

HUMAN RIGHTS AUTHORITY
CHICAGO REGION MEETING MINUTES
Tuesday, February 6, 2024
Illinois Guardianship and Advocacy Commission
Madden MHC, Room 1088: 1200 S. First Ave., Hines, Illinois

PRESENT: Linda Cervenka, Gary Doherty, Dallas Read, and Daryl Richardson.

ABSENT: Judi Bradley, Jeff Gee, Tiffany Johnson, and Marie Marasovich.

STAFF: Jeremy Polk (Disability Rights Manager), Jon Burnet (HRA Administrator), and Alejandra Meza (Disability Rights Manager).

GUEST: Michelle McFarland- McDaniels (concerned citizen)

The regularly scheduled meeting of the Human Rights Authority, Chicago Region was called to order at 5:49 p.m. by the Chicago Region Member Daryl Richardson.

It was determined that a quorum was not present. Thus, all HRA actions will be ratified at next meeting with a quorum. The confidentiality statement was read by Jeremy Polk.

Minutes: Minutes for December were not approved.

Communications:

NEW BUSINESS

New Cases:

23-030-9047 – New Case – A complainant states that a facility provided medication without cause. The DRM reached out to this complainant on two separate occasions for more information and there was no response from the complainant. Motion to not accept was entered by Dallas. The motion was seconded by Linda. The motion will be ratified at the next meeting with a quorum.

24-030-9017 – New Case – A recipient reports that a facility did not properly explain her rights of admission and coerced her into signing into the facility voluntary. She states that the facility did not provide her with her glasses so she could not effectively read any paperwork that bears her signature. The recipient indicates that she was also given forced medications without cause. Finally, she indicates that she was discharged inhumanely as she did not receive her medication upon release. Previously the HRA motioned to table as the release was not received. There was still no release received by the HRA. A motion to not accept was entered by Gary. The motion was seconded by Daryl. The motion will be ratified at the next meeting with a quorum.

24-030-9019 – New Case – A recipient reports that a facility did not properly admit her on to the unit. The DRM met with the recipient; the recipient was focused on discharge. The DRM spoke with the director of the unit and the recipient was discharged to a SMURF a few days later. The recipient did indicate that she was given forced medication for speaking up for herself in a calm manner. There was no release received so the HRA previously motioned to table this case. A motion to table once more was entered by Daryl. The motion was seconded by Linda. The motion will be ratified at the next meeting with a quorum.

24-030-9021 – New Case – The DRM spoke with a guardian regarding the care of a minor with autism. The guardian reported that the daycare retaliated against the recipient because of his disabilities forcing the guardian to miss work and remove the recipient. The guardian also reported that the facility did not provide humane treatment pursuant to the recipient's treatment plan. Previously there was no release received so the HRA motioned to table case. The motion to not accept was entered by Daryl. The motion was seconded by Linda. The motion will be ratified at the next meeting with a quorum.

24-030-9022 – New Case – A complainant states that she was coerced into signing a 5-day. She states that she was given forced medications for speaking up about her treatment. The complainant further stated that at no point during her stay, was she violent or abusive. The complainant mentioned that the facility restricted her visitation for no apparent reason. Finally, she stated that the facility did not provide her with her actual copies of records. The motion to not accept was entered by Daryl. The motion was seconded by Linda. The motion will be ratified at the next meeting with a quorum.

24-030-9023 – New Case – A complainant states that she was improperly admitted to the hospital after a wellness test from CPD. She states that the physician administering the test asked her to turn over her weapons and indicated that she threatened him. She states that she informed the physician that she could not turn over her weapons as she did not have them with her. She was then transferred to Northwestern and placed on Stone Psychiatric Floor. Once on the floor the recipient states she was never given any information about her court hearing. DRM emailed the social worker and provided an ROI. DRM also referred case to LAS. DRM was informed that patient was going to be discharged on 12/18/2023. DRM spoke with recipient once more and secured address and phone number. A motion to open the case was entered by Daryl. The motion was seconded by Gary. The motion will be ratified at the next meeting with a quorum.

24-030-9024 – New Case – A family member called requesting information on recipient. The recipient was transferred to a state operated facility over concerns of safety. Once at the facility it was alleged that the recipient could not receive phone calls or visitation. DRM travelled to the facility and spoke with the recipient. DRM provided recipient with mother and father's phone number. DRM also spoke with the DON and Director of Social Services. Recipient was explained the 5-day process but was adamant about never signing himself into the facility. DRM attempted to get recipient to sign ROI but the recipient refused. The DRM reached out to facility requesting discharge address. The facility provided the address. There was no release received. A motion to

table was entered by Daryl. The motion was seconded by Dallas. The motion will be ratified at the next meeting with a quorum.

24-030-9025 – New Case – A complainant called indicating that they were being held in a facility without cause. The complainant also indicated that he received multiple forced medications for no reason. DRM met with the complainant at the facility for over 90 minutes. DRM met with the complainant's physician. The complainant was in the facility legally and awaiting a court date for a medication petition. The DRM then contacted the attorney assigned to the facility and provided information as to why the complainant was hospitalized. The physician asked the complainant if he would want some medication and the complaint was allowed to refuse. The DRM then reviewed all the restriction of rights notices and determined that some were warranted. There was no release received. A motion to table was entered by Daryl. The motion was seconded by Linda. The motion will be ratified at the next meeting with a quorum.

UNFINISHED BUSINESS

The HRA did not move into closed session pursuant to the Guardianship and Advocacy Act (20 ILCS 3955/21) and the Open Meetings Act (5 ILCS 120/2).

Case Assignments:

N/A

Draft reports for acceptance:

23-030-9016 – Loren Half Robinson – This report was accepted without any issues. The crux of this report was about whether the recipient participated in the treatment planning. The recipient received no mental health services from the facility only a substance abuse medication. All treatment was in accordance with the treatment plan. A motion to issue the report was entered by Linda. The motion was seconded by Dallas. The motion will be ratified at the next meeting with a quorum.

23-030-9044 – Alden Village North – This report was accepted. The main issue was guardian involvement in treatment planning. A motion to issue this report was entered by Daryl. The motion was seconded by Linda. The motion will be ratified at the next meeting with a quorum.

Accept responses, close, and publish:

23-030-9004 – Ascension Resurrection – The case was centered around if a recipient of services received forced medication and was restrained without cause. Per the reviewed documents the recipient was admitted to the hospital legally. However, while on the unit the recipient was restrained longer than the two-hour time requirements per the Code. Furthermore, the recipient did receive forced medication that the HRA felt was unwarranted. The facility provided a response, but the HRA motioned to not accept the response as there was no verification of the training provided. Verification of the training was received after the meeting. So, a motion to not accept the response was entered again. The motion was entered by Dallas. The motion was seconded by Gary. The motion will be ratified at the next meeting with a quorum.

23-030-9005 – Ascension St. Joseph Hospital – The HRA took no motion on this case. The requested verifications were not received.

23-030-9028 – Ascension St. Mary's – There was no issue with the report on the case as drafted. Motion to close and publish report was entered by Linda. The motion was seconded by Dallas. The motion will be ratified at the next meeting with a quorum.

23-030-9021 – CPS – The HRA motioned to close this case. It was handled informally and prior motion for enforcement was done incorrectly. The case was initially opened and during the records request the provider informed the HRA that the Illinois State Board of Education was already handling this matter. The provider then gave the HRA a copy of the Illinois State Board of Education's ruling on the matter. The motion to close was entered by Gary. The motion was seconded by Dallas. The motion will be ratified at the next meeting with a quorum.

Other unfinished business, announcements, and comments:

Adjournment:

Motion to adjourn entered by Linda. The motion was seconded by Gary and the motion carried. The meeting was adjourned at 6:47 pm.

Respectfully Submitted,

Jeff Gee – Secretary