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**FOR IMMEDIATE RELEASE**

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North Suburban Regional Human Rights Authority  
Report of Findings  
HRA # 16-100-9010  
ManorCare Health Services

In January 2016, the North Suburban Regional Human Rights Authority opened an investigation of possible rights violations regarding ManorCare Health Services-Hinsdale (hereinafter referred to as ManorCare). The complaint alleges inhumane treatment in that approximately six residents that use wheelchairs were observed eating a meal in a corner of a hallway instead of the dining room. It was also alleged that the facility failed to adequately monitor a resident's hygiene needs. Residents receiving services at ManorCare are protected by the Nursing Home Care Act (210 ILCS 45/100 et. seq.).

According to its web-site, ManorCare provides individualized post-hospital skilled nursing care in a comfortable environment. The clinical and therapy teams are experienced in providing specialized care focused on the resident's needs, interests and ability. This commitment results in a smoother and safer transition throughout the recuperation.

**Method of Investigation**

An on-site visit was conducted in February 2016, at which time the HRA discussed the allegations with the facility's Administrator, the Director of Nursing (DON) and the Activity Director. The HRA acknowledges the full cooperation of facility personnel.

**Findings**

At the site visit, it was stated that the facility has 212 licensed beds and the average consensus is about 174. The facility houses about 40 long-term care residents. Twice a day staff members conduct care staffings, at which time new admittees and other resident concerns are presented. The staffing ratios are 9-12 Certified Nurse's Aides and the Registered Nursing numbers depend on the acuity of the resident population. At the time of admission each resident is assessed. The assessment evaluates the resident's oral/dental/hearing/speech/vision; respiratory, cardiovascular, bladder & bowel, ADL (adult daily living)/functional status, exit seeking, medications, fall risk, altered mobility status and a skin assessment. All residents receive a Patient Information Handbook at the time of admission. The Handbook addresses food service and each health care team members role. Staff members are colored coded – meaning each department of CNAs, Nursing and Activity personnel wear the color designated for that department so that residents might easily identified the needed staff member.

Regarding the allegation that about six residents that use wheelchairs were observed eating a meal in a corner of a hallway instead of the dining room, it was explained that residents can and do eat in this area strictly on a voluntary basis. It was stated, and the HRA observed, that the area has floor to ceiling windows with tables and chairs – somewhat like a small sitting area. This area looks out over a busy road, and it was stated that some residents like to watch the traffic. Staff members are instructed to observe the residents in this area and offer assistance as needed.

It was reported to the HRA that during a lunch meal, a newly admitted resident needed to use the restroom. The resident was unable to get staff attention due to being unable to physically call-out for help. The resident subsequently used the meal tray lid to void into; staff members did not notice either the act of elimination or the lid of urine. In learning of these details, all personnel seemed stunned. The Administrator offered that she is called at all times of the day and night and that this had not been reported to her. We relayed that the person that observed this was equally stunned and immediately took care of the matter by dumping the lid. This person did not report it to facility personnel at the time because he did not want to draw attention to the resident. Staff members present at the site visit assured the HRA that if this act had been observed by a staff member, it would have been immediately and properly addressed.

### **Conclusion**

Pursuant to the Illinois Nursing Home Care Act, Section 2-107, “An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident.” Pursuant to the Illinois Administrative Code, Section 300.2020, “There shall be sufficient number of food service personnel employed and on duty to meet the dietary needs of all persons eating meals in the facility.” Section 300.2090 states that “All residents shall be served in a dining room or multi-purpose room except for an individual with a temporary illness, who is too ill, or for other valid reasons.”

Based on the information obtained, the HRA found that some residents do in fact, voluntarily eat in an area that is at the end of a hallway. This does not violate resident rights; the allegation is unsubstantiated. The facility has assessments and policies in place to determine the care of need for each resident. Based on the information obtained, nothing was found to support the allegation that the facility failed to adequately monitor a resident’s hygiene needs. However, the HRA takes this opportunity to state that if residents are eating meals elsewhere, Administration must ensure that staff members are adequately monitoring the residents’ dietary needs- e.g. choking, intake/acceptance, hygiene, etc.

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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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April 6, 2016

Ms. Patricia Getchell, Chairperson  
Mr. Jon Burnet, HRA Coordinator  
Des Plaines, IL 60016

RE: HRA #16-100-9010

Dear Ms. Getchell and Mr. Burnet,

Thank you for your recent review of HRA No. #16-100-9010. As the investigation disposition letter states, there were no substantiated allegations and the patients' right to individualized, adequate and human care was not violated. Regarding the recommendations that staff adequately monitor patients' dietary needs, please know ManorCare of Hinsdale takes an active role in monitoring our patients' dietary needs to provide the highest quality of care for our patients. We appreciate your attention to this matter. We kindly request for you to include a copy of our response with any documents made available to the public.

Sincerely,

Kate Marrero  
Administrator