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**FOR IMMEDIATE RELEASE**

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North Suburban Regional Human Rights Authority  
Report of Findings  
HRA #13-100-9013  
Elgin Mental Health Center

**Introduction**

In December 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. A complaint was received that alleged that monetary deposits are not being recorded accurately from the trust fund, thus there are discrepancies in the balances.

The rights of consumers are protected by the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5/2-105).

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.

**Methodology**

To pursue this investigation, the HRA met with two consumers on two separate occasions. The HRA with written consent, reviewed the August and December 2012 quarterly trust fund statements for each consumer. Also reviewed was the facility's Patient Trust Fund policy. The HRA typically would find it unfair to draw a conclusion from the record without giving the provider an opportunity to speak to the matter, however, given the provided documentation and consumer meetings, the HRA found there was sufficient evidence to complete a report.

**Findings**

The first meeting with the consumers was in January 2013. During this meeting, the consumers stated (during separate interviews) that in approximately October, November, December 2012, deposits being made to the trust fund were not being recorded every time. When asked to be more specific, if possible, one consumer stated that she had purchased an item in July 2012 and when it was delivered, she decided she no longer wanted it and shipped it back to the company. Her account was not credited for the amount of the returned item. This consumer stated that this was the only discrepancy that she had found in her financial accounts. When asked if she had talked to anyone about this, she said she had and she was told that it would take about three months for the credit to appear on her account.

The second consumer had a hand-written account of her deposits and withdrawals and she stated that her balances were not in-sync with the facility during the approximate same three month

period. It was after this meeting that the HRA requested, received and reviewed each consumer's trust fund statements from the facility.

Regarding the consumer that stated that her trust fund account had not been credited for a returned item, a review of her statement showed the purchase that was made in July 2012; the account was credited in October 2012. During the second meeting with this consumer (February 2013), the HRA showed her a copy of her trust fund statements that noted both the debit and credit of the purchase. When asked, the consumer stated that she had received copies of her trust fund statements but that they were difficult to read/understand.

The HRA met with the other consumer (February 2013) and reviewed her financial record with the statements generated by the facility. This consumer had a fairly accurate record of all her debit and credit transactions for the three-month period. She had missed a few workshop deposits (she stated they do not give a receipt for the paid wages) and she had missed a few debits. When the HRA described the missed transactions and the amounts as it was noted on the quarterly report, the consumer was able to recall the purchase and/or deposit and agreed with the report. With the missed transactions accounted for, this consumer's trust fund balanced. When asked if she had received a copy of her statements, she stated that she had but that she was not sure how to read them.

The facility's 6-page Patient Trust Fund policy states (in part) that "Deposit of monies into the Trust Fund requires the signed authorization of the patient and shall be witnessed by unit staff. The only exception is if the patient has a guardian of the estate. If so, the guardian of estate's authorization is required." The policy further states that "Forensic Treatment Program patients may have money transferred to their debit cards. All patients may also utilize the trust fund withdrawal process to have checks drawn against his or her account and mailed per instructions he or she has given on the withdrawal slip. Quarterly reports of patient Trust Fund transactions are to be forwarded to nurse managers by the Trust Fund Office. The nurse managers are to review these reports prior to giving them to each respective patient. Questions from consumers regarding their Trust Fund transactions shall be forwarded to the respective unit's nurse manager."

### **Conclusion**

Pursuant to the Illinois Mental Health and Developmental Disabilities Code, Section 2-105, "A recipient of services may use his money as he chooses, unless he is a minor or prohibited from doing so under a court guardianship order. A recipient may deposit or cause to be deposited money in his name with a service provider or financial institution with the approval of the provider or financial institution. Money deposited with a service provider shall not be retained by the service provider. Any earnings attributable to a recipient's money shall accrue to him."

One consumer stated that her account had not been credited for a returned purchase; the HRA found that the money had been credited to her account. In reviewing the other consumer's records with facility records and discussing the missing transactions with the consumer, it was found that there were no discrepancies in the balances. The allegation is unsubstantiated.

However, the HRA takes this opportunity to offer a few suggestions. Each consumer stated that the trust fund quarterly statements were difficult to read/understand and the workshop does not provide a pay-stub for earned wages. It is suggested that the facility conduct consumer training in how to read/understand the quarterly financial statements and that the workshop provide a receipt for earned wages.

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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

April 18, 2013

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

Re: HRA #13-100-9013

Dear Ms. Larson:

Thank you for your thorough review of the matter and have noted that the allegation was unsubstantiated.

It was suggested that the facility conduct consumer training for each consumer to have an understanding of their quarterly financial statements each are provided. Given the complexities of the Trust Fund statements, the Trust Fund staff will train the unit social workers who will then be able to interpret each consumer's account statements. With this information, each of the unit social workers can directly assist in addressing any consumer questions going forward. It was also recommended that the Workshop provide a receipt for earned wages. Each consumer receives a weekly state of earnings which is enclosed.

I 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/tms

STATEMENT OF EARNINGS - PAYROLL ENDING: 4/12/2013

NAME: [REDACTED]

ID: [REDACTED]

Program: 20

Total Pay: \$4.19

STATEMENT OF EARNINGS - PAYROLL ENDING: 4/12/2013

NAME: [REDACTED]

ID: [REDACTED]

Program: 34

Total Pay: \$6.76

STATEMENT OF EARNINGS - PAYROLL ENDING: 4/12/2013

NAME: [REDACTED]

ID: [REDACTED]

Program: 34

Total Pay: \$1.43

STATEMENT OF EARNINGS - PAYROLL ENDING: 4/12/2013

NAME: [REDACTED]

ID: [REDACTED]

Program: 34

Total Pay: \$9.42