



FOR IMMEDIATE RELEASE

North Suburban Human Rights Authority
Report of Findings
Alexian Brothers Behavioral Health Hospital
HRA #16-100-9013

The North Suburban Regional Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission has completed its investigation of alleged rights violations at Alexian Brothers Behavioral Health Hospital (ABBHH). In March 2016, the HRA notified ABBHH of its intent to conduct an investigation pursuant to the Guardianship and Advocacy Act (20 ILCS 3955). The complaints accepted for investigation were that a consumer was not given her hearing aids to use on a consistent basis; and when the aids were in place the batteries were dead, inserted backwards or not inserted at all. It was also alleged that the communication between medical personnel and the consumer's substitute decision maker was insufficient.

The rights of mental health consumers receiving services at ABBHH are protected by the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5).

To pursue this investigation, the HRA interviewed hospital personnel. The HRA reviewed the consumer's clinical record with written consent.

Background

Alexian Brothers Behavioral Health Hospital is a 110-bed psychiatric hospital located in Hoffman Estates. It offers mental health and addictions treatment, including inpatient, partial hospitalization, intensive outpatient and outpatient services for children, adolescents and adults.

Findings

The clinical record revealed data on a 95 year-old who had been transferred from a nearby medical hospital where she was admitted due to changes in her mental status and increased auditory hallucinations. The patient had an extensive medical work-up at the medical hospital which did not reveal any overt pathology; she was subsequently sent to ABBHH. The patient's daughter, who is the Power of Attorney agent, reported that the patient had not experienced auditory hallucinations or any psychiatric issues up until two weeks prior to admission.

The chart contained a personal possessions inventory list completed at the time of admission that noted "one hearing aid batteries"; the following day another list was completed that noted "2 packs of batteries for hearing aid." Progress notes would sporadically mention the aids and/or her hearing impairment. For example, "difficult to communicate without hearing aid", "becomes verbally loud if hearing aid not working properly", and "has hearing problems without hearing aid". There was nothing in the chart to indicate that the aids were or were not used on a consistent basis or that staff members were having difficulty inserting the batteries.

At the site visit, hospital personnel stated that hearing aids, due to the cost, are held at the nurses' station. The patient is asked to give the device to staff at night and it would be returned the following morning. Should however, the patient refuse to give the item to staff, the patient would be allowed to keep the device. It was offered that staff will assist the patient with the placement of

the aid if needed. It was explained that staff members keep a shift-to-shift log which shows how the patient uses a device(s) such as hearing aids. If the patient needs help, refuses the device, or randomly removes the device, etc., staff members would note this observation in the log (not the clinical record) for the incoming shift to review. It was stated that staff members have found aids on meal trays, in trash bins, etc. The nurse at the site visit somewhat recalled this patient and seemed to remember that she did remove the aids throughout the day. It was also recalled that the daughter made a holder that affixed to the eye glasses so that when the patient tried to take the aids off, they would not get lost. It was further offered that when the hospital learned of this allegation, training was conducted regarding the care and use of hearing aids.

Regarding the allegation that communication between medical personnel and the consumer's substitute decision maker was insufficient, the record showed that communication or attempts at communication (voice messages left) between the daughter and a staff member – either a case worker, physician or unit nurse were made on a daily basis, with the exception of one two-day period. It was relayed to the HRA that hospital staff members make every effort to meet with and/or discuss treatment options with a substitute decision maker as often as necessary.

Conclusion

Pursuant to the Illinois Mental Health and Developmental Disabilities Code, Section 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 record clearly showed that the patient had hearing aids and that batteries were provided. The record did not show whether the patient was able to use the aids independently or if assistance was required. Documentation indicated that at times the aids would not have been in place – “difficult to communicate without the hearing aid” – but no evidence was found that this was due to staff neglect. Documentation also indicated that at times the batteries might have been inserted incorrectly – “verbally loud if aid not working properly”, but again there was no evidence that this was due to staff neglect. We cannot dismiss the claim made, however no evidence was found to support the allegation that the aids were not given on a consistent basis or that when the aids were in place the batteries were dead, inserted backwards or not inserted at all due to staff neglect. The allegation is unsubstantiated.

There is satisfactory evidence in the record to establish that communication between medical personnel and the consumer's substitute decision maker was sufficient; rights were not violated. The allegation is unsubstantiated.

RESPONSE

Notice: The following page(s) contain the provider response. Due to technical requirements, some provider responses appear verbatim in retyped format.

July 21, 2016

Mr. Arthur A. Savage, Vice Chairperson
North Suburban Regional Human Rights Authority
North Suburban Regional Office
9511 Harrison Street, Room 335
Des Plaines, IL 60016-1565

RE: HRA #16-100-9013

Dear Mr. Savage,

Thank you for your letter, dated July 13, 2016 regarding the unsubstantiated findings of the investigation into the above referenced case.

We appreciate having the opportunity to work with the Human Rights Authority to ensure patient rights are not violated. If additional information is needed, please do not hesitate to contact me at the number below

Sincerely,

Patricia Getchell

Patricia Getchell
Senior Director Risk Management
