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**FOR IMMEDIATE RELEASE**

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North Suburban Regional Human Rights Authority  
Report of Findings  
HRA #16-100-9007  
Elgin Mental Health Center

**Introduction**

The North Suburban Regional Human Rights Authority (HRA) opened this investigation regarding Elgin Mental Health Center (hereafter referred to as Center), Forensic Treatment Program (FTP) after receiving a complaint of alleged rights violations. The complaint reported was that the consumers' hot breakfast is often served cold because the consumers must wait for all prescribed medications to be administered before the meal is served. It was stated that the breakfast trays can sit on the unit up to 45 minutes while consumers wait for the nurses to finish passing out the medications. It was also alleged that during meals, the restrooms are locked and consumers must, at times, plead to use the restroom. The rights of consumers are protected by the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5).

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 Center personnel to discuss the allegation.

**Findings**

The unit's Nurse Manager stated that during the period in question (October 2015) on three separate occasions, the meals were delayed due to the passing out of medications. It was stated that the nurses that were administering the medications at these times were from other units (float nurses) and were not familiar with the consumers on the unit. Because of the number of consumers on the unit (30) and the number of medications that each consumer might be taking, it was simply taking longer to administer the medication. The Manager stated that when she heard of the delays, a plan was developed so that when float nurses are sent to the unit, the breakfast would be served before the medication is administered. The HRA confirmed with the complainant that the breakfast meals are no longer being delayed.

The meal delivery process was also discussed; it was explained that all meals are made in a building separate from the units and then transported in a truck. When the truck enters the FTP secured area, the truck goes through a locked gate that must be opened by Security personnel. It was stated that at times, the truck had to wait for Security to open the gate if for instance, Security

was assisting with another security matter. It was explained that now a Security employee is assigned to be at the gate during specific times of the day to open the gate for the meal truck.

Regarding the allegation that the bathrooms are locked, it was stated that the bathrooms are in fact locked during meals for safety reasons. It was stated certainly if a consumer needed to use the bathroom, that they would not have plead to a staff member to open the room. But, should the same consumer(s) make this request on a regular basis, it would be addressed on an individual basis.

According to the United States Department of Agriculture website, "leaving food out too long at room temperature can cause bacteria (such as *Staphylococcus aureus*, *Salmonella* Enteritidis, *Escherichia coli* O157:H7, and *Campylobacter*) to grow to dangerous levels that can cause illness. Bacteria exist everywhere in nature. They are in the soil, air, water and the foods we eat. When bacteria have nutrients (food), moisture, time and favorable temperatures, they grow rapidly increasing in numbers to the point where some can cause illness. Bacteria grow most rapidly in the range of temperatures between 40 ° and 140 °F, doubling in number in as little as 20 minutes. This range of temperatures is often called the 'Danger Zone.' If the temperature is above 90 °F, food should not be left out more than 1 hour."

### **Conclusion**

Pursuant to Section 2-102(a) of the Illinois Mental Health and Developmental Disabilities Code, "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."

Based on the information obtained, it is concluded that the consumers did have to eat hot breakfast meals cold on at least two occasions; the allegation is substantiated. Because measures are in place to prevent this from happening again, no recommendations are made at this time. The HRA found nothing to support the claim that consumers must plead to use the restroom during meal times.

The HRA takes this opportunity to say that a hot meal should never be served cold and it is troubling that Center personnel thought that this was acceptable not once but twice. Not only is it simply unpleasant to eat, but food must be maintained at the proper temperature (77 IL Adm. Code 750).

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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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Bruce Rauner, Governor

James T. Dimas, Secretary-designate

**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 31, 2016

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

Re: HRA #16-100-9007

Dear Ms. Getchell:

Thank you for your thorough review of this matter. Your report noted that there was one item substantiated related to cold breakfast meals. Your report also noted that measures are in place to prevent this situation from occurring again. These measures include: (a) assigning a Security Officer to be a participant in the entire meal delivery process ensuring no delays occur, (b) ensuring foods are served at their optimum safe temperatures so food will be delivered hot and within 20 minutes of service; and (c) altering the service route to ensure speedier deliveries.

We are confident with the new processes in place and consumers will continue to be served quality meals at the appropriate temperatures.

Please feel free to contact me if you require if you require additional information.

Sincerely,

Meredith Kiss, MA  
Hospital Administrator

MK/bd/tms  
Enclosure