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**FOR IMMEDIATE RELEASE**

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North Suburban Human Rights Authority  
Report of Findings  
Elgin Mental Health Center  
HRA #14-100-9008

In October 2013, the North Suburban Regional Human Rights Authority voted to open an investigation of possible rights violations within Elgin Mental Health Center's Community Psychiatrist Services Program (CPS), Brunk Unit. The complaint accepted for investigation was that a consumer was not given information regarding the prescribed medication, a consumer was unable to make telephone calls, the social worker became confrontational when the consumer would not sign an authorization to release information to the consumer's mother, and the program provided no structured activities. If found substantiated the allegations would violate the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5/2-102, 5/2-107).

To pursue this investigation, a site visit was conducted at which time the allegations were discussed with the unit's Nursing Manager. The Authority was unsuccessful in its attempts to obtain authorization to review the consumer's clinical record.

**Background**

The Community Psychiatric Service Program provides treatment for voluntary and court ordered patients who are referred by suburban community hospitals and outpatient programs. Each treatment team has a Psychiatrist, a Physician, a Psychologist, Social Workers, Activity Therapists, Mental Health Technicians and Nursing staff. They work together to provide for the assessment, clinical treatment, patient and family education, and therapeutic environment to promote recovery. It is a 75-bed program.

**Findings**

At the site visit, Center personnel stated that all consumers receive both verbal and written information regarding the prescribed medications. The consumer's Physician and nursing personnel provide this information to ensure that the consumer is aware of the risks, benefits, side effects and any alternatives to the prescribed medication.

Regarding the allegation that the consumer was unable to make telephone calls, it was stated that the unit has two public telephones for consumer use; the phones are available from 6:00 a.m. until 10:30 p.m. and are turned-off during scheduled activities. If a consumer is restricted from using the telephone, a telephone at the nurses' station is available for that consumer.

During admission the consumer is asked to complete various admission forms within the admission packet, and information releases are part of that packet. Consumers are asked to sign a release(s) so that staff members are able to discuss matters with family/significant others/ outside

entities, as that can help with treatment, including discharge planning. A staff member might encourage the consumer to sign a release to communicate with family members, but should the consumer choose to not authorize this type of communication, it would not result in any type of confrontational situation. Staff members know that all forms not completed at the time of admission are to be presented to the consumer at a later date. It was stated that staff members are expected to interact with each consumer with respect and dignity.

While discussing the allegation that the unit does not provide structured activities, Center personnel provided the HRA with the unit's schedule that is posted and available for all consumers. Each day is structured with a variety of groups that include (in part): Wellness Recovery Action Plan, Symptom Management, Mental Health Education, Relapse Prevention, etc. During the site visit, the HRA checked the unit schedule to see what therapy would be occurring at that time and the scheduled group was announced and took place as programmed.

#### Center Policies/Procedures

The Center's Patient and Family Education policy states that any patient receiving psychotropic medications, and/or, his or her family or significant other shall be educated on the risks, benefits, side effects of, and alternatives to each medication prescribed. Additionally, the patient shall be provided with appropriate written literature regarding the same. Education regarding medication shall be primarily Medical and Nursing Department responsibilities with participation by other disciplines as appropriate.

The Center's Consent for Release of Information policy states that all patient records and communications are confidential and shall not be disclosed, except as provided in the Mental Health and Developmental Disabilities Confidentiality Act.

The Center's Patient Telephone Use policy states (in part) that each patient treatment unit shall have a public telephone for patient use located on or near the unit. All patients shall be provided access between 6:30 a.m. and 10:00 p.m. to the public telephone, during their free time, for the purpose of placing and receiving personal calls; unit personnel shall assist patients as necessary in placing calls on the public telephone upon request, at a mutually agreeable time. Any limitations as to the number or length of calls shall apply equally to all patients on the unit, and shall be for the purpose of assuring reasonable access to the telephone by all patients. Any individual restriction of the public telephones shall be in compliance with the Illinois Mental Health and Developmental Disabilities Code, and shall be documented in the patient's clinical record, as well as on the Notice Regarding Restriction of Rights of Recipient.

The Center's Code of Ethics policy states that "For all persons employed at the Center, relations and activities in or involving the workplace are to be conducted with honesty, integrity, respect, fairness and good faith, recover, and the welfare and safety of patients and their families are to be considered above all other concerns. Deliberate harm whether physical, psychological, or as a consequence of neglect must never be tolerated, or allowed to pass unreported. Empathy and compassion must be presented at all times, but especially in the employees' understanding of the challenges faced by a patient." The FTP (Forensic Treatment Program) Staff Training policy states that before any new employee in a direct care position can begin working on a unit, he or she must complete training in the facility's policies and procedures; CPI (Crisis Prevention Intervention) training is training in the proper procedures for working with patient who become upset and difficult to manage and abuse/neglect training is training in identifying and avoiding any abuse or neglect of a patient.

#### Conclusion

Pursuant to the Illinois Mental Health and Developmental Disabilities Code (Code), Section 5/2-102, "A recipient of services shall be provided with adequate and humane care and services in the least restrictive environment, pursuant to an individual services plan. If the services include the

administration of electroconvulsive therapy or psychotropic medication, the physician or the physician's designee shall advise the recipient, in writing, of the side effects, risks, and benefits of the treatment, as well as alternatives to the proposed treatment, to the extent such advice is consistent with the recipient's ability to understand the information communicated. The physician shall determine and state in writing whether the recipient has the capacity to make a reasoned decision about the treatment. The physician or the physician's designee shall provide to the recipient's substitute decision maker, if any, the same written information that is required to be presented to the recipient in writing."

Section 5/2-103 of the Code states that, "Except as provided in this Section, 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."

The Center has policies and procedures that address the allegations presented. There was nothing to support the claims that a consumer was not given information regarding the prescribed medication, a consumer was unable to make telephone calls, the social worker became confrontational when the consumer would not sign an authorization to release information to the consumer's mother, and the program provided no structured activities. The allegations are unsubstantiated.

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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*

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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

March 14, 2014

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

Re: HRA #14-100-9008

Dear Ms. Larson:

Thank you for your thorough review. The staff at the Elgin Mental Health Center strives to provide the best possible care and treatment for our consumers. We are pleased your findings were unsubstantiated.

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

Sincerely,

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

PNB/LB/lb