

METRO-EAST REGIONAL HUMAN RIGHTS AUTHORITY

JUNE 16, 2011 MINUTES

The Chairperson, Emil Wilson called to order the June 16, 2011 meeting at 7:10 p.m. This meeting was held at Illinois Department of Transportation, Collinsville.

PRESENT

Emil Wilson, Chairperson
David Bollone, Member
Kingston Schmid, Vice-Chairperson
Dr. Marguerite Riley, Member
Thomas Cannady, Member

STAFF PRESENT

Michael J. Pintar

ABSENT

Karen Kelly, Member
Margaret Merrell, Member
Carol Neudecker, Member
Sandy Burbank, Member

GUESTS

INTRODUCTIONS

The Chairperson recognized that a quorum was present and read the confidentiality statement that indicates that personally identifiable information should not be presented in public meetings in order to protect the privacy of those disabled persons on whose behalf the HRA conducts investigations.

The Chairperson asked for changes in the agenda, there were none.

MINUTES

The members reviewed the stated minutes of the May 12, 2010 HRA meeting and considered them for approval. Upon a motion by Kingston Schmid seconded by Marguerite Riley, members present voted to approve the minutes.

COMMUNICATIONS: The HRA reviewed a lawsuit that was filed by Equipped for Equality alleging that the state was not following mandates to serve persons with developmental disabilities in community settings. This was based on the number of persons still residing within State Operated Facilities throughout the state. The Department of Human Services Division of Developmental Disabilities cannot close all the SOFS because of community and union's efforts to keep them open. Now they are finding that in a lot of cases the cost of care may be less in SOFs for people with severe physical and emotional disabilities than it is when attempting to deliver all services in the community.

NEW BUSINESS:

11-070-9029 - a nursing home was sold and the new owners made changes including the styles of serving dinner and other issues regarding the way services

are provided. Some new changes are not desired by the residents and some feel it is a violation of their rights. Tabled at the last meeting. Upon a motion by Kingston Schmid, seconded by Emil Wilson, members voted not to investigate the allegation.

11-070-9030 - a consumer is not allowed to have her make-up because staff say she uses it as war paint. They told her no make up until 3 months of good behavior. Another resident gets her makeup after punching another client the week before. Upon a motion by Thomas Cannady, seconded by Kingston Schmid, members voted to open the case.

11-070-9031 - a hospital gave a patient a shot of haldol and did not issue a Notice of Restriction. Also, the staff are rude and mistreat patients. Referred part 2 to OIG. The patient may not be available for consent, hasn't returned phone calls from the Coordinator. Marguerite Riley made a motion to open, seconded by Dave Bollone, members agreed to investigate.

11-070-9032 - An agency decreased personal services to a qualified recipient based on her living situation. She lives with a multi bedroom home with two adults and two adolescents. She cannot wash her own clothes but the agency will not allow payment for clothes washing, insisting that her clothes may be washed with others. The agency representative also questioned the fact that the male PA bathed the female and removed that service by the PA. The recipient's needs are increasing as she ages and she needs the services more than ever. The recipient and the personal assistant live at a boarding house with adopted two adolescents and another adult. Upon a motion by Marguerite Riley, seconded by Kingston Schmid, members voted for case opening.

11-070-9033 - a consumer who had complained previously that he is not treated equally - In January he has lost his privileges after being caught with contraband (tobacco) as of this writing, he has not been allowed his privileges. Another patient went berserk threatening staff and other patients and destroying property and that person lost his privileges for two weeks. When he asked the consumer advocate to review with his treatment team the response was "team states will follow original plan related to multiple contraband infractions. The consumer states that the staff do not offer him an objective unbiased review. Upon a motion by Emil Wilson, seconded by Dave Bollone, members voted to investigate the allegations=.

11-070-9034 - a male consumer with a diverse lifestyle is denied his right to wear a hair extension to his court hearing. Agency staff first told him that it would be considered changing or hiding his true identity during court which is illegal. The Director of Nursing stated no that the reason he cannot wear the extension is because it is considered contraband. The agency handbook identifies Rope, yarn, twine, string or similar item; not to exceed 8 inches as contraband. Upon a motion by Emil Wilson, seconded by Dave Bollone members voted NOT to investigate the allegation.

UNFINISHED BUSINESS

Pursuant to Section 721 of the Illinois Guardianship and Advocacy Act and Section 42 of the Open Meetings Act, upon a motion by Dr. Marguerite Riley, seconded by Kingston Schmid, the Authority went into closed session at 7:45 p.m. to discuss case progress and reports of findings.

Case Progress Reports:

V. UNFINISHED BUSINESS

A. Case progress reports

1. 11-070-9008 - Atrium - discharge
2. 11-070-9010 - Alton Mental Health Center - privileging (search)
3. 11-070-9016 - Alton Mental Health Center - level & communication
4. 11-070-9017 - Alton Mental Health Center - lost privilege (\$)
5. 11-070-9019 - DRS Department of Human Services - denied services
6. 11-070-9027 - Gateway Medical Center - involuntary admit & medication

B. Reports of Findings:

1. 11-050-9009 - Alton Mental Health Center - restraint
2. 11-070-9026 - Community Link

C. Case Closures:

1. 10-070-9021 - Alton Mental Health Center - property - no music
2. 11-070-9001 - Alton Mental Health Center - vending
3. 11-070-9011 - Southwest Illinois Visiting Nurse Association - refuse
4. 11-070-9013 - Alton Mental Health Center - computer violations
5. 11-070-9018 - St. Elizabeth's Hospital - property - retracted complaint would not consent Staff took her property looked through all of her things and staff went through her personal property and took some items that they claimed were hospital property

The HRA returned to open session at 7:55 p.m. upon a motion by Marguerite Riley, seconded by Thomas Cannady.

Upon returning to open session:

C. Reports of findings:

1. 11-070-9009 Alton Mental Health Center - Upon a motion by Emil Wilson, seconded by Carol Nuedecker, members voted to accept the report of findings with suggested revisions pending administrative approval.
2. 11-070-9026- Community Link - Upon a motion by Thomas Cannady, seconded by Dave Bollone, members voted to accept the report pending administrative approval.

D. Case Closures:

1. 10-070-9021 - Alton Mental Health Center - property - no music upon a motion by Thomas Cannady, seconded by Dave Bollone members voted to table case closure.
2. 11-070-9001 - Alton Mental Health Center - vending - Upon a motion by Dave, seconded by Thomas Cannady, members voted for case closure.
3. 11-070-9011 - Southwest Illinois Visiting Nurse Association - refuse - Upon a motion by Thomas Cannady seconded by Kingston Schmid, members voted for case closure.
4. 11-070-9013 - Alton Mental Health Center - computer violations - Upon a motion by Thomas Cannady seconded by Kingston Schmid, members voted for case closure.
5. 11-070-9018 - St. Elizabeth's Hospital - property - retracted complaint would not consent. Staff took her property looked through all of her things and staff went through her personal property and took some items that they claimed were hospital property. Upon a motion by Thomas Cannady seconded by Kingston Schmid, members voted for case closure.

ANNOUNCEMENTS AND COMMENTS:

The next meeting will be September 8, 2011 at Illinois Department of Transportation

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Dr. Marguerite Riley, Recording Secretary