to the limited storage space on the unit, you can take to the unit only those items that can be stored in your bedroom locker and night stand. These Items May Be Taken to the Unit: Personal clothing: it is best to bring casual clothes that are washable. Free washers and dryers are available for your use. Staff on your unit will assist you in managing your laundry needs. Cosmetics, Electric Razors, Personal Care Items: These are acceptable but should not be in glass containers or in aerosol form." The Booklet further addresses Restrictions on Items Brought During Visitation which states that, "Please be aware that any packages brought to the facility-food, clothing or personal items will be inspected by staff to make sure they contain nothing dangerous. This practice is implemented for the safety of all. Keep in mind storage space on units is limited and all consumers must assume responsibility for their belongings, remember, all packages brought during visitation must be in a sealed container, box or envelope."

The Center's Supplies and Commodities from stores policy states (in part) that "requisitions may be sent to Stores via the inter-hospital mail system and shall be filled and delivered on a scheduled basis. Emergency requests may be hand delivered to the Stores and shall receive prompt attention." The policy states that supplies are to be ordered on a two-week schedule.

### **Mandate**

The Mental Health Code states that every recipient is to be provided with adequate and humane care and services pursuant to their individual plans and that every recipient shall be free from neglect. The Code defines neglect as the failure to provide adequate medical or personal care or maintenance to a recipient of services, which failure results in physical or mental injury to a recipient or in the deterioration of a recipient's physical or mental condition.

### **Investigative Conclusion**

The investigation did not reveal any facts to support the claim that the unit *constantly* runs out of toilet paper, towels, blankets and female sanitary supplies. Consumer interviews suggest that this does happen from time to time. The HRA recognizes that the quality of the personal hygiene products might not be to everyone's liking; however it is concluded that the products are adequate. Consumers cannot order their own personal hygiene supplies for safety and for personal monitoring

reasons; consumers are able to purchase personal products from the Center's commissary. It is concluded that rights are not being violated. It is suggested that the Center revisit the Forensic Handbook, as the statement regarding personal care products is misleading.

It is concluded that it might take some time for the consumer to be seen for routine examinations and that when pain or discomfort is reported, the referral is made and the consumer is seen as soon as possible; it is concluded that rights are not being violated.

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## **RESPONSE**

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

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Pat Quinn, Governor

Michelle R.B. Saddler, Secretary

**Division of Mental Health - Region 2**  
**Elgin Mental Health Center**

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

May 22, 2013

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

Re: HRA #13-100-9007

Dear Ms. Larson:

Thank you for your thorough review. We are glad that there is no rights violation. We pride ourselves on good patient care. We will review our Forensic handbook and clarify your concerns related to personal care products with consumers.

Please include our response with any public release of your Report of Findings.

Sincerely,

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

PNB/JP/aw