

**COMMISSION MEETING MINUTES**  
**Tuesday, June 6, 2017**

**Video Conference Sites**

Chicago: James R. Thompson Center, Room 2-025  
Springfield: Capitol City Training Center, 130 West Mason Street, Room 104

**Members Present**

Andrea Schleifer, Vice-Chairman	Representative Michael McAuliffe
Rev. Barbara Berry-Bailey	Brian N. Rubin
Representative William Davis	Inez Torres Davis
Dr. Sharon Jenkins-Collins	

**Members Absent**

Anthony E. Rothert, Chairman  
Senator Don Harmon  
Senator Ira Silverstein

**Executive Staff Present**

Dr. Mary L. Milano	Executive Director
Veronique Baker	Director, Legal Advocacy Service
Bobbie Fox	Director, Human Resources
Kenya Jenkins-Wright	General Counsel
Gloria Lasley	Director of Finance and Fiscal Operations
Barry Lowy	Director, Office of State Guardian
Gia Orr	Director, Community Rights, Relationships & Resources
Teresa Parks	Director, Human Rights Authority
Constance Umbles-Sailers	Confidential Assistant to the Director
Michelle L. Braker	Private Secretary to the Director, Springfield
Florence P. Martin	Private Secretary to the Director, Chicago

Motion was made for Vice-Chairman Schleifer to chair the meeting in the absence of Chairman Anthony Rothert by Commissioner Rubin. Motion was seconded by Commissioner Berry-Bailey. Motion passed.

Meeting was called to order by Vice-Chairman Schleifer at 1:18 pm. A quorum was present.

## DIRECTOR'S REPORT

Dr. Mary L. Milano

Director Milano stated that it has been a very busy quarter for the Agency, and much time has been spent in the area of legislative advocacy. There are several Bills that we are considerably interested and invested.

- SB 2031 would have permitted a greater degree of ability on the part of people at nursing homes to act as representatives of persons who may or may not have ever been adjudicated as disabled. After many hours of negotiation, the Bill was not called. The Agency's expects that it will be return in another form in another session.
- The Agency supported SB 2641 which was presented by the Department of Aging that would permit respondents to appear via video in guardianship proceedings. The Agency felt, along with the Cook County Public Guardian, that enough procedural safeguards were in place and it would actually be a benefit. The Bill passed.

There are 2 bills that Representative Davis sponsored:

- HB 2641 is to create a disabilities task force to look at the ways individuals with disabilities interact with the criminal justice system. The Bill passed both Houses, but with amendments in the Senate that have yet to be concurred on by the House.
- HB 2665 which states that the State Guardian shall provide a training program outlining the duties of guardians appointed for adults with disabilities, as well as changes in the Public Guardianship provisions for counties in down State IL. The Bill met opposition, amendments have been written but yet to be voted on because they'd been tabled.

With regard to budget, the challenges the Agency has against are the limitations on headcount and the limitation on our budgetary amounts. As an Agency, we can always operate within *the box*; however, if we want to be more proactive and do things that are outside *the box*, i.e. not only doing quarterly visits and reports, but finding ways to enhance lives, do legislation or broaden our reach by getting out into the community making people aware of options and the availability or lack of availability of services; if we want to do these types of things and become a more effective organization for the people of Illinois, the budget is inadequate.

During the last quarter, the Agency conducted 2 studies: one of Representative Davis' and one of Representative McAuliffe's districts to investigate the availability of resources as they could become known by the general public and what is in the districts in comparison to other districts. The information from the studies supports the Agency's decision to attempt to open 2 satellite offices. One office would be located in the Shapiro Developmental Center in Kankakee that will serve both the residents of the State operated facility there as well as the larger Kankakee area which is becoming more populous. The second, larger satellite office would be in the Southern Suburbs, possibly at Governors State University or in that general vicinity. This would enable the Agency to place approximately 6 Guardianship Representatives (GR), a Legal Advocacy Service (LAS) attorney and a floating Human Rights Authority (HRA) person in that larger south suburban area.

## **LEGAL REPORT**

**Kenya Jenkins-Wright**

Counsel Jenkins-Wright thanked the Commissioners for completing their Statement of Economic Interest and Supplemental Statement of Economic Interests for the Secretary of State. She also mentioned that she'll be sending an e-mail to confirm that everyone's contact information to be sure that what is sent to the Secretary of State and Executive Ethics Commission is correct.

She and Confidential Assistant to the Director Constance Umbles-Sailers attended 2-day training on how to conduct internal investigations, such as employee complaints, labor complaints, etc. They are looking to reconstruct and streamline the Agency's processes for handling such investigations,

Along with HRA Director Teresa Parks, they've been working on matter involving St. Coletta's in Tinley Park. The facility has been prohibiting any sexual expression among its residents and penalizing the residents for any such behavior. It has been an ongoing issue where notification has been reported to the Department of Human Services (DHS) on more than one occasion with no result. The HRA has decided to do another investigation and at the same time sending another letter to Secretary Dimas at DHS.

She is also working with Director Parks on a matter involving an unlicensed nursing home in Allerton, Illinois. After many phone calls to various agencies, they've been able to persuade the Department of Public Health (DPH) to investigate and it was found to be an unlicensed facility, in January a letter was sent to the owner. It was also found that the facility owner is the guardian of several of the residents. Office of State Guardian (OSG) Director Lowy has shared information for contacts at Equip for Equality (E4E) to see if they can be of any assistance, as well as working the Department of Aging (DOA) and DHS.

The Agency has been in continuous discussions with the Veterans Administration (VA) in order to draft a Memorandum of Understanding (MOU) so that processes and policies can be put in place for LAS investigations or representation for those in Veterans hospitals for HRA investigations.

Lastly, the Governor's office has a Competitiveness Council in which agencies are supposed to look at their Administrative Rules and make edits; while the Agency doesn't have any Administrative Rules, the HRA did and we've presented a more streamlined version of making complaints electronic. Director Parks is happy with the more streamlined form. Director Parks also drafted and sent in a memo of HRA successes and it was accepted and placed on the Competitiveness Council's website.

## **FISCAL REPORT**

**Gloria Lasley**

June 30<sup>th</sup> is the end of the fiscal year; however, we will continue to process payments for expenses incurred in June through the summer. Based on the projections of what those bills will be it is estimated that the Agency will have left over about \$1.6 million of our spending authority. About \$1.3 million is from the Guardianship and Advocacy (GAC) fund, which means that monies will stay there and be available to be spent next year once the Agency is appropriated.

The spending estimate for the remainder of 2017 is based on several unknowns, such as who is retiring, how much benefit time we will pay out and how much overtime we will incur. We have secured the purchasing of the case management software for LAS and HRA, the cost of that will be going into next year. The big project that is hopefully moving into next year is the case management software for OSG. These things account for the majority of the lapse in spending.

All of the Agency's non-payroll costs this year, as well as next year, have/will come from the GAC fund. Having the monies left over to move into next year is helpful for the GAC fund, but that cannot be sustained much longer. In FY19 the Agency will be able to go beyond its historical appropriation, but the \$2.3 million level is questionable. For next year's budget cycle we're going to have to raise the point that we can't only do our operations from the GAC fund, because the resources that come into the GAC fund are about \$1.3 million a year. In FY18 we're asking for \$2.4 million, and \$2.3 in FY17 and 16. We are spending our surplus down and we cannot continue to do that much longer.

## **ACTION ITEMS**

Motion was made to approve the minutes from the February 21, 2017 meeting by Commissioner Rubin. Motion was seconded by Commissioner Torres Davis. Motion passed and the minutes were approved.

## **MANAGEMENT INITIATIVES**

**Gia Orr**

The Agency continues to press forward to expand its presence in areas where it hasn't been historically represented:

- Most recently Directors Orr and Baker (LAS) have been working with the Cook County Justice and Mental Health Collaborative, which is a part of a grant from the Department of Justice received by the Cook County Health Systems and the office of the Chief Judge. It was created to bring together criminal justice, juvenile justice, behavioral health and substance abuse treatment systems to increase access to mental health treatment services to those with mental illness or co-occurring mental health and substance abuse disorders. We were invited by Cook County Public Safety Officer Lanetta Haynes Turner who believes that GAC should be at the table to insure that the population that we serve is represented in Cook County Health and Hospital Systems in bond court screening.
- Directors Orr and Parks have recently connected with the Cook County Southland Juvenile Justice Council. Director Parks did a presentation for them and Director Baker is scheduled to do one in the near future.
- Director Parks' next scheduled training is for police departments in the Southern suburbs, about HRA investigations, rights, etc.

What has become obvious is what we already knew: that we are needed in the different units of government. Outside entities are beginning to realize that there's value in the fact that we're a sister

agency that is able to provide advice and support, but in some instances human capital that can conduct trainings.

The Agency's continues its work with the Governor's Cabinet on Children and Youth. As mentioned in the last meeting, we did conduct 3 roundtables around the state. We had 175 youth that were involved as we try and formulate what an apprenticeship would look like as far as IL manufacturers, hotels, hospitality, retail and transportation.

In the fall the Agency connected with CARPLS (Coordinated Advice & Referral Program for Legal Services) who operates a free telephone hotline where people talk directly to attorneys who offer legal advice and assistance. Through a grant from the IL Equal Justice Foundation, they are opening an all Veterans legal aid hotline. The call center is in downtown Chicago staffed with attorneys will be available to offer legal advice, they cannot provide legal representation, but will be there to provide as much information as possible as well as references. Directors Orr and Baker, LAS attorney Kelly Phelps is working with CARPLS to help them launch the hotline.

In conjunction with DoIT (Department of Innovation & Technology), the Agency's professional development training platform, One Net, is up and running and going well. We are currently conducting Security Awareness training through the platform. Director Orr has received a lot of positive feedback from staff, saying it has been great for professional and personal use as it has provided good information on creating strong passwords, phishing, etc.

## **PROGRAM REPORTS**

### **Office of State Guardian (OSG) – Director, Barry Lowy**

The Department of Human Services (DHS) and OSG have reached an agreement and have consented 312 wards for LIGAS assessment. We will be developing a prioritization system for evaluating them. This isn't forcing people to move, it is securing their rights to the LIGAS assessment process.

OSG has reorganized its work on behalf of wards living in State Operated Developmental Centers (SODCs). He has asked Jeff Ohlson, to act as OSG's statewide coordinator for the purpose of working with the GRs assigned to wards in SODCs to identify those who are eligible for some sort of initiative to have them placed in the community. They will work to develop transition plans that ensure necessary resources are available for them by DHS and the Department of Developmental Disabilities (DDD).

Director Lowy feels strongly that the Agency have a presence at the Shapiro Developmental Center; OSG has 107 wards at the facility. OSG is in the process of establishing a satellite office at the facility. DHS and DDD have agreed to provide 2 offices and OSG will be reassigning a GR position from its East Central Regional Office (ECRO) in Champaign to handle the Kankakee caseload. So we will have one GR for Shapiro and for the 48 other cases in the Kankakee. This will give OSG a better, more consistent approach and better way to serve the wards at Shapiro.

As Director Milano mentioned the Agency continues to explore establishing an office in South Suburban Cook and Will counties. Through a contact at the Illinois State Police (ISP) and using their

mapping software/system has developed a map of all wards serviced by its West Suburban Regional Office (WSRO). We are in the process of compiling data and hope to ask ISP to do the same so we can identify what will remain under the jurisdiction of the WSRO and then what would become the South Suburban office.

The Rapid Results project to streamline the Agency's transfer case form has been completed. It is in the testing stage and GRs are tracking the time it takes to complete the form which will be reported to the Rapid Results portal. Once the testing stage is done, we will rewrite the transfer policies.

The records digitization project is moving forward. We have expanded the pilot area; instead of just Peoria we may also include the MERO, ECRO as well as Intake. Intake will build the structure of the file and put in the initial documentation. It will then be maintained digitally by GRs as they work in the field. For document files that are not digitized we are bringing in temporary workers to scan them into digital format. It has been established that we can use Adobe Pro and Windows 10 in conjunction to build a searchable database that is basically like a document folder and place it on the Intranet so everyone can have access to it. We're hoping it will streamline the work, enhance management, we'll be able to track quarterly visits in real time, etc.

### **Human Rights Authority (HRA) – Director, Teresa Parks**

The HRA has filled a position that has been vacant for over 1 ½ years: Laura Hart is now the HRA coordinator for the Champaign Region. She comes to the Authority with many years of human service related experience, has worked for health care and family services, DCFS and an elder abuse program in Peoria. Director Parks thanked and expressed appreciation to Cathy Wolf who was a retiree working under two 75-day contracts during the vacancy and Gene Seaman in the Peoria office and Geraldine Boatman our South Suburban coordinator who all provided assistance during that 1 ½ year vacancy.

The HRA continues to struggle to fill volunteer vacancies in 3 regions: North Suburban in Des Plaines, Rockford and Springfield. For each panel we are looking for 3 members can be service provider representatives, but the remaining 6 members must be either consumers, family members of consumers or concerned citizens. Average time commitment for volunteers is about 4 hours a month.

The Authority has had success recruiting student interns. Sarah Goodman, a student from Bradley University, was an intern in the Peoria office during the spring semester. She helped with casework, developed some promotional materials and was recently hired by the Wall Street Journal. There are 2 additional student interns from Bradley who will be working with the Authority this summer, both of whom are involved in a Pre-Law program and we have a Peoria high school intern starting at the office in the next week.

The Authority continues to work on its public awareness goals as part of the Rapid Results project. We had a great experience with the Cook County Southland Juvenile Justice Commission, which generated some additional contacts including a presentation that Director Baker and HRA Coordinator Patricia Betzen were involved in before the Cook County Probation Department Division of Juvenile Justice. We may have gotten potential HRA candidates from that presentation also. Members of the staff are involved in presenting at special education information fairs, at a job fair for persons with disabilities

and Gene Seaman with Director Parks also gave a presentation for a Pre-Law class at Bradley University.

This past quarter HRA staff completed required Open Meetings Act training because they hold public meetings and that training is required. They've also taken Freedom of Information Act training and are in the process of having all of the HRA volunteers complete the 2017 Ethics training.

The Authority has had recent communication with DHS over the posting of the Authority's contact information within DHS licensed facilities. We thought that would be another legislative proposal, but we backed away thinking that it could be worked out with DHS. Basically, we are listed as a resource in the mental health code, but there's no requirement that our contact information be posted in DHS licensed facilities. A formal request has been sent to DHS and hope to hear from them to have it resolved without legislation.

### **Legal Advocacy Service (LAS) – Director, Veronique Baker**

The LAS currently has 4 pending appeals with the Illinois Supreme Court. Linda B. oral arguments were held on May 9<sup>th</sup> and we are awaiting a decision; three others, Bennie M, Clinton S and Amanda H that are also awaiting a decision. With respect to Clinton S. and Amanda H., we've filed a Petition for leave to appeal (PLA) and are waiting for the Supreme Court to decide if they're going to break the PLA. In the matter of Amanda H, we won at the appellate court, but the State appealed that decision so we're waiting to see if the Supreme Court will accept their PLA.

There are 5 appeals pending in the 1<sup>st</sup> District, 6 in the 2<sup>nd</sup> District, 13 in the 3<sup>rd</sup> District, 5 in the 4<sup>th</sup> District and 15 in the 5<sup>th</sup> District. The 3<sup>rd</sup> District is interesting because there isn't any LAS trial representation in that area and those numbers are considerably higher than the other areas. The 5<sup>th</sup> District numbers are high, but the majority of those appeals come from Chester Mental Health Center and we don't do the trial work at Chester.

Regarding the assisted outpatient treatment grant discussed at the last meeting, we were able to hire a contract attorney who is running the legal aspect of that program for LAS. Director Baker thought that the program was slow in starting. There've been only 11 actual orders entered; there have been 56 potential clients. A major challenge has been the wraparound services Human Development Resource Institute (HDRI) and Community Counseling Centers of Chicago (C4) represented to us that they would be able to provide housing and other services that are needed, but it proves to be more challenging than anyone had expected. Housing is a major issue for a lot of our clients. Often while they are in the hospital waiting for the services to come to fruition, many of them will sign out and go wherever they intended to go initially. Some changes have been made; Cook County Health and Hospital Systems (CCHHS) have advanced C4 a portion of their contract monies in order to fulfill their obligations. We're hopeful that now that they're more stabilized we'll see more positive results. The contract attorney, Matthew Davison, is phenomenal. He has done presentations to anyone and everyone who will allow him to speak and will listen to information about agreed outpatient treatment orders and how it is a good alternative to involuntary commitment.

Director Baker thought the program was moving slowly until the evaluators came and evaluated the program. Apparently we are far ahead of other organizations who were awarded the grant. We are actually doing the work; a lot of the other organizations have yet to get their systems set up or hire people, much less going into court and doing any hearings.

It was thought that there would be more input from Cermak Hospital and they were no doubt expected to be a very large source of potential clients for the project. However, Cermak has yet to have any cases. Director Baker says she believes it is partly because they don't have criminal court judges involved in the process and it isn't going to work without their involvement.

They are making changes to the terms of the contract and looking to expand it outside of Cermak, Madden and Read. They're looking to bring aboard some of the private hospitals that are very interested in the process and we are hoping to meet the goal of 100 orders by the end of this year, but so far we have 11.

Motion to adjourn was made by Commissioner Rubin and seconded by Commissioner Berry-Bailey.

Motion passed.

Meeting was adjourned at 3:00 pm.

The next scheduled meeting will be Tuesday, August 15, 2017.