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**FOR IMMEDIATE RELEASE**

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**HUMAN RIGHTS AUTHORITY METRO EAST REGION**  
**HRA CASE # 15-070-9014**  
**ALTON MENTAL HEALTH CENTER**

**INTRODUCTION**

The Metro East Regional Human Rights Authority (HRA) has completed its investigation of a complaint at Alton Mental Health Center, a state-operated mental health facility located in Alton, Illinois. The facility is a medium security mental health care facility largely populated in a forensic unit, serving 120 patients between the ages of 18-55. Approximately 110 of the individuals served are in the forensic unit, of which 88 are male and 22 are female. The civil unit houses an average of 10 patients. Alton Mental Health Center employs 220 staff members, and ensures that patients are supervised 24/7. The allegation being investigated is that the facility did not provide adequate care when the water was turned off on the female side of Locust unit. If substantiated, the allegation would be a violation of the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-102). The Illinois Administrative Code (77 Ill. Adm. Code 250) is enforceable in state operated mental health facilities when the violation involves a recipient whom is receiving Medicare services provided by the facility.

**METHODOLOGY**

To pursue the investigation, an HRA team interviewed Alton Mental Health Center staff, obtained and reviewed, internal emails, masked community forum records, agency policies, the Alton Mental Health Center Consumer Handbook and interviewed the consumer.

**FINDINGS**

The consumer stated that the water was turned off on the female side of Locust Unit for a period of a week and a half and water was not being provided on a regular basis to unit recipients. When water was offered, it was lukewarm compared to the cold water that had been previously provided via the drinking fountain. Staff acknowledged the water was shut off for 3 months (October 2014 through January 2015) due to a recipient having issues with water toxicity. During this time, staff provided ice water from pitchers four times daily during medication pass, offered extra water with each meal and mental health technicians and nurses were available to provide water in the interim. The recipients were notified of the water restriction during the daily Locust Community Forum and signed acknowledgements regarding the water being turned off during that period of time. The facility provided dated emails that acknowledged their concern for the recipients' rights regarding water access and provided solutions to prevent rights violations such as offering extra water during meals, medication passes and walking female recipients to the male side water fountain when possible. The issue of warm water being provided was also addressed in an email; pitchers were requested from dietary and staff were advised to keep fresh ice water in them at all times. Water access was restored when the patient at risk was discharged from the facility. The HRA asked for masked copies of complaints from

consumers regarding restricted water access during the stated time from, according to facility staff, they received no formal complaints regarding water access, although Community Forum concerns and responses were provided that acknowledged ongoing communication regarding water access between staff and consumers.

### **MANDATES/REGULATIONS**

According to the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-102):

Sec. 2-102. (a) 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. The Plan shall be formulated and periodically reviewed with the participation of the recipient to the extent feasible and the recipient's guardian, the recipient's substitute decision maker, if any, or any other individual designated in writing by the recipient. The facility shall advise the recipient of his or her right to designate a family member or other individual to participate in the formulation and review of the treatment plan. In determining whether care and services are being provided in the least restrictive environment, the facility shall consider the views of the recipient, if any, concerning the treatment being provided. The recipient's preferences regarding emergency interventions under subsection (d) of Section 2-200 shall be noted in the recipient's treatment plan.

The Illinois Administrative Code (77 Ill. Adm. Code 250) states the following:

*Sec.250.1930 The Rules, of "Sanitary Practice for Drinking Water, Sewage Disposal and Rest Room Facilities" (77 Ill. Adm. Code 895) shall apply, except where those regulations and these requirements differ. For differences and installation requirements, see Subpart T and Subpart U.*

- a) *Water supplies of medical facilities shall be operated in conformance with the following requirements:*
  - 1) *All water used in operation shall be provided from a public water supply or from an alternate source. The source of water supply shall be approved by the department.*
  - 2) *The construction, maintenance, and operation of any treatment process which might change the physical, chemical, or bacterial characteristics of the water shall be approved by the Department.*
  - 3) *Hot water shall be available at sinks and lavatories at all times. Water shall be adequate in volume and pressure for all medical purposes.*
  - 4) *The water system shall be operated with a hot water system adequate for all medical purposes.*
  - 5) *The hot water supply shall be regulated by thermostatic or other control devices which shall be either locked or located in places not accessible to patients or the general public so that the hot water used by patients and by the public is maintained at an even temperature which cannot cause personal injury.*

- 6) *For installation requirements, see Subpart T and Subpart U of these requirements.*
- b) *As part of the disaster and mass casualty program, a plan for the emergency supply of water must be available. This plan shall be approved by the Department, and shall include at least written contracts with any outside firms, a listing of procedures to be followed, the amounts of water needed by different departments, the means of dispensing water within the facility, and procedures for sanitizing in the case of contamination. Plans utilizing existing piping are recommended.*

### **CONCLUSION**

The Human Rights Authority finds this complaint unsubstantiated. Alton Mental Health Center provided documentation that supported their claim that water was being provided to recipients during the time period that the water was shut off. The HRA respectfully acknowledges that the facility staff recognized that lack of drinking water could be a potential human rights violation and made necessary provisions in order to protect the rights of consumers.

### **RECOMMENDATIONS**

No recommendations are being made at this time.

### **SUGGESTIONS**

When recipients with water toxicity issues present on a unit, ensure consideration, via the individualized treatment planning process, of the least restrictive approach for meeting that recipient's needs without compromising the services of other recipients, to the extent feasible.