



State of Illinois
JB Pritzker
Governor



Dr. Mary L. Milano
Director

Human Rights Authority
Legal Advocacy Service
Office of State Guardian

COMMISSION MEETING TRANSCRIPT

Wednesday, July 15, 2020 1:00 – 3:00 PM

Via WebEx

Commissioners Present

Anthony E. Rothert, Chairman
Representative Thomas Bennett
Representative Jonathan Carroll
Representative William Davis

Kathryn E. Eisenhart
Mary Kennelly
Senator Julie Morrison
Brian N. Rubin

Commissioners Absent

Honorable Andrea M. Schleifer, Vice Chairman
Dr. Sharon Jenkins-Collins

Executive Staff Present

Dr. Mary L. Milano
Veronique Baker
Kenya Jenkins-Wright
Daniel Campbell
Barry Lowy
Gia Orr
Teresa Parks
Constance Umbles-Sailers
Atul Chokshi
Florence Martin

Executive Director
Director, Legal Advocacy Service
General Counsel
Director, Finance and Fiscal Operations
Director, Office of State Guardian
Director, Community Rights, Relationships & Resources
Director, Human Rights Authority
Director, Human Resources
Private Secretary to the Director, Chicago
Confidential Assistant to the Director

Meeting was called to order by Chairman Rothert at 1:26 pm.

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Dr. Mary Milano, Executive Director: Commissioner Bennett has been enthusiastic about participating in the Commission over these last months and I'd like to take a moment to let him introduce himself before he needs to temporarily leave us. So, if we could do that, I would be very, very pleased and so would the rest of us. Representative Bennett, could you introduce yourself?

Commissioner Thomas Bennett: Absolutely, I'm glad to do it. First, I'm very glad to be part of the Commission. I have been looking forward to this. I appreciate the conversation with Gia as we worked on some bills together and then also with Teresa as we put together a bill last year Teresa, or was it 2 years ago? Now I can't remember.

Teresa Parks, Deputy Director/Director, Human Rights Authority: I think it was last year.

Commissioner Bennett: Thank you, time just keeps going. So, I've been the State Representative for the 106th District, this is my third term and obviously what you're doing is important, and it really is to help the quality of life in so many ways. I am so glad to be with you and, you're right, please forgive me, I will need to scoot out for just a little bit, but I've got my documentation, the agenda, all these things right here in front of me so I will try to and listen as you guys continue to the meeting, but again, we're glad to be part of this. Thank you.

Director Milano: Thank you Representative. Representative Bennett's district includes the farm that my son's godparents own, so I'm happy for that also.

Good afternoon. Welcome to our Commissioners, old and new—in terms of appointment dates not age—and to our Executive Team members. It is indeed good for us to be here in this expanded notion of where “here” is.

The COVID-19 crisis has had amazing impacts on all our lives and created many difficult and too often tragic consequences. But I would say that of the positive aspects of change it has enabled a relaxation in the Open Meetings Act rules that permit this meeting to go on today. I hope that what we are all learning in so many meetings like it across the state is that virtual is not the antonym of open.

The second positive aspect has been that it is the occasion for propelling change that otherwise might not have seemed so urgent, in how we operate, how we organize ourselves, serve and relate to each other. This is true at GAC, where we have used the situation as a catalyst, not only for responsible operational adaptation, but to prompt the gathering of data, the intentional inclusion of all our staff in putting forward issues, ideas and approaches on a problem and thematic oriented basis rather than one separated by programmatic lines; planning for the short, medium, and longer term and working toward the creation of an imaginative but concrete strategic plan and vision.

You will hear more from our executive team members as we move through this meeting about these things, and in so doing I think you will feel, if you have not yet experienced it, the dynamism. And let me say the power flowing from commitment that is at work here, as we work toward the recognition of the rights and potential of all persons, the empowerment of our wards and clients and those across the disability community and every part of the spectrum and the creation of supportive structures and approaches that enable us all to thrive and advance toward a common, achievable and compelling good.

I'd like to begin by asking each of the Commissioners to very briefly introduce themselves with a short description of their backgrounds and why they've chosen to become part of GAC. And as a side matter to say you're not allowed to say it's because Mary got me in a moment of weakness.

So, let me start with our official person who has volunteered to go to Springfield and be the human present to make the meeting, Kathryn Eisenhart.

Commissioner Kathryn E. Eisenhart: Hi everyone, my name is Kathryn Eisenhart. I am retired faculty from the University of Illinois, Springfield, I taught in the Legal Studies Department. The most important thing about why I'm here doesn't have anything to do with Mary, even though I was glad, very glad for the invitation.

I started my legal career with the Guardianship and Advocacy Commission: I was with the Office of State Guardian. I covered all downstate Illinois at that time and then eventually I moved over and became an advocate. So, I'm making a circle, and I want to see the changes, but I also want to see if I can help with reaching out to the community as well, so that's why I'm here.

Director Milano: I'm going in the order I see people on the screen. Tony?

Chairman Anthony E. Rothert: I'm Tony Rothert. I also spent part of my early legal career working for the Guardianship and Advocacy Commission for the Legal Advocacy service for six years from 2000 to 2006 and I have a child with disabilities, so I have a personal interest as well as the professional interest in the work of the Commission.

Director Milano: Brian?

Commissioner Brian Rubin: OK, so I'm Brian Rubin, first and foremost, I'm the parent of the three kids, and my 39-year-old son has autism who's at Clearbrook, an agency I've been on the board of now for 31 years. Professionally I'm an attorney. I was the Chair for 15 years when the State Legislator created the Office and Task Force Maturity State Advisory Council, past President the ARC of Illinois and I'm glad to be here.

Director Milano: Mary Kennelly

Commissioner Mary Kennelly: My name is Mary Kennelly. I am a retired special educator. I am interested in continuing advocacy for people with challenges. I find that my association with your Commission started when I was a graduate student when your Commission formed itself. In 1979 around that date, I found in my notes when I did major cleaning, a reference to the HRA at that time. I'm interested in the issues that are individuals with disabilities face from birth to their final days, so I think this should address that.

Director Milano: I have to with a point of privilege. I first met Mary 54 years ago and although we have not had much contact since then, I have followed her career, but I also have to say that her mom is celebrating her 99th birthday.

Representative Carroll.

Representative Jonathan Carroll: Thank you. This is State Representative Jonathan Carroll. I'm going into my third year and this is certainly an interesting time to be a State Legislator, to say the least. I was approached to be part of this Commission. I'm a special education teacher by trade. I currently work as

an ADHD and executive function coach as well as special education advocate, away from our time in the Legislature. So, I have a lot of experience in this area and I'm just very excited to be part of this team and looking forward to continuing the great work of this Commission.

Director Milano: Thank you. Leader Davis.

Representative William Davis: Thank you very much. Hopefully everyone can hear me. I'm Will Davis, I am the State Representative of the 30th District which comprises of 15 suburban communities. I serve now as Assistant Majority Leader in the House and I am an 18-year Legislator finishing my 18th year.

As a legislator, I would say unlike succumbing to the charms of Dr Milano, I was brought to the Commission by Gia Orr who I met while we were serving on the Budgeting for Results Commission. I hadn't known anything at all about Guardianship and advocacy. I didn't serve on the Appropriations Committee that funded this committee or that you came before, so I admittedly didn't know anything about it. But I do strongly believe that government's responsibility is to help the least and what we find is that people without a voice, people with disabilities who generally don't have a voice, are truly among the least of them. After learning a little bit more about it, an understanding the role that you play in the community, why not put my money where my mouth is and serve on the Commission. I came to Commission under Governor Rauner and I reached out to Governor Rauner and asked that he appointment of this Commission and he was kind enough to do so and I continue to serve to this day. It's certainly very rewarding work. It's tough work and I appreciate all the folks that work for GAC. Those that are out there in the field, you know dealing with who knows what kind of situations every day. COVID has not made it any easier, particularly for those folks that must go into hospitals to deal with those situations, so we are especially grateful to those employees of GAC that are on the frontline, truly boots on the ground going into very tough circumstances and but still getting the work done. I'm happy to be a part of this Commission. I certainly enjoy serving on it and look forward to continuing this work. Thank you.

Director Milano: Senator Morrison.

Senator Julie Morrison: Hi, I'm Senator Morrison. I represent the North suburbs. Representative Carroll is one of my two reps. I'm in my third term. I am the Chairman of the Senate Human Services Committee and began the Special Needs Caucus, which has been around for a few years. It works informally on issues that come before us in the General Assembly. I have a special needs nephew which has really caused me to want to learn more. He is 18 so those of you who deal with teenagers know that the challenges and the prospects and sort of what our families do in terms of planning and things that we are trying to find. In any event, I'm hoping to learn more and to be an advocate for this population.

Director Milano: Thank you to each of you.

I'd like to introduce briefly the members of our Executive Team from whom you will hear shortly, including some new members of the team and old members who have assumed new responsibilities. First off is Teresa Parks, who you have known as the Director of our Human Rights Authority and a 30-year veteran of the Commission. Teresa has also recently accepted the position of Deputy director and has been incredibly helpful in our interactions with other agencies, as well as in guiding a lot of our strategic planning process and I think really making us a much more effective team and organizational structure.

Daniel Campbell is our very new four weeks old Chief Fiscal Officer. Daniel came to us from the Department of Human Services, but many of us interacted with him significantly when he was with the Office of Management and Budget and was our analyst. He has already introduced and is introducing an amazing array of financial practices that are moving us from the abacus age into the computer and post age, and we're extraordinarily happy to have him.

Gia Orris familiar to you, I think certainly all our legislators have her persistence, dynamic interaction and creativity. She has served and continues to serve in a variety of functions, including her original function, which was as Director of Community Rights, Relationships and Resources. Aside from the many other titles she has, you will not be surprised to learn that she has recently been formally baptized as Director of Legislative Affairs for the Commission. In that capacity she has done amazing things already, and as I said, our legislators, I think, are more than aware of her presence. She has also put together a team approach to the development of legislation that really moves from the bottom up and, I think, unique among agencies in the state. You will hear more from her.

Kenya Jenkins-Wright is our general counsel. She has been here 5 years.

Veronique Baker, Director of our Legal Advocacy Service, you will hear later that she is along with Teresa are spearheading an initiative in the special education advocacy area, again one I think is unique among state agencies.

Barry Lowy, our Director of the Office of State Guardian, is probably one of the most knowledgeable people in the State of Illinois on the law and practice of guardianship and of disability rights.

Constance Umbles-Sailers, previously my Confidential Assistant and Director of Labor Relations, has moved into the position of Director of Human Resources replacing Bobbie Fox, who retired at the end of 2019 after many, many years of state service. Connie is also retaining the position of Director of Labor Relations.

Atul Chokshi is not entirely new. He filled in as a temporary employee during a rather long hiatus between Chief Fiscal Officers and was very instrumental in doing many different things for us, including working on the budget, an audit, ISL's, and annual report. We have been fortunate to be able to move him into the position of Private Secretary to the director in Chicago.

And finally, Florence Martin, previously Private Secretary to the Director who has moved into the position of Confidential Assistant to the Director.

So: what are we doing and where are we going?

We've had kind of a on and off joke after the movie *Drumline*, about becoming 'one band with one sound'. It's not a complete joke, it does describe much of what we have been trying to do in crossing our boundaries between programs, positions, areas and spheres of influence, wheelhouses and ideas and all that we think will make us stronger.

We have been changing the workplace to support our employees and the mission. Equipping enabling different styles and approaches, timeframes and work family balance is to a point where we now have virtually 100% of our workforce, either with flexible time arrangements or telecommuting arrangements for both, as well as mobile devices and other supports to enable different approaches to work. We are

trying to listen to them, we are trying to listen to our colleagues and our constituents, and we hope increasingly to you.

We have been sending more communications to you, I think than perhaps in the past and take those please as an invitation to be as involved as you can and desire. Each of you is here because we saw something in you, that no one else has, to contribute to transformative work to sustain the mission to moving toward justice and equity for all people.

Under the prior Governor, we had moved toward participation in some very formal structures, whether it be the cabinet or the Children's Cabinet, but they were just that formal structures. Under Governor Pritzker and Deputy Governor Flores and her staff, we have been able to participate in a very, very dynamic movement of the entire Human Services portfolio and strategic planning for it across our agencies, at the Director and Deputy level and its planning and interaction, until the virus, was phenomenal.

We had for the first time, I think, a chance to tell our story, to contribute insights and to be the envy despite our budget of a lot of Directors and Secretaries. Because of the breadth of the things that we saw ourselves doing and did and because of the continuity of our staff and the resulting concomitant trust we have not had to put up with "I've just come to the position and I don't know if I can trust my executives". We haven't had to put up with "what do I do with this person or that person"? You haven't had to put up with "we only do this". We do what we see in front of us and where the work takes us.

We have been able to collaborate with others, including ICDD and several agencies: Veterans Affairs, Aging, Human Services, Health and Family Services and Public Health. We feel they are resources; we are resources, and we are really working together on the journey.

We have impacted through legislation, and many of you are familiar with some of the legislation that you our Commissioners have in the whole been responsible for pushing and for passing, in which has had a significant impact on different segments of the population, not our whole community.

The Guardianship Training bill gave birth to the production, at no cost to the public, by staff members at GAC of the guardianship training materials, which are now being used across the state by laypeople who are accessing them, and we believe enhancing their service to their wards and to their communities to the interagency development of the sex education curriculum that follow passage of the sex education for those with developmental disabilities, the support of the Disabilities in the Criminal Justice System Task Force and agreed outpatient program that LAS is involved in and through investigation through the HRA into modeling approaches to guardianship in which we preference the rights of the Ward, model that in the work of OSG and educate about it.

We have been infiltrating slowly, because no one is afraid of us, we have been able to infiltrate various places. Whether it's VA system and trying to advocate for the rights of our Illinois veterans, the jails or on our radar, vocational training for those with intellectual disabilities; juvenile justice-those in the care of DCFS and transitions to adulthood and we've been expanding the HRA which for the first time in 15 years is fully staffed.

We are adding personnel to support initiatives and advocacy and training in the special education area.

The Legal Advocacy Service has expanded from nine counties just four years ago to 13 at present, with plans hopefully in the next fiscal year to add two more counties and then potentially, depending on Federal funding to add more counties to its outpatient project.

OSG is adding four of nine anticipated additional guardianship representatives to overstretched regions of the state as part of a plan to reduce caseloads and add public benefits, principally transitions from congregate care, institutional settings to those in the community.

We have been leading up and down the organization and not just at the executive level. We have had staff members recognized by prestigious organizations for their contributions. Among them, such familiar organizations as the National Association for Mental Illness and to hold leadership positions in professional and service organizations, be they legal, social service, human service, public education and human rights.

We have been innovating. I mentioned the legislative team. The initiative toward supportive decision making as an alternative to guardianship. The Initiative toward funding for an establishment of supported housing. The examination of the treatment and placement of persons in DHS forensic facilities. The placement of DCFS wards in regions where their families of origin cannot reach them.

We've been provoking. We've been questioning the way nursing homes are regulated and penalized or not when they are negligent. We have been questioning the treatment of children who are in situations and settings of confinement and treatment. And we have been questioning why our Illinois veterans do not have all the same rights and access to remedies as other citizens in our state because they are engaged with the federal system.

We've been educating our professional colleagues, we have been educating our communities, particularly underserved communities, through several initiatives, including those which pertain to end of life planning, mental health planning, healthcare planning and the rights of those who have disabilities.

We are framing and advancing systemic change. One of the handouts you will have received is a resolution which our General Counsel and myself crafted and moved through the Illinois State Bar Assembly in response to the murder of George Floyd and to our desire to have our State Bar, in fact it's expertise across regions in specialties, to examine every area of the law in which our member have expertise, to see what changes we can advance to legislature to address issues of systemic racism.

We add to that the leadership positions that our attorneys hold in the Illinois State Bar, in committees such as Mental Health, Disability Law, Government Lawyers, Racial and Ethnic minorities to name a few, as well as the Diversity Leadership Council, the State Bar Assembly and other statewide committees and councils of Influence.

I don't know any other agency director who understands how we are doing these things with the budget and the staff that we have. Sometimes I don't know that. I know a lot of it is due to the enormous talent and the effort of our Executive Team and the skills and work of our staff across the agency.

I often call to mind when we're thinking about how we keep expanding without getting additional money the words of the Prophet Isaiah: "Everyone that thirsts come to the water, you can have no money-come by and eat. Come buy wine and milk without money and without price."

But that's not what we want to continue to do. We need the resources, we need the advocacy, we need the visibility for our agency and our mission. We need to move up the scale in budget negotiations, and if I dare say clout.

And we need you among others to advocate and to become engaged in this work further for the larger work of the agency and the way it is supported.

Together, I believe that we will even more extensively repair the breaches, restore the roads, remove the yokes that burden and look forward to a future in which we all hope.

Thank you, I'm open for any questions before we move on to other reports.

Chairman Rothert: Are there any questions? If not, then we'll move on to the Deputy Director report from Teresa Parks.

Teresa Parks, Deputy Director:

Thank you and I would like to welcome the new Commissioners as well as our veteran Commissioners. Thank you for meeting with us this afternoon. I also would like to express my sincere appreciation to Dr. Milano for giving me the opportunity to serve as the Commission's Deputy Director. It truly is an honor and a privilege to serve the Commission, its staff and its clients in this new capacity and I look forward to furthering the agency's mission into the future.

As Dr. Milano mentioned, we have been involved in meetings with the Health and Services Committee of the Governor's Office, looking at ways in which our agency could interface with the other Health and Human Service agencies.

We had started working on a goal related to mental health services and pursuits when COVID struck and I was in my position for about a month and a half when that situation caused a shift in our priorities. We ended up moving our agency into a direction to address immediate concerns, and that was interacting with the Department of Public Health and the Department of Human Services through multiple phone calls with their leadership, to discuss ways in which we can stay connected with our wards and with our clients. And we did find ways in which to have some virtual contacts, some contacts in person, with of course protections for our staff in the form of PPE and we found ways to keep connected with our clients and our wards.

We also found ways to continue to work on our Human Rights Authority investigations through teleconferencing and virtual meeting formats, and we continue to move on in all our programs to make sure that our mandates are being met. We also established connections with IEMA, so that we could get the supplies we needed for our staff so that they could continue their work in the field to the extent that they were able.

Then we stood back and decided to look at ways in which we could further our agency into the future. This is where we sought out feedback from our staff in the form of surveys that we sent across the board to all of our staff, and then we followed up with contact to individual staff, person by person, by Gia Orr, by Veronique Baker and myself, to find out where they want to go in terms of the future and to give feedback both post COVID as well as into the future. We learned a lot from our staff and we're trying to implement so many of the things that they suggested and recommended, starting with the development of some teams, teams that were representative of the regions across the state, as well as different staff positions. We brought those teams together to look at return to office protocol as well as PPE, technology needs, at work practice needs and those teams met and came back with recommendations that we have been implementing some, including guidelines for returning to the office.

We also are looking at initiating a new telecommuting working agreement that was developed by the executive team and it incorporated past practices as well as looking at some future accountability practices. That teleworking agreement is in its final stages. It's in the hands of AFSCME now if they review it and we worked together on a conclusion. I would add that several of our staff had already been on telecommuting agreements and we are looking to expand that to a broader base of our staff, as much as possible.

Some other things that we're working on includes, as Dr Milano referenced, strategic planning. We're looking at our agency's organizational structure: its lines of communication, its lines of accountability. We're looking at job descriptions. We know that many of our staff are taking on much more that is addressed in their job description, so we're engaging with CMS to work through our organizational structure chart and those job descriptions so that they more accurately reflect the work that our staff does.

We also have been communicating with our sister state agencies and looking at macro systemic issues. As Dr Milano referenced, before COVID we had been meeting with the Department on Aging and the Department of Public Health to look at nursing home sanctions or the lack thereof, and we hope to resume those meetings in the very near future. We also have been engaging in a series of meetings with the Department of Human Services and DCFS over the transfer of DCFS wards from the Chicago area, all the way down to the most southern State operated facility in Anna. Our concern is that those individuals' lives are disrupted, they're taken away from their home base and they're sent to an area of the state that they have no contacts whatsoever and then oftentimes being discharged into communities in the southern part of the state rather than from their home base. We are initiating some discussions with those two state agencies to see if we can address concerns that have been reported to us.

Internally, we're looking at ways to interact between our programs. Our Human Rights Authority and Legal Advocacy Service are working on a joint special education project. We spent the last year educating our Human Rights Authority members as well as their staff on special education issues and rights with the goal of creating a staff team that would support lay advocates that would be a resource to families who have students with Special Education needs. We are now at a point where we've hired one of our staff and we have two more staff that we're hoping to hire in the next couple of months and then initiate this resource for families across the state of Illinois. And then we're meeting with our Legal Advocacy Service and Office of State Guardian. Staff over attorney needs and issues, and we hope to

broaden our support for our programs in the area of legal supports. We continue to build on our initiatives and our current efforts, but we also hope to strike forward with some strategic planning and goals, and we hope to have a strategic planning session soon to take our agency further.

So, unless there are any questions, that's all I have to share in the Deputy Director role.

Chairman Rothert: All right, any questions? All right, there are none, so we'll move on to Daniel Campbell and the fiscal report.

Daniel Campbell, Chief Fiscal Officer: I'd like to welcome the Commissioners and thank you for your time and your advocacy towards our agency.

Also, I'd like to thank Dr Milano for the opportunity issue has presented in front of me and hopefully I succeed in some of the things she wishes me to complete during my tenure here. As Dr Milano mentioned I'm from a budget background. I was at the Governor's Office of Management and Budget where I handled a few agency's budgets—some of those large and some small. One of the large ones being the Illinois Department of Public Health and then of course I had GAC as one of my agencies.

What really drew me to come was me and Dr Milano's relationship when I was at GOMB. A big part of that was our interaction with each other with diving into the budget and how we can advocate for the budget at the at the Governor's Office level.

So, I'll get right into the agenda today. As an agency, more specifically the fiscal office, I want to develop structuring for internal controls. When I first started here, I noticed there was a few like high-risk audit findings and what I want to do is decrease that by at least 75% in next two fiscal years. Ways I'm going to be able to do that is we're going to create internal databases and keep those digitally as well hard copy. We're also going to approach our Human Resources and develop a database with them so we can also knock down some of the audit findings in that area. And how we'll do that is create protocols for on boarding as well as annual evaluations and so forth.

Next, I'm going to dive into some of the formal procedures that we have for revenue projections. We had an audit finding in that as well, and what I want to do is be able to create some type of baseline of what revenue is coming in for the probate fees and then how to approach a better way of collecting those fees as well as how much revenue were supposed to have come in. So, I think in the future you'll be seeing more reports on probate fees and how the revenue is coming in and going out.

Next: the budget. At the close of June 30th for this fiscal year we were we were bumping on our spending authority of \$9.4 million that we spent so far out of the \$10.2 million that we had appropriated to us. We are roughly about \$800K under what we were initially supposed to spend, but of course you know the GOMB and the Governor's office pressured us not to spend as much due to COVID and so on.

Our headcount at close those business was 106. An issue that I've that I've noticed throughout the fiscal year and I notice that GOMB has as well, is during the fiscal years we had an issue with spending all our spending authority. What I mean by that is we appropriated a certain amount, and we typically would spend under that amount. For example, this year we spent under \$800K and the previous year it was roughly \$500K. What we plan on doing is developing a budgetary plan to get our spending authority

closer to what we were approved for. One way we're going to do that is we're going to bump up our headcount. Our maximum headcount is currently 119. We're going to try to get it up to 116 at the end of this fiscal year and one way we're going to do that is to stagger our hires. We're going to hire approximately 11 people potentially 12, depending on how these hires come in and the timing of it. And that's going to get us to our budget to roughly \$10,000,000; our budget this year was \$10.2 million.

So that's our budgetary plan for this fiscal year, and the next fiscal year we're planning on hopefully getting a better grasp over being able to get more spending authority for us. One way we'll do that is go to the Governor's office with why we need to have these increases and what it does, how it affects us and more specifically on our caseloads, or more specifically on our HRA and OSG side how it affects us.

I also want to talk about our other plans for IT and how to make our agency more involved since COVID is on, we're planning on doing more telework and one way we're going to do that is we have Microsoft suites which is Microsoft Word, Microsoft Team and Microsoft Planner. We're going to introduce that to our team and we're going to try to have a better project management style approach to major projects which could hopefully then help us impact our individuals that we serve.

Does anyone have any questions?

Commissioner William Davis: I have a question. It sounds like you're saying that one of the things you want to improve at GAC is increase spending and that you have been underspending. Dr Milano maybe you can clear this up for me. I'm looking at I believe the one pager you sent us for your report and under challenges you say *shortage of resources*. What do you mean by shortage of resources based on what Mr. Campbell just said?

Daniel Campbell: May I interject?

A lot of the budgetary issues, I believe that they had, and Dr Milano you can correct me if I'm wrong, has to do with attrition inside the agency itself, when people retire and then we don't fill that position. A lot of the budgetary shortfalls are in those situations. Let's say that we are appropriated a specific amount and the head at that time is 110. If they in the beginning didn't fill those positions, then that's what created these budget shortfalls. More specifically let me give you an example: we are appropriated \$10.2 million in appropriations for our GRF. We have a head count, maximum is 119; however, if you look at our budget number, which I could show you can go in deeper conversations about that later, we wouldn't be able to hire a head count of 119, so those are one way that we were trying to create a budgetary plan where we can spend out. Sorry to speak before you Mary, but you can jump in now if you want.

Director Milano: That's alright. It is kind of an anomalous situation and I understand your question Leader Davis. I think there's probably three factors at work. First is the length of time it takes us to hire people. We've had people that it has taken over a year to get them qualified or to get candidates qualified even after they come to us and after we select them. The CMS procedures in grading, in everything that we must go through to hire presents these lengthy lag periods, during which we're not spending that which we had planned on spending for a position that is open.

Second, is for the last five years we have budgeted between \$500 and \$750,000 this last year I think \$750,000 for a case management system and for various reasons, not being able to spend that money

because we were not able to get through the process or to get approval to continue the process of getting that contract out and of getting an acceptable bidder.

Third has been the degree to which we have been asked from time to time, including like this last year to do a 4% hold back sometime in, I believe it was March or April, of our general revenue funds for purposes of filling budgetary holes.

I think one of the things we have also been lacking in is precisely a really well managed plan, partially because our executive team, outside of the fiscal area, really has been program oriented and substance oriented and has struggled with fiscal management. One of the things we looked for in trying to change that was first, adding people to our fiscal Department in the support area, and we have done that over the last year to year and a half. Daniel comes in the first person for my imagination that has a full fiscal staff both on the fiduciary side and the fiscal side. Secondly, we were looking for someone who could work with understanding or was capable of understanding and bridging the gap between the budgeting process and the program process so we are constantly in dialogue about what's going on, what we need, how to spend it, how to get the money out the door when we want to, how to get the money in the door when we want to, to do the things that were otherwise engaged in in doing. I think you're going to see a substantial difference by adding that component, which in a lot of ways I wish we we'd done a long time ago, but I think right now it's looking good.

We also, I think, have been able to more constructively. Figure out not just how to replace people, and that really has been something we've been looking at for the last couple of years, that is not just filling gaps or holes, but trying to figure out strategically where resources should be applied. Even though they're not what the program is expected or had in the past, so we're forcing ourselves to make intentional choices about hiring, positioning, expansion and not just trying to save money which we have always done up until the Pritzker administration; there was always a hold of reserve—you can have the money, but she really can't have the money—so we developed an approach that was what I would call the scarcity approach. You know it was Joseph in the Bible, saying 'save up the grain because there's going to be a famine any day now'; rather than an approach that says utilize everything, don't be profligate but utilize everything we have to the absolute maximum degree. There's no credit for saving and creating a burden on staff that doesn't necessarily have to be there.

Does that make any sense or is that responsive?

Commissioner Davis: It is, and again it sounds like there's some history there regarding those challenges, I'm just trying to make the correlation and again something in terms of budgetary or constraints or budgetary challenges are woven through all the reports. So as a Legislator, as I've demonstrated with my participation in the committee, one of the tools that I have is legislation. We have introduced and passed legislation that the Commission has wanted to do, but for whatever reason it just never got done. So, we took some initiative, and we introduced some legislation and we've gotten them done and they're still yet more to do.

I say that to say that as you talk about these challenges that exist, if it's you know—as I looked through one of the reports, challenges in the procurement process, you've mentioned that—in all these things the organization must figure out how to use Legislators affectively and as advocates.

If there are things that can be changed, and you can lay out the pathway to change them. You know your team, you have an attorney on your team, if you draft legislation to impact the changes and some of the things that we're talking about, then use the Legislators on your team to help advance some of those changes, or at least to invoke the right conversation in the administration. We've heard procurement challenges from several agencies and it's something that we're going to have to address. If you have useful ideas as it relates to procurements that you do that can be woven into a piece of legislation, then I think Kenya is on the phone; I expect to get some draft legislation from Kenya as your attorney. I don't know who she would collaborate with, but I expect some draft legislation on some of these topic areas so we can start to move this forward so that these kinds of restraints don't exist.

Director Milano: I really appreciate that, and we must move forward and be much more energetic on our part with a set of advocacies on our behalf. Let me give you 2 examples. We are extremely proud of the fact of two different things.

We did this guardianship training program, and we did not spend an extra dot of anybody's money. That's great, except, and it is a model in a sense because there's agencies who would have the same project and say we can't do that for less than \$500,000. I think there was something similar going on in Ohio; they were at \$5 million and they were still in the planning the technology stage.

That is great, but it doesn't get us anything. It doesn't help our budget utilization, and it doesn't help support the staff that I would love to be able to say, hey you just taken on hours and hours of work and you're doing something that is significant and going to outlast you by years: but I can't give you anything for it because I don't have that authority as an Agency Director.

Similarly, the Disabilities Task Force we're supporting that; you know how much time Gia just spends on it, how much time Teresa and I spend on it, you know how much time others are engaged. There's nothing coming to us for that, again, there should be. And yet, we've been reluctant to say, OK, we're going to do this we're going to do it economically, but we've been a little afraid to say we deserve something for it. I think we must find a balance to say that our time our staff's time, our staff's incredible expertise, is worth something and we need to find a way to recognize that out of the budget we have.

Third item. When we go out and do educational programs, we have money in our budget. We could be buying the little baubles and things that old people like when they come to the fairs that you and aldermen have, but we're told we can't. We can't even have candy. We can't even have bottles of water because someone has said that would be unethical. That's stupid. Because we don't have a federal grant to take that money out of, we can't use the budget we have to support those kinds of things?

Commissioner Davis: Is there a distinction between federal money and state money? Because when I hear that IDOT is sponsoring music on local radio station or something....

Director Milano: There's all kinds of stuff like that. When we go out for so the neighborhood and have a booth at a fair and everyone who's there is elderly and we are told we can't give them water or if we have our employees travel from Springfield for a meeting, we can't give them a bottle of water out of our budget that's goofy.

There are places where we would like to spend money and we haven't. We're going to try to find ways and I will work with you to see if there's some ways of doing that, but we haven't figured out, and I think

Daniel is going to be effective in that. By the way, let me just mention Daniel is very bad at blowing his own horn. Daniel does have an MPA from the University of Illinois at Springfield. He also has experience in becoming a budgeteer in working with disability agencies, CILAs and the community that we work with. So that was another thing that was a mutual attraction. It's the first time we've had a CFO who I think truly understood what we're doing and wanted to be part of that exercise. I hope that we'll go forward and address the concerns you have, and I think you're going to see more legislation coming from us that the four or five of you can stand.

Chairman Rothert: Any other any other questions? OK, Next up is the legal report, which is from Kenya Jenkins-Wright.

Kenya Jenkins-Wright, General Counsel: Thank you Chair, thank you Dr Milano, thank you to all the Commissioners for being here today. I'm going to keep my report short and just hit on a few points in order to make sure the meeting continues to move forward because I know we have a lot of important things on this agenda.

The first item that I would like to discuss is some of our success with Administrative Rules. Since our last meeting we've had a lot of good success with some administrative rules. Our Human Rights Authority 59 Illinois Administrative Code 310, which we aligned the HRA meeting notice with the OMA-Open Meetings Act and, also more exciting is our OSG fee rule that we amended. 59 Illinois Administrative Code 301; the rule has increased our fees that OSG can collect for some of their duties and we're hoping that could have a positive fiscal impact. Those are two of the administrative rules that we pushed forward that we think will move IGAC into a more positive direction.

The second thing on my report is I want to remind all Commissioners, I know a lot of you have completed, but I just want to remind all Commissioners that your Statement of Economic Interest are due by August 3rd. You should have received a letter in the mail with your username and password for you to log in and fill it out online. If there's any questions or concerns regarding that, you can feel free to email me at Kenya.Jenkins-Wright@illinois.gov or call my state cell 312-720-2503.

The third that I've been working on during these more difficult times with COVID, are trying to transition such as we are right now with the Open Meeting Act requirement and the technology requirements for both our Human Rights Authority (HRA) and our Commission meetings. and of course, the primary thing we are utilizing is the recently passed law 5ILCS 120/7 of the Open Meetings Act. They added a section which allows for more remote meetings during a declaration of emergency by the Governor or Illinois Department of Public Health, which we are in right now.

The fourth thing I want to discuss is, I believe this was brought up by Teresa, is the Alternative Work Schedule/Flex Schedule has been presented to the Union. It was emailed to them and Constance Umbles-Sailers, Director of Human Resources and Director of Labor Relations and I have an initial meeting with the Union on Thursday, July 23rd, and we're hopeful for a fruitful discussion and to move this plan forward in a swift manner. For the record, the AFSCME representatives are Joseph Jay, he's out of Springfield, he's a staff Rep, our normal Rep out of Chicago is on paternity leave. Kelly Phelps, who is an IGAC employee but also an AFSCME Union Steward, and possibly someone from Chicago will be participating.

My fifth item is Barry and I; Barry Lowy the OSG Director, are working on an interagency agreement with DCFS and DHS. It is in the process of final review by DHS, regarding working on a process for wards aging out of the DCFS and transitioning fluidly to OSG. As stated, we've been working on that for quite a while. It's getting final review by DHS and we're hopeful to have a signature and have an interagency plan between DCFS, DHS and the Office of the State Guardian through GAC for a smooth transition for these wars.

And finally, as Dr Milano noted, I have been working with her on a special project: the ISBA resolution. Out of that resolution a steering Committee was created to investigate the racial inequities and ways to move things forward for Black and Brown people in a variety of areas, including employment, criminal, real estate, etc. I'm proud to say that Dr Milano and I will be Co-Chairing this steering committee and we have goals of sending out our presenting legislation regarding various issues. We're hopeful for three or four initially, and we're also going to make some policy recommendations regarding racial disparities.

That is the end of my report. If there are any questions, I am open to answer.

Chairman Rothert: Are there any questions?

Director Milano: If I can add one more thing. One of the creative things that we did in our rules, in our fee approach—and I don't think I've seen this done by any other agency—is we put in an automatic escalator so that we don't have to keep coming back to JCAR, our fees will move with the CPI.

Kenya Jenkins-Wright: Exactly, and that was something we were shocked made it through, but you know Dr Milano pushes things forward, so we went ahead and included it and they let it go and we have to announce the rate changes on our website, which is excellent, so if anyone wants to know about the increased fees, they can go to our website rather than what I believe was a six-month process of going through JCAR.

Chairman Rothert: OK, any other questions or additions?

Commissioner Davis: Yes, just one brief question, so Kenya would you say your responsibility this past legislative session, because of the manner and everything that's going on, we have some large bills, you know, not a lot of legislation, but that which we did pass was large and had a lot of stuff in it. Is it your role to interpret the impact of anything that we pass and how it impacts on GAC?

Kenya Jenkins-Wright: Sometimes I do a review at the request of Dr Milano or Gia Orr if she wants my attorney eyes to go over it, but primarily our Director of Legislative Affairs is Gia. Orr.

Commissioner Davis: OK, but I'm saying when things are passed, the impact on the agency, you're saying it's her responsibility or yours?

Kenya Jenkins-Wright: Well, I would say both. I look, but she also looks and if something that I did not know about comes up then she can present it to me.

Commissioner Davis: Ok, thank you very much.

Chairman Rothert: OK, if there are no other questions, we will move on to the legislative report. Gia Orr please.

Gia Orr, Director, Legislative Affairs, Director of Community Rights, Relationships and Resources:

Hello everybody. As Dr Milano alluded to earlier, in addition to the responsibilities that many of you have come become accustomed to me doing, I was able to formally assume the duties of the legislative role for the agency that happened in March 2019, although informally I know many of you have worked with me in 2017 and 2018 on legislation.

From that formal assignment of duty, as Dr Milano indicated, I created a Legislative Team with a flow chart and a timeline. I thought it was included in the material submission, but maybe I forgot to send it on along, but you have a flow chart and there is a, for show and tell sake, a whole chart of who works on the team, all persons outside of the executive team volunteer to do this additional work, which is awesome. We also have a calendar year timeline where we work summer to summer on legislation versus some of our previous attacks at legislation and what some other agencies do is take off for the summer and only pick it up when it's time for veto session. As you can see this whole package is filled with post, it notes and all types of things that helps to guide me and the team as we go along this journey. I'm excited about everybody who has been helpful and collaborative and collegial in implementing the team as well as ensuring that there is accountability.

Moving on because I'm going to do the same as Kenya. While some of the other reports are going on, I chopped my report down so I'm going to, for all my educators on the Commission now—I am an educator by trade as well as certified teacher and administrator—I'm going to go with brainstorming jots here instead of a full report, and hopefully everyone can appreciate me shortening this a bit.

So pre-COVID-19, what I call the pandemic pause, we had an original slate of seven GAC legislative bills that we introduced by way of mostly all our legislators who are on this call. When Legislators were unable to carry a bill for us, like Representative Carroll; Representative Carroll did a lot of legwork along with his District Director—if I'm calling his title right—Mike, in finding me another Legislator who doesn't sit on the Commission, to carry the bill, so those are the things that I am forever appreciative. Of those our elected officials for carrying bills, but also being sure that our bills make it to the various places so that they can get through the processes.

Pre-COVID-19 the original slate was seven. Just a quick rundown of the names of those seven bills. They are Supported Decision Making which the current sponsor is Representative LaPointe, that is the Representative that Representative Carroll recruited for us.

Supportive Decision Making is an HRA led piece of legislation. It comes from HRA cases etc. I'm not going to go deep dive into all these but want to tell you the programs that are the key drivers behind these pieces of legislation.

Substituted Judgment is an OSG driven piece of legislation. It is running or was running on both sides by Senator Robert Peters and Representative Bennett our very own Commissioner on the line here. It went very far before the great pandemic pause, in that it passed through committees etc.

The next is Healthcare Revocation Power of Attorney. Healthcare Revocation is a LAS driven piece of legislation that is sponsored by Leader Davis and that Bill was still in Rules but getting ready to advance pre-pandemic.

Next is the Right to Jury Bill that is LAS driven as well. Those sponsors are Senator Peters and Representative Cassidy. Representative Cassidy pre-filed at the request of Senator Peters. It was just coming out of Committee.

The next Bill is Temporary Guardianship. It is an OSG driven bill, sponsored by our very own Commissioners Senator Morrison and Representative Bennett as well the Bill moved pretty much the furthest pre-pandemic in that it got through all its committees, passed and was waiting on the next step.

The next Bill is the Healthcare Surrogate Act, which is also an OSG driven Bill. It is sponsored by Representative Debbie Myers Martin out of the South Suburbs who was actively recruited by LAS Director Baker and I, we kind of stalked her, and I think Representative Davis gave us a leg up on that as well.

And the final one is transfers between DHS facilities. That is a LAS driven Bill that is sponsored by Senator Heather Steans on the Senate side and Representative Debbie Myers Martin on the House side. It too moved rather rapidly and made it through committees.

So, that's where we stood our seven Bills. Our watch and action list pre-pandemic was approaching about 100 bills that we were watching that other agencies, Legislators, groups, lobbyists, etc. have put out into the legislative universe so we were quite busy.

During COVID-19 and super session, while we tried to run at least one Bill because we felt like that Bill should have priority because it helps those who we represent, who may have been going through COVID-19 situations, unfortunately, that Bill was not run because as we all know, the General Assembly super session was chock full of things big like the budget and hospital assessment and mail-in voting—all the things that people were beating the old war drum about so that we can move forward; however, we have one item that we really needed to get taken care of in super session. That item was the extension of the reporting date for our Disabilities Task Force, which is an old bill that many of you heard about a couple of years ago. It passed twice, once under Governor Rauner once under Governor Pritzker and went through his own metamorphosis so to speak.

We needed to extend the report date because of COVID-19, so unfortunately for a moment this looked like it wasn't going to move, and it looked like we were going to get stuck trying to produce a report quickly. This is where I must give super kudos to Leader Davis for pushing this through and when I use the terminology push, I really mean that. This was not a part of a Bill package that was advancing in the three-day super session and leader Davis did whatever he does, wave that magic wand whatever, and it became part of a Bill package. Many people ask me how we popped up on this Bill at the last minute, I shall not reveal my secrets, but I will say thank you to our Commissioners, and I know that Representative Carroll, Representative Bennett and Senator Morrison all had a hand in making sure that it got across the finish line. It is in ensconced in a huge Bill called Senate Bill 1854. If you ever look it up, it's called the State Microbe Bill—don't let that fool you—it was originally about a state microbe it really it was, but it went as a vehicle bill in the super session. The language was put forward by GAC; me, Dr Milano, Teresa Parks and our partners and friends at the ARC of Illinois.

Last thing I want to touch on is preparation for our upcoming, what looks like it's going to be a six-day, veto session. If you think about every agency in this state and every Legislator and every interest group, advocate, group, etc., and all the bills that got stop gaped in March—which is the height of General

Assembly session—there is a lot of people, trying to do a lot of things the week before Thanksgiving. The stark reality is we don't know what the office of Governor Pritzker, as well as our Commissioners who are elected officials that are on this call, will be able to transpire at this time; however, I can assure you that we will be ready. We will be ready simply because we were already ready back in March. But we would be super ready for anything that is able to advance in veto sections should our sponsors be able to take those up on their legislative slate. If not, we will practice patience something we've become good at working for the state, and we will wait until Spring 2021 to go into beast mode to get these seven pieces of legislation passed, as well as anything else that we deem priority.

That Commissioners and colleagues is the extent of my legislative report today. Have awesome day.

Chairman Rothert: Thank you. Any questions or comments? Great. That is the conclusion of that portion of our agenda and we are ready to take up our action items, which are the approval of the minutes from our last two meetings, which were, somewhat embarrassingly, quite a while ago.

Would anyone like to make a motion for the minutes of February 20th, 2018?

Commissioner Rubin: I make a motion to approve subject to correction.

Chairman Rothert: And is there a second?

Commissioner Kennelly: Second.

Chairman Rothert: Are there any comments or corrections that need to be made?

There being none will take a vote on approval of the February 20, 2018 minutes. So those in favor say aye.

Kenya Jenkins-Right: Sorry Chair; you must take the vote via roll call per the Open Meetings Act.

Chairman Rothert: Alright. I don't have a full list in front of me; Florence, could you call the roll?

Florence Martin:

Commissioner Rothert: Yes.

Representative Bennett: Abstain.

Representative Carroll: Abstain.

Representative Davis: Yes.

Commissioner Eisenhart: Abstain.

Commissioner Kennelly: Abstain.

Senator Morrison: Abstain.

Commissioner Rubin: Yes.

Chairman Rothert: We can consider those approved. We need a motion to approve the February 27, 2019 meeting minutes.

Commissioner Ruben: Motion to approve subject to correction.

Chairman Rothert: Is there a second?

Commissioner Davis: Second.

Chairman Rothert: They have been seconded. Florence, could you call the roll on that one, please?

Florence Martin:

Commissioner Rothert: Yes.

Representative Bennett: Abstain.

Representative Carroll: Abstain.

Commissioner Davis: Yes.

Commissioner Eisenhart: Abstain.

Commissioner Kennelly: Abstain.

Senator Morrison: Yes.

Commissioner Rubin: Yes.

Chairman Rothert: All right, then having been approved by majority, we will consider those approved as well. The next item on the agenda is a closed session to discuss personnel matters. I believe we need a motion to move into closed session. Is there a motion for that?

Commissioner Rubin: We wanted to move it to the end of the agenda and continue with reports, no?

Chairman Rothert: I'm fine with that.

Commissioner Rubin: So we won't have to move staff and then bring them back.

Chairman Rothert: OK.

Kenya Jenkins-Wright: There's a way to put them in the lobby and we can be pulled out.

Director Milano: We were concerned that we would lose Commissioners.

Chairman Rothert: OK, we might need to vote for things that happen in closed session and it would be possible that we'd lose our quorum.

Commissioner Rubin: I'll make a motion to move into closed session.

Commissioner Morrison: Second.

Chairman Rothert: Alright, if there's something OK, and then I guess we need to roll on this too. Please Miss Martin.

Florence Martin:

Commissioner Rothert: Yes.

Commissioner Bennett:

Commissioner Carroll: Yes.

Commissioner Davis: Yes.

Commissioner Eisenhart: Yes.

Commissioner Kennelly: Yes.

Senator Morrison: Yes, and I must get off at 3:00 o'clock on the dot, I apologize.

Commissioner Ruben: Yes.

Did Commissioner Bennett leave?

Gia Orr: No, he's triple booked, so he's on, but he's also in two other meetings.

Kenya Jenkins-Wright: Can Daniel or Barry ask Fletch to put everyone who needs to be put in the lobby into the lobby because we only have 8 minutes before Senator Morrison needs to leave.

Daniel Campbell: Going now. Ok, moving to lobby.

Resume Open Session

Chairman Rothert: Barry, if we could begin with the OSG program report while we're trying to assemble the staff together:

Barry Lowy, Director, Office of State Guardian: I'd be happy to.

We've had a lot of things going on; Kenya gave a report about DCFS and looking forward to the interagency agreement between DHS, DCFS and GAC and that's with respect to providing more orderly transitions of wards who are aging out, that have developmental disabilities and are looking to obtain community placements. It is with DHS for finishing touches and signatures.

I noticed that there was a recent amendment to the Department of Natural Resources statute. The Legislature and Governor Rauner signed off on an amendment that would allow for the scattering of remains in state parks. We've reached out and put together an interagency agreement. They haven't gotten rules established to allow the general public to do the scattering and hasn't gotten to the JCAR process with that but felt that an interagency agreement with GAC to allow for the scattering of remains would be possible. We have a few offices where funeral homes will provide a cremation, but they don't want to eat the fee for disposal of the ashes, so they bring them to our offices. Some offices are piling up and we felt with that amendment we could provide some relief. We've gotten the whole amendment done; it is out for the Department of Natural Resources' Director for signature and then COVID hit. So, we're delayed a bit in getting signatures, but it's done.

When I first came to the Agency, J.J. Hanley who is in the Treasurer's office reached out; she operates the ABLE accounts in Illinois, and they were wondering what some of the things would be that would be conducive to having OSG establishing ABLE accounts.

At the time J.J. reached out to OSG, the ABLE statute allowed only guardians of the estate to open ABLE accounts on behalf of their wards. In addition, ABLE restricts the annual amount that can be deposited to \$15,000.00. I explained to J.J. that had a double negative effect. First, for those wards with significant funds (over \$15,000.00) we would still need to look to establishing special needs trusts. Second, for those wards with modest sums, we usually are only guardians of the person and we don't have the resources to go into court and open a guardianship of the estate simply to obtain authority to establish an ABLE account. I had, however, identified language in the statute that give the Treasurer's Office authority to establish rules that would allow it to recognize other classes of persons who could open ABLE accounts. We worked out mutually acceptable language and went through the rule making process to change it so that "guardians" not just "guardians of the person" could open ABLE accounts and the rule specifically mentions OSG as having that authority independent of court involvement. That enabled OSG to open ABLE accounts for wards with sums over Medicaid spend down limits, thereby sheltering that money. Going one step further, last year the Treasurer obtained a statutory change to the ABLE Act that essentially codified the rule change and in fact went a bit beyond stating clearly that OSG has the authority to open and maintain ABLE accounts. Again, the Treasurer's Office through J.J. Hanley reached out to OSG and met with me to work out the appropriate language. They were able to amend their statute to allow for that and I confirmed with our fiduciary that we have currently 36 ABLE accounts

open, which has protected 36 individuals from spend down jeopardy and preserve that money for who otherwise wouldn't have been able to afford a special needs trust.

Another thing that has been on the plate for the last couple of years is our IT Technician Greg Fletcher and myself have been working with IDOT and we have a global positioning software system that we've initially pulled data out of the CompuTrust case management system and put it into the global system so every region has a case worker that is given a color code and every location where we have wards has a dot on the map. When you hover over that dot you can see information related to how many different words we have, say in a certain CILA home and we've gotten word that we can use the mapping tool in that software to simplify our reimbursement reports and we were concerned that there would be a fee but IT confirmed with me today that IDOT is hosting the GPS software on their server and you're charged a microtransaction every time you plot something on the map. IDOT has agreed to assume that cost; we anticipated that had been about \$48,000 and so they've agreed to assist us and assume that that cost, so we're hoping to get that up and running.

One of the other things that's been the bane of my existence for the last year has been the replacement of our case management system. Come June 30th the Agency's CompuTrust contract expired and we would no longer have a case management system and the prior efforts in RFP were just left hanging. I took it over and with the help of Greg Fletcher and Ellen Byron, our Managing Attorney in in the downstate region, who had some procurement experience while with IDOT, and we basically rewrote the entire RFP and what a process. The Managing Attorney referred to it as *the haunted RFP*. I think we had four different rewrites and had to go back and forth to the state Procurement Office before they finally approved it to get money out the door and spent this fiscal year and we were able to come in just under the wire and the RFP through the bidding process. Only one vendor was able to navigate the procurement process. We had 3 or 4 bidders and none of them could figure out the rules of who to register with etc. It's a cumbersome process, but one vendor was able to do it and they're a leader in the industry. The Public Guardian uses their software and I had a chance to see a demo there. We are having biweekly meetings with them now. One of the things we'll see if they can do is run a script that will support the GPS software.

General Counsel Kenya Jenkins-Wright: I hate to interrupt Barry, but just one second. Chair Rothert, I just wanted to let you know that I believe Representative Bennett is on the phone, so I don't know if you want to say anything officially about going into closed session.

Chairman Rothert: OK; we can entertain a motion to go into closed session if any Commissioners would like to make such a motion.

Commissioner Rubin: Well, I think for our discussion we wanted additional information and all the state reps that are available in the discussion. So maybe do ASAP.

Chairman Rothert: I think that's a problem for a special meeting for Commissioners so unless someone else would like to do otherwise, Barry resume your report, please.

Director Lowy: Sure.

So, we managed to get a contract and we're in the development stage. We've got a very ambitious development cycle. We're redoing all our reports and all our legal forms. It has the functionality to

digitize records and maintain a digital copy of records in the case file, so we're hoping to come into modernity with respect to this case management system.

One of the other things that I have tried to really focus our agency on is guardianship fees. Historically, it was my perception that this agency has left money on the table that it rightfully could obtain as a guardianship fee, especially considering the Rules changes, making that a focus of our legal team's efforts. The Chicago Managing Attorney put in place a comprehensive review of all cases for fees. We improved our efforts for 2018-2019 and we were able to bring in \$102,000 in fees. I was told today, just as we were on break, I met with the fiduciary; we were able to increase that number for \$220,000 this last fiscal year. That's found money that pays for positions so we can go out and do work like obtaining fees and other legal work. I don't know if we can sustain that kind of growth year after year, but certainly you know that is an improvement from where we were.

Then COVID hit and threw our efforts into a loop. We were being told don't come in, don't bother doing anything. Oh, by the way if there's DNRs we don't want to hear from you. I know that CMS then came with guidance that that said the ombudsman programs were essential services and that Guardians were not essential services unless it was involved with compassionate care which they included in end of life. We worked with the Department of Public Health to get a statement. Teresa Parks and Kenya Jenkins-Wright were instrumental in this and I participated as well to get DPH guidance to nursing homes and hospitals to at least be required to allow us to come in when to do our DNR work. We've been able to do video conferencing. I've talked with several hospitals. Social workers, the head of the Social Work Department, and they've agreed to go out and get iPads to interface with our iPhones so we can do our DNR visits. It took a real toll on our staff for quite some time. We put in place reporting from weekly reporting, we called it the DNR tracker and I tracked across the state the spread of how many of our wards were basically dying with comorbidities of COVID-19 on average. For instance, our West suburban office, which is our biggest office, might handle typically two to three DNR's in a week's time—4 or 5 would be a lot—we were seeing as many as 19 in each week, 2 or 3 may be unrelated to COVID-19, the rest being COVID-19.

I reviewed the last report, and the West Suburban office was hit hardest. As you would suspect the numbers that talk about how minorities and underprivileged communities suffer greatest with COVID-19 that would coincide with the catchment area of our South suburban office. North Suburban wasn't spared either. There were some downstate, but we did not see the rampant spread in downstate Illinois, fortunately. We have several facilities where there were no COVID cases whatsoever, for which we're very grateful. One of the things that we really wanted to do was still try to sustain our efforts with wards and facilities. Even when we were told not to go in there, we independently developed a process of calling facilities with a certain level of frequency with capturing certain data sets. Later, after we had been in full swing doing that, the Center for Guardianship Certification came out with something almost identical as the way for Guardians to maintain proper contact with wards, notwithstanding the fact that they were barred from being on the premises, and so it appears that what we put in place was consistent with best practices. Furthermore, one of the things that we also tried to do was track our data on the number of waived quarterly visits that we would have. So maybe if we can't get into a facility, we waived that QV, but we then definitely documented a contact with the facility and maintained those records. At the end of the month, I've submitted my report for the last quarter, some of my downstate officers have already reported in and I'm pleased to say that we had very few waived QVs there because our caseworkers were very creative with the providers that they have good

relationships with. They sustained relationships where they could then go to a porch or they could look through a storm window or they could stand in the driveway and they could conduct their face-to-face QV, still maintaining our operations, while trying to assure both the safety of our wards and our workforce. I'm anxious to see what our numbers look like in Chicago, because obviously it's a different type of neighborhood, an urban environment compared to our downstate regions, but I'm hopeful that we're not going to see as many QVs waived as I had originally feared when the COVID-19 hit.

That concludes my report.

Chairman Rothert: Thank you. Any questions on that report? Ok, there being no questions we'll move on to Teresa Parks and the HRA report.

Theresa Parks, Director, Human Rights Authority: Thank you Tony. I included in the information sent you statistics on our program from last fiscal year and through April of this fiscal year, just to kind of give you an example of the kinds of cases we get involved in. Mostly our cases involve mental health issues, and they often surround treatment issues, admission, transfer, and discharge practices and restriction of rights. The restrictions could come anywhere from restriction of communication, to restriction of personal property, but we are on track to handle as many cases and slightly more than we did in the prior fiscal year.

Cases remain steady regarding mental health services and practices, but we do get cases in nursing homes, Special Education and a variety of settings then yes, we've seen an increase of cases involving jails, because unfortunately people with disabilities sometimes end up there and then don't get access to care and treatment that they need.

I wanted to give you very quickly, a brief overview of our staffing situation. Right now, we have two staff vacancies, one from our North Suburban region after a long-term staff person Julie Sass, retired after 28 years with our agency. We interviewed folks last week for that position and we hope to identify a candidate soon.

And then we have a vacancy in our East Central region because the staff person there, Laura Hart, accepted the advocate position for the Special Ed Initiative. Laura has a great deal of experience with DCFS. She's worked with us for a couple of years and she's a recent graduate of the Special Education Advocacy Institute at William and Mary Law School and she's also involved in Partners in Policymaking if you're familiar with that program.

Also, in the staffing front, we're going through a job, reclassification. Years ago, our staff were considered Merit Compensation employees and then when they went into the union, they kind of plugged them into a job title that they thought was closest because there wasn't exactly a job title that fits their job duties, but as things have evolved, we felt the need to identify a job position, title and description that more met their job duties and so that was approved by the Civil Service Commission in June and we're working with the Union and CMS to finalize that. The new job title will be Disability Rights Manager, which is more accurate to what they do.

Our staff has also been going through updated training, they're required to do it annually on the Open Meetings Act as well as the Freedom of Information Act and they've all completed it.

I also wanted to mention that we're starting to work more and more with Chicago Public Schools. This has been a school district we've wanted to work with for a long time. Before COVID hit I had the opportunity to meet with the special education staff, or at least part of the special education staff with CPS and share information about the Commission and the Human Rights Authority. We're furthering that in the future and will be holding a training for parents on guardianship.

We also are very involved in public awareness, trying to get the word out about the Human Rights Authority and its availability for people with disabilities and their families. You may have seen a newsletter created by Gene Seaman, who is Managing Administrator for the HRA based out of Peoria, that's something that we're we've been pulling together to get more information out about the HRA's work. I also was part of The Arc Virtual Conference and was able to give a presentation there and we participated in The Arc Virtual Exhibit Hall. I have a presentation coming up for the staff of the Department on Aging in a couple of weeks and we have a presentation proposal that was accepted by the NAMI conference, as well as a presentation for the National Guardianship Association, another virtual conference on our work in the sex education arena.

I finally want to mention we've been working very hard with DHS and multiple stakeholders after the passage of the sex education bill sponsored by Leader Davis. The bill requires adult developmental disability providers to assess the need for sex education for the clients that they serve. Today we have been able to create on the DHS website a web page with pre-approved curricula that was reviewed by committee members who had expertise in this area.

We've also developed a Guardian factsheet for providers because many of them are confused about the Guardian role and their limits and their responsibilities, that's posted on the web page as well as sexual rights and a very comprehensive resource list.

We're now in the process of working on train the trainer meetings to better prepare disability service providers on training individuals on sex education and DHS is working on creating more formal guided guidance to disability service providers. That's all I have currently unless anyone has any questions.

Chairman Rothert: Are there any questions? OK, then our last program report. Veronique Baker, are you there?

Veronique Baker, Director, Legal Advocacy Service: Yes, I'm still here.

Chairman Rothert: Thanks for sticking with us. Give your report, please.

Director Baker: Good afternoon Commissioners. I just want to note that July 3rd starts my 15th year with the agency and been able to see this agency, this division grow.

I currently supervise 15 attorneys and a paralegal; we hope to expand that to two paralegals and 16 attorneys with the implementation of our Special Education project. The project will be housed out of our Peoria office. We've interviewed and selected a candidate for the Paralegal assistant position. The position for the attorney has been posted and will not close until the early part of August and we're excited about that.

These attorneys have continued to conduct hearings throughout the entire pandemic shutdown. We were one of the few divisions that continue to do hearings by ZOOM or by WebEx or whatever teleconference platform that court had employed.

One of my attorneys just commented to me, he said in the past 10 weeks I've done 10 trials. You will see on the chart that in fiscal year 2019, these attorneys did almost 900 hearings, that includes hearings on motions and trials as well as administrative hearings.

We are currently about 24 appeals pending. One of them has been granted leave by the Illinois Supreme Court to be heard there. That brief will be due probably around the middle of October. We have another matter that we are debating whether we want to take it to the Illinois Supreme Court, partly because we don't want them to make a bunch of bad law for us, and partially because we think this is just a unique situation that we may not want to go ahead and pursue.

Some of our goals for the next year would be expanding the counties that we provide legal representation for. We really are looking to expand into Randolph County where Chester Mental Health facility is situated and Adams County, which is on the western side of the state. They do about 500 mental health cases annually but, surprisingly, we've never received an appeal out of Adams County.

We still look to also try to expand into Lake County, DuPage County and we waffle back and forth about Kane County, only because we have a very good Public Defender in Kane County.

Some of the challenges that we are going to face in the next year will be because hearings in COVID have made hearings a little more convenient for a lot of court systems, will fear that when our client requests an in-person hearing, we're going to get a lot of pushback from that. We agree that this has been very convenient but we're still protecting the rights of our clients. We've been able to utilize technology and visit our clients through FaceTime or Zoom or other platforms and we do phone calls. Most of my attorneys cover a minimum of three or four hospitals and what we did not want to do was be an instrument for possibly spreading the COVID virus by going from hospital to hospital visiting clients.

We had a couple of scares where we thought attorneys had been exposed and infected. As this system loosens up and people try to return to some sense of normalcy, we can see where our client may be requesting an in-person hearing, but courts and hospitals have become very accustomed to hearings by video and we may get some pushback from there.

We want to be real, innovative and forward thinking about the changes that we are making and a roadblock to that always seems to be the systemic problem that, for example, we've never done things that way. We've always done things this way, so therefore we don't want to change, or we've tried that before, we don't want to try that again.

And there's always the budgetary constraints that face any state agency. I'm hopeful with our new CFO who is working as an advocate with our agency that becomes less of an issue as he has pointed out to us, a variety of ways that we can better present ourselves to the Governor's office and see the people who pass out the money. So, we're excited about that. And since we are past 3:30, I'm going to cut my report off there unless there's any questions.

Chairman Rothert: Any questions?

Okay, there being no questions, the next item on our agenda is other business and I think the only other businesses that we want to schedule a special meeting for closed session only as soon as we can do that. Is there anyone there who can talk to us about what we need to do?

Director Lowy: I just want to mention that Kathryn Eisenhart had to leave.

Chairman Rothert: OK, thank you.

General Counsel Jenkins-Wright: Just a note because closed session is just discussion session which I just wanted to be sure there's an open session to go into the special meeting and we'll need to do the notice and such.

Commissioner Rubin: Yes, we know we'll need both. So, the question is, what is the required notice?

Chairman Rothert: Florence, are you there?

Florence Martin: Yes, I'm here.

Chairman Rothert: OK, sorry to make more work for you. Is there anything we can provide now, or do you have to survey for availability?

Florence Martin: I'll just send an email to everyone and see what comes out from there.

Chairman Rothert: OK. Probably the people who are still here are probably the most available, so.

Commissioner Rubin: Right, we want to try to get as many Legislators as possible on that call.

Chairman Rothert: Yes.

OK, is there any other business? Next on the agenda are comments from visitors and guests; I don't believe there are any visitors or guests. Is that correct?

Florence Martin: Correct.

Chairman Rothert: And the last thing is closing an adjournment. We do not have a next meeting. I don't believe or do we have one for the Fall.

Florence Martin: No

Chairman Rothert: OK, we do not have one scheduled so then we're on to adjournment if someone would make a motion to adjourn.

Commissioner Rubin: I'll make a motion to adjourn.

Commissioner Kennelly: Second.

Chairman Rothert: Thanks. Do we need roll call on this as well, Kenya?

General Counsel Jenkins-Wright: You know, I wouldn't think so, to be safe, Florence, if you don't mind just going through the people.

Florence Martin:

Commissioner Rothert: Yes.

Commissioner Bennett: Yes.

Commissioner Carroll: Yes.

Commissioner Davis: Yes,

Commissioner Eisenhart

Commissioner Kennelly: Yes.

Commissioner Morrison

Commissioner Ruben: Yes.

Chairman Rothert: The motion passes, and we stand adjourned at 3:45 pm.