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**FOR IMMEDIATE RELEASE**

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North Suburban Regional Human Rights Authority  
Report of Findings  
HRA #17-100-9026  
Elgin Mental Health Center

**Introduction**

In February 2017, the North Suburban Regional Human Rights Authority (HRA) opened this investigation regarding Elgin Mental Health Center (hereafter referred to as Center), Forensic Treatment Program. A complaint was received that alleged that the Pharmacy Department is not reordering medication in a timely manner.

The rights of patients receiving services at the Center are protected by the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5/2-112).

Patients 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 requested and reviewed the patient's physician orders and Medication Administration Record (MAR) documents for the period to include October 2016-December 2016. The HRA interviewed the patient whose rights were alleged to have been violated, the Director of the Pharmacy Department, the Nursing Supervisor and the Medical Physician for the patient identified in this case.

The HRA acknowledges the full cooperation of Center personnel.

**Findings**

The complaint reported that at times, the patient's birth control medication is not being refilled in a timely manner and that she has on occasion, missed one to two days.

A review of the requested materials showed that during the three month period noted above, the patient was given the prescribed medication (Ethin Estradiol) each day. Subsequent this review, the patient was contacted and asked if she could recall any specific times that the medication was not given. She did not have any dates, but stated she had missed one or two Sundays and/or Mondays. She stated that the MARs were not accurate.

The HRA met with the Pharmacy Director. She explained that when the Physician orders the medication, it is the responsibility of the nurses on the unit to fax the order to the Pharmacy Department. When an order is received at the Pharmacy Department by noon, it is dispensed back

to the unit by 1:30 p.m. that same day. Orders received by 3:00 p.m. are back to the unit by 4:30 p.m. the same day. All orders received after 3:00 p.m. are dispensed the following day. The Center does not have the means to have automatic renewals. When the HRA shared the medication in question, the Pharmacist was surprised since this patient has had difficulty obtaining non-formulary medication, but not the medication mentioned.

Since no medication can be dispensed until an order is received from the Physician, the HRA met with unit personnel to review their ordering process. The unit's Nursing Supervisor explained that the Physician orders the medication; that order is then given to the nurse and he/she faxes the order to the Pharmacy Department. To ensure that all orders are sent to the Pharmacy, staff members on the evening shift are responsible to check all new orders in each chart. If the medication is not received on the unit in time for the next scheduled dose, unit staff members will contact the MOD or AOD for further instructions. (AOD means Administrative Officer of the Day. When on duty, the AOD is the on-site nurse administrator who acts for the Director of Nursing and/or Hospital Administrator and is the highest ranking administrator onsite. MOD means the on-site Medical Officer of the Day. When on duty, the MOD acts for the Medical Director and is the highest ranking clinician on-site.)

The Physician stated that this patient has had some difficulty obtaining non-formulary medications, but not the Ethin Estradiol. He stated that medication can only be ordered for 30 days. He showed the HRA an order in the chart that had originally started a year and 3 months ago. He stated that had the medication not been reordered, there would have been a stop order within this time frame. He had no explanation about how a few days of medication might have been missed. When asked if the unit has ever had difficulty obtaining medication from the Pharmacy, it was stated that non-formulary medication can be difficult to obtain, but not other medications.

The Center's Medication policy states (in part) that the Pharmacy is open from 7:30-3:00 p.m. Monday through Friday, except State Holidays. During the hours that the Pharmacy Service is open, the order for medication is to be evaluated by the unit nurse to determine if it: a) can be filled during the Pharmacy Service hours (if yes, the order is to be faxed to the Pharmacy before 3 p.m.); or, b) must be filled before the Pharmacy Service can supply the medication.

### **Conclusion**

Pursuant to Section 2-112, "Every recipient of services in a mental health or developmental disability facility shall be free from abuse and neglect." "Neglect" means the failure to provide adequate medical or personal care or maintenance to a recipient of services, which failure results in physical or mental injury to a recipient or in the deterioration of a recipient's physical or mental condition. The Mental Health Code also calls for adequate and humane care pursuant to an individual service plan. (5/2-102a). Based on the chart documentation, the HRA did not find that the medication was not reordered in a timely manner; the allegation is unsubstantiated.

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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

Illinois Department of Human Services

James T. Dimas, Secretary

**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*

June 14, 2017

Ms. Patricia Getchell - Chairperson  
North Suburban Regional Human Rights Authority  
9511 Harrison Street, W-335  
Des Plaines, IL 60016-1565

Re: HRA #17-100-9026

Dear Ms. Getchell:

Thank you for sharing your detailed report into a Pharmacy Department complaint related to timely reordering of medication which was unsubstantiated.

We look forward to continue working with you and your agency for the welfare of our patients.

I would request that this response be attached to the report and be included with any public release of your Report of Findings.

Sincerely,

Brian Dawson, B.S.  
Hospital Administrator

BD/tms