

PEORIA REGIONAL HUMAN RIGHTS AUTHORITY MINUTES

November 18, 2009

The regular stated meeting of the Peoria Regional Human Rights Authority (HRA) was called to order at 1:09 PM on Wednesday, November 18, 2009 by Chairperson Jim Runyon.

The meeting was held at the Parlin-Ingersoll Library, 205 W. Chestnut Street, Canton, Illinois.

ROLL CALL

PRESENT: Jim Runyon, Steve Watts, Dolores Sheen, Carolynsue Wolf and Jeremy McNamara

ABSENT: Dean Steiner, Ann Hicke, Flora Knutson and Meri Tucker

STAFF: Teresa Parks

GUESTS: Phil Scherer, Institute for Addiction Recovery, Proctor Hospital

The Chairperson stated that a quorum was present.

The Chairperson stated that personally identifiable information should not be presented in public meetings to protect the privacy of those persons with disabilities on whose behalf the HRA conducts investigations.

Introductions were made.

Steve Watts made a motion to enter closed session at 1:11 p.m. pursuant to Section 120/2 (c) (4) and (10) of the Open Meetings Act (5 ILCS 20), Section 3955/10 of the Guardianship and Advocacy Act (20 ILCS 3955) and Section 110/5 of the Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110). The purpose of the closed session was to discuss confidential information regarding case progress pertaining to Case #09-090-9018 - Illinois Institute of Addiction Recovery. Guest, Phil Scherer entered the closed session discussion of Case #09-090-9018 and then left the meeting. HRA Member, Dolores Sheen, excused herself during the closed session discussion of Case#09-090-9018. The HRA returned to open session at 1:20 p.m. having taken no action in closed session.

MINUTES: Carolynsue Wolf made a motion to approve the September 16, 2009 meeting minutes; the motion was seconded and carried.

COMMUNICATIONS: Teresa Parks distributed articles on the following: 1) persons with mental illness in nursing homes; 2) psychotropic medications; 3) Family Matters special education training; 4) A NAMI letter to Governor Quinn on public housing. Jim Runyon distributed a report on autism and bullying. Jim also shared information regarding a concern about after-hours availability of the Office of State Guardian.

NEW BUSINESS

A. Ratifications: None.

B. New Complaints:

10-090-9008 - Special Education Program. The complaint states that an aide did not provide a student with lunchtime assistance and did not include the student's lunchtime needs in the student's IEP even though this had been included in the IEP in the past. The complaint also states that the school

violated the student's confidentiality and did not follow the student's IEP. Finally, the complaint states that aides are not adequately trained. A release of information was sent on 10-13-09 with no response to date. Steve Watts made a motion to accept the case pending the receipt of a release and if no release is returned, a second release be sent by December 15th. The motion was seconded and carried.

10-090-9009 - Special Education Program. The complaint states that during the 2008-2009 school year, the school district did not a complete a needed functional behavioral analysis, did not develop an individualized behavioral approach/program when needed, did not follow a prescribed behavioral plan after it was developed, excessively used time out and for longer periods of time than had been prescribed, did not adequately train staff on the student's unique needs and did not hold a manifestation determination meeting as part of issuing discipline. A release was provided on October 13, 2009 with no response to date. Steve Watts moved to table case acceptance and send another release; the motion was seconded and carried.

10-090-9010 - Special Education Program. The complaint states that the school district did not provide an accommodation/technology device as per a student's IEP, removed the device without justification, did not revise the IEP when the device was remove and did not adequately inform the student's parents of the reason for the device removal. A release was sent 10-13-09 with no response to date. Steve Watts moved to table case acceptance and send a second release; the motion was seconded and carried.

10-090-9011 - Community Mental Health Program. The complaint states that the provided relied on input from another mental health program in determining the recipient's needs and medication rather than objective assessments and input from the recipient. A psychiatrist reportedly abruptly ended a medication prescription without involving the recipient. A release has been received. Dolores Sheen made a motion to accept the complaint for investigation; the motion was seconded and carried.

10-090-9012 - Community Mental Health Program. The complaint states that the provider placed a new requirement upon a recipient in order to access psychiatric care and medications and without sufficient justification. The recipient was required to have urine testing before services and had to incur the testing costs. When the recipient refused testing, he was refused needed medication and services. The complaint also alleges that the program's physician does not adequately assess the recipient when he meets with him. A release has been received, however, it has not been completed correctly. Jeremy McNamara moved to accept the case pending the receipt of a corrected release; the motion was seconded and carried.

10-090-9013 - Hospital Emergency Room - The complaint states that a mental health recipient was denied medical treatment due to her history of mental illness. A release was sent November 2, 2009 with no response to date. Jeremy McNamara made a motion to table case acceptance; the motion was seconded and carried.

10-090-9014 - Vocational Program - the complaint states that the program underpaid a recipient and then reimbursed the recipient for the amount due without explanation. Also, the recipient reportedly developed physical problems that restrict her ability to handle certain types of work; however, no accommodation have been made. When the recipient attempted to discuss her concerns, she reportedly was suspended from work. The complaint also states that the program work area is not adequately heated. A release has just been sent. Steve Watts made a motion to table case acceptance. The motion was seconded and carried.

C. Meeting Schedule - HRA Members discussed the meeting schedule for 2010 and determined that meetings would continue at the same frequency and time. Attempts will be made to schedule meetings

in areas that the HRA has not visited in a while, including Macomb, Warren County and Bureau County.

UNFINISHED BUSINESS - Carolynsue Wolf made a motion to enter closed session at 2:28 p.m. to discuss confidential information regarding case progress, draft reports and case closures pursuant to Section 120/2 (c) (4) and (10) of the Open Meetings Act (5 ILCS 20), Section 3955/10 of the Guardianship and Advocacy Act (20 ILCS 3955) and Section 110/5 of the Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110).. The motion was seconded and carried. The HRA returned to open session at 3:15 p.m. having taken no action in closed session. The following summary of items was discussed.

CASE PROGRESS REPORTS:

09-090-9017: Henry County Jail - a site visit was held with Dolores Sheen and Carolynsue Wolf participating. Requested information has been sent. The case is ready for a report.

09-090-9018: Illinois Institute of Addiction Recovery - a site visit was held with Carolynsue Wolf and Flora Knutson participating. Requested information has been received and the case is ready for a report.

09-090-9019: Methodist Medical Center - a site visit is needed. Carolynsue Wolf, Meri Tucker and Flora Knutson are assigned. Jon Burnet is the assigned staff person.

09-090-9021: DD Homes Network - a site visit has been held with Carolynsue Wolf and Ann Hicke participating. A second site visit is needed to review records and meet the recipient.

09-090-9022: Southside Office of Concern - a site visit is needed. Meri Tucker and Jim Runyon are assigned.

10-090-9001: Five Points - Teresa Parks shared a response from the Commission's General Counsel that the HRA has plausible jurisdiction over the facility. Steve Watts and Carolynsue Wolf are assigned.

10-090-9002: Davies Square - a site visit has been held with Carolynsue Wolf and Ann Hicke participating; the case is ready for a report.

10-090-9004: Ottawa Regional Hospital and Healthcare Center - a site visit is needed. Steve Watts and Jeremy McNamara are assigned.

10-090-9005: TCRC - a site visit was held with Dolores Sheen and Carolynsue Wolf participating. The team visited the CILA home and met with the recipient. A second site visit for a chart review is needed.

10-090-9006: Charter Oaks School - a site visit is needed. Jim Runyon and Jeremy McNamara are assigned.

10-090-9007: Methodist Medical Center - a site visit is needed. Jon Burnet will schedule.

DRAFT REPORTS:

09-090-9009: Monroe Grade School - Steve Watts made a motion to approve the draft report with revisions; the motion was seconded and carried.

09-090-9016: Bridgeway - Steve Watts made a motion to approve the draft report with revisions; the motion was seconded and carried.

CASE CLOSURES

09-090-9001: Sharon Health Care Willows - Dolores Sheen made a motion to close the case without further investigation or a report at the request of the complainant; the motion was seconded and carried.

09-090-9006: Robert Young Center - Carolynsue Wolf made a motion to close the case making the findings a part of the public record; Teresa Parks will confirm whether or not the provider wants to make the response public. The motion was seconded and carried.

09-090-9015: Pekin Community High School - Carolynsue Wolf made a motion to close the case making the findings part of the public record; Teresa Parks will confirm whether or not the provider wants to make the response public. The motion was seconded and carried.

OTHER BUSINESS

The HRA discussed the Commission's continued interest in filling the vacant Peoria HRA Coordinator position.

ANNOUNCEMENTS: The next meeting of the Peoria Regional HRA is tentatively scheduled for January 20, 2010 at Easter Seals in Peoria.

ADJOURNMENT: Jeremy McNamara made a motion to adjourn at 3:20 p.m.; the motion was seconded and carried.

Jeremy McNamara, Acting Recorder