

# METRO-EAST REGIONAL HUMAN RIGHTS AUTHORITY

## MARCH 15, 2012 MINUTES

The Chairperson, Emil Wilson called to order the March 15, 2012 meeting at 7:10 p.m. This meeting was held at Cannady and AuBuchon, Belleville.

### PRESENT

Beverly Sweatman, Member  
Emil Wilson, Chairperson  
Thomas Cannady, Member  
David Bollone, Member

### STAFF PRESENT

Michael J. Pintar

### ABSENT

Margaret Merrell, Member  
Carol Neudecker, Member  
Kingston Schmid, Vice-Chairperson  
Karen Kelly, Member  
Dr. Marguerite Riley, Member

### GUESTS

Jane Nesbitt, DDS

### INTRODUCTIONS

The Chairperson recognized that a quorum was not present.

The Coordinator 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; the Coordinator suggested that the case 12-070-9019 be reviewed in closed session to accommodate the agency representative present after consideration of the minute's approval.

### MINUTES

The members reviewed the stated minutes of the February 9, 2012 HRA meeting and considered them for approval. Members present agreed to approve the minutes based on a motion by Thomas Cannady, seconded by David Bollone.

Upon a motion by Thomas Cannady, seconded by David Bollone, members agreed to go into closed session at 7:35 pm to discuss case 12-070-9019 with the agency representative.

COMMUNICATIONS: The Coordinator shared information regarding a grant received by the State of Illinois used to educate providers regarding privacy of information for persons with mental illness.

### NEW BUSINESS:

12-070-9020 - a consumer states he was forced to take medication and over a two year period when was so over medicated the he couldn't control his bowels and eventually required colon surgery. Also, his thyroid was damaged and he blames the medication. An allegation of inadequate treatment. Tabled at the last meeting. Upon a motion by Beverly

Sweatman, seconded by Thomas Cannady, members voted not to accept the complaint for investigation.

12-070-9021 - a school district does not prevent bullying, does not provide appropriate supervision, did not adhere to his IEP when it suggested homeschooling and failed to revise the IEP. The District does not adhere to the psychiatrist's recommendations and did not follow a Physician's directions regarding health issues. Upon a motion by Emil Wilson, seconded by Dave Bollone members present voted to accept the case for investigation. Thomas Cannady recused himself from that vote.

12-070-9022 - a consumer who has lived in housing since 12/30/12 encountering problems with another resident. The Manager says she is not adhering to the rules and can be evicted. Upon a motion by Thomas Cannady, seconded by Beverly Sweatman, members voted to open pending receipt of the consent to review records.

12-070-9023 - A facility will not adhere to a Physician and guardian's suggestion that a do not resuscitate order be put in place for a person who's health is failing. Upon a motion by Thomas Cannady seconded by Dave Bollone, members voted to investigate the allegation.

12-070-9024 - an administrator promised a resident who has behavioral issues that he could work in a community setting without supervision. Normally, individuals with similar behavior patterns must participate in a day training curriculum and after successfully completing progressive programs they may be assigned training in a community setting with special supervision. This administrator has participated in other treatment planning without including the guardian in decisions. Upon a motion by Emil Wilson, seconded by Beverly Sweatman, members agreed to case opening.

12-070-9025 - a CILA resident purchased a new wheel chair in 2011 yet she has not been able to use that chair because the ramp to her home is too steep and the 70 year old staff cannot push her chair into the house - therefore she hasn't used the chair at this time. Upon a motion by Thomas Cannady seconded by Emil Wilson, members present voted to table case opening and suggested that the Coordinator make further inquiries as the ramp may be a violation of the ADA if it is incorrectly installed.

12-070-9026 - a consumer complains that a hospital has reduced the amount of time that the phones may be used during the evening hours. From the time after supper until the phones are turned off the consumers may only access, make or receive calls for 1 ½ hours. Not allowed during evening meetings that take several hours. Upon a motion by Thomas Cannady, seconded by Dave Bollone, member present voted for case opening.

## 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 Dave Bollone, seconded by Thomas Cannady, the Authority went into closed session at 8:10 p.m. to discuss case progress and reports of findings.

Case Progress Reports:

### V. UNFINISHED BUSINESS

A. Case progress reports

12-070-9005 - Alton Mental Health Center - guardian access

12-070-9010 - Alton Mental Health Center - medical treatment & forced on milieu

12-070-9011 - Alton Mental Health Center - psychotropic medication

12-070-9013 - Alton Mental Health Center - accounting

12-070-9016 - Madison County Housing - landlord evicted a consumer & refused to return property

12-050-9017 - Alton Mental Health Center - over medicated.

12-070-9018 - Alton Mental Health Center - forced a blood test

12-070-9019 - DDS of Metro East - denied services

B. Reports of Findings:

11-070-9033 - Alton Mental Health Center - privileges [caught with tobacco]

12-070-9008 - Alton Mental Health Center - OIG property

C. Case Closures:

11-070-9019 - DRS Department of Human Services - denied services

11-070-9032 - (DRS) reduced services [combined DRS cases]

12-070-9007 - Alton Mental Health Center - computer/personal property

The HRA returned to open session at 8:59 p.m. upon a motion by Beverly Sweatman, seconded by Dave Bollone.

Upon returning to open session:

B. Reports of findings:

11-070-9033 - Alton Mental Health Center -privileges - Upon a motion by Beverly Sweatman, seconded by Thomas Cannady members voted to accept the report as written pending approval of absent members.

12-070-9008 - OIG property - Upon a motion by Beverly Sweatman, seconded by Dave Bollone, members present agreed to report approval.

C. Case Closures:

11-050-9019 & 9032 - Illinois Department of Human Services - Department of

Rehabilitation (combined cases). Upon a motion by Thomas Cannady, seconded by Beverly Sweatman, the members voted for case closure.

12-070-9007 - Alton Mental Health Center - computers and personal property. Upon a motion by Emil Wilson, seconded by Beverly Sweatman, members voted to table case closure pending the Center's response.

ANNOUNCEMENTS AND COMMENTS:

The next meeting will be April 12, 2012 at Thomas Cannady's Law Office 1931 West Main Street, Belleville

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

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Dr. Marguerite Riley, Recording Secretary