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**FOR IMMEDIATE RELEASE**

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Springfield Regional Human Rights Authority  
Report of Findings  
United Cerebral Palsy, Land of Lincoln  
HRA #17-050-9001

**INTRODUCTION**

The Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission opened an investigation of possible rights violations within United Cerebral Palsy's adult residential program in Springfield. The complaint is that policies restrict or limit resident choice in visiting or communicating with former employees.

Substantiated findings would violate residents' rights to choose their friends absent any harm, harassment or intimidation as protected under the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-103).

United Cerebral Palsy, Land of Lincoln, or UCP, is a multi-service provider to children and adults with all types of disabilities throughout central Illinois. The focus here is on its Community Integrated Living Arrangements (CILAs), fifteen of which serve forty-nine residents whose disabilities range from profound to moderate levels. Related policies and practices were discussed with administrators at their headquarters.

**COMPLAINT SUMMARY**

UCP reportedly has a blanket policy prohibiting former employees from visiting residents who want to see them without exception. No specific employee or resident identities were revealed.

**FINDINGS**

The staff we met with explained that on the contrary, they have no policy to ban former employees from visiting when residents want to see them. There is no directive whether written or unwritten and there is no new hire agreement to any such ban either. In fact, some residents have maintained relationships with former workers and to the best of their recollections have never had to restrict anyone's rights. The same applies to mail and telephone communications as well.

They cover rights with all new residents, guardians or family and then annually thereafter. They are unaware of any current need for restrictions but individual service plans would address the issue if there were. Some scenarios that could warrant concern over a former employee's visit were discussed, prior disciplinary reasons for example, but in their view their policies are entirely least-restrictive-based and do not specifically outline what steps are taken when a restriction might occur.

Various related program information and policies were provided to review. The rights statement given to all residents at UCP includes the Code's section 2-103. It briefly references restriction notifications under 2-201. Introductory materials provided at admission informs residents that their significant others may visit them in their homes and they may talk to family or friends on the phone. The program's policy on guests and visits states that residents are encouraged to enjoy the benefits of socialization with family and friends. They may have visitors at any time. Staff will check the house book for any restrictions.

A restrictions notice file from the previous year was requested and we were told there were no reasons to restrict any rights during that time.

## **CONCLUSION**

The resident chooses his visitors under the Code, "...a recipient who resides in a ... developmental disabilities facility shall be permitted unimpeded, private and uncensored communication with persons of his choice by mail, telephone and visitation. Unimpeded, private and uncensored communication...may be reasonably restricted by the facility director only in order to protect the recipient or others from harm, harassment or intimidation." (405 ILCS 5/2-103). Written notices must be given to a resident, guardian and any person or agency so designated whenever a right under Chapter II of the Code is restricted (405 ILCS 5/2-201), and all facilities must adopt written policies as necessary to implement the Chapter, which may amplify or expand but may not restrict or limit the rights guaranteed therein (405 ILCS 5/2-202).

There is no evidence that UCP has policy to restrict or limit resident choice of visitors, absent harm, harassment or intimidation. The complaint is not substantiated.

## **SUGGESTIONS**

UCP should consider writing policies that cover all communication rights and potential restrictions including mail and telephone use, since it is required to have them as necessary to implement all rights under Chapter II. (405 ILCS 5/2-103; 2-201 and 2-202).

A recent former employee's visit was described as occurring with staff supervision, which, however necessary, might have been supported under a policy to properly handle the restricted visit. If the resident preferred a private meeting, a guaranteed right, the reasons for the restriction were to be documented and the resident was to be given the option of notifying any person or agency of choice. (405 ILCS 5/2-103 and 2-201).

Inform all residents and guardians of their rights to designate any person or agency to be notified whenever a right is restricted and notify accordingly. (405 ILCS 5/2-200 and 2-201).

Periodically review Code rights sections (Chapter II), related policies and any restrictions with UCP's human rights committee.