

PEORIA REGIONAL HUMAN RIGHTS AUTHORITY MINUTES
September 15th, 2010

The regular stated meeting of the Peoria Regional Human Rights Authority (HRA) was called to order at 1:00 PM on Wednesday, September 15th, 2010 by Chairperson Steven Watts.

The meeting was held at Illinois Valley Center for Independent Living, 18 Gunia Drive, LaSalle, Illinois, 61301.

ROLL CALL

Present: Flora Knutson, Jeremy McNamara, Dolores Sheen, Meri Tucker, Steven Watts

Absent: Ann Hicke, Debra Goodwin, Dean Steiner, Carolynsue Wolf

Staff: Gene Seaman

Guests: Kyle Rick, Executive Director of the Arc of Rock Island
Jan Haugen, the Arc of Rock Island Board Chair
Linda Burt, VP of Marketing for St. Margaret's Hospital
Mary Mattes, VP of Nursing for St. Margaret's Hospital
Doug Marshall, Attorney representing St. Margaret's Hospital

The Chairperson stated that a quorum was present.

Introductions were made.

The Chairperson stated the 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.

The motion was made to enter closed session at 1:07 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 motion was seconded. The purpose of the closed session was to discuss confidential case details regarding Cases #10-090-9015 and 10-090-9017. Guests Kyle Rick and Jan Haugen joined the closed session to address Case #10-090-9015 and then left the meeting. Guests Linda Burt, Mary Mattes, and Doug Marshall, entered the closed session discussion of Case #10-090-9017 and then left the meeting. The HRA returned to open session at 2:44 p.m. having taken no action in closed session.

MINUTES

Jeremy McNamara made a motion to approve the July 21st, 2010 meeting minutes. The motion was seconded and carried.

COMMUNICATIONS

The HRA reviewed articles regarding accessibility on city buses, special Olympics, a homicide occurring in a CILA within the region, and Guardianship and Advocacy Commission meetings that the group could attend.

Jeremy McNamara motioned to approve executive session minutes and keep closed. The motion was seconded and carried.

NEW BUSINESS

Ratifications:

10-090-9033 - Community College - The complaint was voted for close at the July HRA meeting but there was no quorum present due to a member's conflict of interest. Meri Tucker motioned to ratify. The motion was seconded and carried.

10-090-9008 - Illini Bluffs School District - At the July meeting, the HRA voted to close the case and make the record public, but did not have a quorum due to member's conflict of interest. Flora Knutson motioned to ratify. The motion was seconded and carried.

11-090-9004 - Citylink - This complain was opened as an emergency case on August 11th. Jeremy McNamara motioned to ratify. The motion was seconded and carried.

New Cases:

11-090-0001 - Provider Apartment Complex - The complaint states that the provider allows smoking in two apartment complexes but will not allow smoking in another complex. Release has not been received. Letter sent 7/1/2010 and a reminder letter was sent 7/29/2010. Jeremy McNamara motioned to close the case due to lack of release. The motion was seconded and carried.

11-090-9002 - Mental Health Center - The complaint states there facility provides inadequate treatment, including therapist not talking about client issues but instead reprimanding client for excessive phone calls to the facility and not leaving messages when calling. The patient was also told that if another appointment was missed, they would be dropped from therapy even though he patient could not make the appointment because of a medical issue. Also, a therapist did not allow a client to cancel session due to medical issue. The complaint also states that the facility's crisis phone line is not being answered by staff and, when the line is answered, the caller is being dismissed by the staff member. Letter was sent 7/28/2010 and a release has not been received for this complaint. The motion was made to send a reminder letter. The motion was seconded and carried.

11-090-9003 - School District - The complaint states that the school district is using staff that is inadequately trained in special education instruction, which does not follow the student's IEP for

instruction needs. The school was not willing to accommodate a parent's request to switch instructors. The complaint also states that changes were made to the student's IEP without a staffing meeting. A release has been received for the case. Meri Tucker motioned to open the case. The motion was seconded and carried.

11-090-9005 - Developmental Disability Provider - The complaint states that the provider withholds spending money from residents and that the provider will not pick up residents from medical appointments. Complaint letter was sent 8.2.2010 and the complainant was also called. A release has not been received for this complaint. The HRA motioned to send a reminder letter. The motion was seconded and carried.

11-090-9006 - Nursing Home - The complaint alleges that the nursing home is administering medication past the court ordered date for administering medication. Also, the complaint states that the patient is not allowed access to information in their files. A release was received 9.14.2010 but there is a possibility that the release needs a guardian's signature. Flora Knutson motioned to open the case pending a release from the guardian. The motion was seconded and carried.

11-090-9007 - Vocational Program Provider - The complaint states that the provider has an inadequate discharge process and a consumer was wrongfully terminated from her position without her opinion on the situation being considered. The complaint also states that the provider has an inadequate grievance process and internal investigation process, including not taking actions on grievances made. The complaint also states that the discharge is possibly retaliation for a previous grievance. A release was received for this complaint. Jeremy McNamara motioned to open the case. The case was seconded and carried.

11-090-9008 - CILA Provider - A CILA house member died at the CILA house after being beaten by another house member. The violations that the HRA would investigate would be if there was enough staff at the house for all the house members, why were the house members being left unsupervised, and what is the admittance procedure at the house and should the consumer who attacked been admitted into the house. Meri Tucker motioned not to accept the case and defer to the legal entities. The motion was seconded and carried.

11-090-9009 - CILA Provider - The complaint states that there was inadequate placement of a consumer. A consumer was moved from a group home to an apartment but does not have the capacity to live in the apartment. The complaint also alleges that the consumer was given contracts to sign that the consumer did not have the capacity to understand. The complaint states that there is inadequate communication between the provider and the IDT team and a member of the IDT planning team did not receive copies of the consumer's IDT even after requesting copies and was not informed why a consumer was moved from a group home to an apartment. The complaint also alleges that there is inadequate staffing at the apartment complex and that there is inadequate care given by the consumer, including the consumer being given medications that the consumer cannot function on, weight gain and general health are not monitored, and no goals are set for the consumer. A letter was sent 8.12.2010. A release has not been received for this complaint. The HRA motioned to send a reminder letter. The motion was seconded and carried.

11-090-9010 - Hospital - Hospital provides inadequate mental health treatment including, discharging a patient who was not ready for discharge, not providing a follow-up plan or a treatment plan to patients, not providing medication to a patient who needed medication, not providing a patient in the hospital for mental health care with care for physical medical issues. A release was sent on 9.8.2010 and has not been received. The HRA motioned to send a reminder letter on October 2nd if the release has not been received by then. The motion was seconded and carried.

11-090-9011 - School District - School violated the student's confidentiality by asking for information regarding a medical excuse in front of other students. School did not follow the student's IEP, including no 1:1 aide for the first day of school, student forced to handwrite notes when IEP states he should not, student was placed in 7th grade when he should have been in 8th, and mother is not receiving daily communication from school as stated in the IEP. School did not have paperwork regarding student and mother was told to wait a few weeks until they figure out the situation. School is not communicating with mother regarding IEP, she does not know if the modifications are being done. A release was received 9.14.2010. Flora Knutson motioned to open the case. The motion was seconded and carried.

11-090-9012 - School District - Requests for evaluation of daughter for special education were not accommodated at two schools in the district. Daughter was bullied at a school and nothing was done to stop the situation. A release received 9.14.2010. Meri Tucker motioned to ask the parent to get an independent evaluation for the student to see if special education services are needed and to table the complaint until the evaluation is received. The motion was seconded and carried.

UNFINISHED BUSINESS - The HRA forgot to enter closed session and discussed case progress. No one was in the room where confidentiality would be breached. The HRA made a motion to reenter closed session at 3:42 p.m. to discuss confidential information regarding 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 4:24 p.m. having taken no action in closed session. The HRA went into closed session at 4:27 p.m. to discuss one item that was forgotten in the initial draft report conversation. The HRA returned to open session at 4:30 having taken no action in closed session. The following summary of items was discussed.

CASE PROGRESS REPORTS

10-090-9007 - Methodist Medical Center - A second site visit is schedule with Jon Burnett, Flora Knutson, Meri Tucker, Gene Seaman and Carolynsue Wolf scheduled to attend. This visit time has been combined with case number 10-090-9026 for efficiency.

10-090-9022 - Peoria County Jail - A site visit has been attended by Flora Knutson and Carolynsue Wolf. Gene Seaman has follow up questions for the jail.

10-090-9026 - Methodist Medical Center - A site visit is schedule with Jon Burnett, Flora Knutson, Meri Tucker, Gene Seaman and Carolynsue Wolf. This visit has been combined with case number 10-090-9007 for efficiency.

10-090-9032 - Robert Young Center - A site visit has been attended by Dean Steiner and Steven Watts. Gene Seaman is waiting for additional information to be sent regarding the case.

10-090-9034 - El Paso Health Care Center - A site visit has been attended by Carolynsue Wolf and Delores Sheen. Gene Seaman is waiting for further documentation to be sent from the facility.

11-090-9004 - City Link - A site visit was attended by Delores Sheen. Gene Seaman is waiting for further documentation to be sent from the facility.

DRAFT REPORTS

10-090-9015 - The Arc of Rock Island County - Jeremy McNamara motioned to approve pending changes. The motion was seconded and carried.

10-090-9023 - Farmington School District - Meri Tucker motioned to approve the draft pending typographical changes. The motion was seconded and carried.

10-090-9030 - Bridgeway, Inc. - Steven Watts motioned that a two drafts of the report be written with alternatives for complaints 1, 3 and 5 for the Board to discuss and vote on. The motion was seconded and carried.

10-090-9031 - Timber Creek Rehab and Health Center - Steven Watts motioned to approve the draft with changes. The motion was seconded and approved.

CASE CLOSURES

10-090-9010 - Midland School District - Meri Tucker motioned to table the closure pending a response. The motion was seconded and approved.

10-090-9011 - Human Service Center - Jeremy McNamara motioned to close the case and make the report part of the public record. The motion was seconded and carried.

10-090-9017 - St. Margaret's Hospital - Meri Tucker motioned to table the closure pending further documentation. The motion was seconded and carried.

ANNOUNCEMENTS

The next meeting of the Peoria Regional HRA is scheduled for November 17th, 2010 at Pekin Public library.

ADJOURNMENT

The motion was made to adjourn at 4:37PM. The motion was seconded and carried.

Ann Hicke (gs)

Ann Hicke, Reporter