

HUMAN RIGHTS AUTHORITY
CHICAGO REGION MEETING MINUTES
Tuesday, April 30, 2024
Illinois Guardianship and Advocacy Commission
Madden MHC, Room 1088: 1200 S. First Ave., Hines, Illinois

PRESENT: Judi Bradley, Linda Cervenka, Gary Doherty, Tiffany Johnson, Marie Marasovich, Dallas Read, and Daryl Richardson.

ABSENT: Jeff Gee.

STAFF: Jeremy Polk (Disability Rights Manager - DRM), and Alejandra Meza (DRM).

GUEST: Michael Romain (prospective board member)

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 present, however the HRA elected not to enter closed session. The confidentiality statement was read by Jeremy Polk.

Minutes: Minutes for December 12, 2023, and February 6, 2024, were approved. The motion was entered by Judi. The motion was seconded by Dallas and the motion carried with remaining votes.

Communications:

NEW BUSINESS

Ratifications:

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. The HRA motioned to ratify the decision to not accept the facility response. The motion was entered by Daryl. The motion was seconded by Dallas. The motion carried with remaining votes.

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 HRA motioned to ratify the decision to close this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

23-030-9028 – Ascension St. Mary's – There was no issue with the report on the case as drafted. The HRA motioned to ratify the decision to close and publish this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

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 ratify issuing the report was entered by Linda. The motion was seconded by Dallas. The motion carried with remaining votes.

23-030-9044 – Alden Village North – This report was accepted. The main issue was guardian involvement in treatment planning. A motion to ratify issuing the report was entered by Linda. The motion was seconded by Dallas. The motion carried with remaining votes.

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. The HRA motioned to ratify the decision to not accept this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

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. The HRA motioned to ratify the decision to not accept this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

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. The HRA motioned to ratify the decision to table this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

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 HRA motioned to ratify the decision to not accept this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

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 HRA motioned to ratify the decision to not accept this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

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. The HRA motioned to ratify the opening of this case. The motion was entered by Daryl. The motion was seconded by Dallas. The motion carried with remaining votes.

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 HRA motioned to ratify the decision to table this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

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 HRA motioned to ratify the decision to table accepting this case. The motion was entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

New Cases:

24-030-9004 – New Case – A complainant states that she was brought to the facility involuntarily. She states that she was never explained her rights and not give a copy of the petition. Complainant also requested discharge and was discharged timely. Case was not accepted. The motion to not accept was entered by Linda. The motion was seconded by Daryl. The motion carried with remaining votes.

24-030-9026 – New Case – A complainant called indicating that they signed a 5-day request for discharge on February 2, 2024, and the facility did not honor the request timely. The DRM contacted the social worker for the facility, and it was notated that the complainant was subject to an involuntary petition and not eligible for a 5-day. The motion to not accept was entered by Judi. The motion was seconded by Daryl. The motion carried with remaining votes.

24-030-9027 – Austin Oasis – The DRM received call from a family member indicating that a recipient of services is being held with reason in a skilled nursing facility. The DRM met with the recipient, and he indicated that he would like to return home from the facility. DRM then spoke with the social work manager, and it was reported that there was an active APS case. DRM then called APS and it was discovered that APS did not have an active investigation. DRM will reach out to the administrator to see if recipient could be discharged home. The facility responded and discharged the recipient back home per request. Motion to close as resolved informally entered by Daryl. The motion was seconded by Linda. The motion carried with remaining votes.

24-030-9028 – Thorek – DRM received call from a complainant requesting discharge. This complainant has a family member who is his guardian. The complainant has issues related to guardianship and the DRM walked him through addressing those issues. The complainant was discharged timely, and the DRM handled this case informally. Motion to close as resolved informally entered by Daryl. The motion was seconded by Linda. The motion carried with remaining votes.

24- 030-9029 – New Case – The DRM received call from a complainant requesting discharge. The complainant states that at the previous hospital he was given forced medications and restrained for no reason. The complainant then indicates that the facility never explained his rights and transferred him to another facility for treatment. DRM did not receive a release, so the case was tabled. Motion to table entered by Daryl. The motion was seconded by Linda.

24-030-9030 – New Case – The DRM received call from complainant stating he has received forced meds multiple times and restrained physically. He refused the meds but was given them anyway. He also reports he is forced to stay in his room from 7pm to 8:30am every night. The HRA

motioned to open this case. The motion was entered by Tiffany. The motion was seconded by Judi. The motion carried with remaining votes.

24-030-9031 – New Case – A complainant states that he was admitted to a psychiatric hospital without cause. The complainant also indicates that he never saw a psych doctor nor was he explained his rights. The HRA motioned to table this case as no release was received. Motion to table entered by Judi. The motion was seconded by Daryl. The motion carried with remaining votes.

24-030-9032 – New Case – The DRM received a call from a complainant indicating that he received multiple forced medications without cause. The case was accepted for investigation. Motion to accept was entered by Linda. The motion was seconded by Judi. The motion carried with remaining votes.

24-030-9033 – Rainbow Beach – DRM spoke with the complainant for over an hour. The report is that the facility is unclean and does not consistently provide information to the guardian. The report continues that the facility does not provide adequate laundry services to the recipients. DRM informed the complainant that he would reach out to IDPH regarding the facility conditions. DRM also drafted a letter to the facility requesting that a laundry schedule be created for guardians to provide laundry services to wards living in the facility. Motion to close as resolved informally entered by Dallas. The motion was seconded by Linda. The motion carried with remaining votes.

24-030-9034 – New Case – DRM received a call from a complainant. The report indicates that the recipient was never explained their rights upon admission to the hospital. The report indicates that the recipient entered the hospital for a medical issue and was given forced medication without cause. The report states that the recipient was involuntarily held without reason. Case was tabled due to no release. Motion to table entered by Judi. The motion was seconded by Tiffany. The motion carried with remaining votes.

24-030-9035 – Lakefront Nursing and Rehab – The DRM handled an informal case. A complainant reports concerns regarding medical neglect and treatment of her friend living in a facility. Two IDPH reports have been filed by DRM along with encouragement for the complainant to call as well with more specific details. Guardianship/family concerns are also a major barrier since recipient's brother is the guardian and is not listening to her concerns. Guardianship hearing is up next month in court. Motion to close as resolved informally entered by Judi. The motion was seconded by Tiffany. The motion carried with remaining votes.

24-030-9036 – Thorek Memorial Hospital Andersonville – The complainant reports she wants to be discharged but is not allowed to. She is currently involuntary. Complainant is under OSG guardianship. DRM spoke to OSG guardian Donna Joslin, SW Manny at Thorek, and complainant about discharge rights. Motion to close as resolved informally entered by Linda. The motion was seconded by Judi. The motion carried with remaining votes.

24-030-9037 – New Case – A complainant reports he received at least 10 shots while he was in the ER for 3 days prior to being petitioned out for inpatient psych treatment. He did not report any threatening behavior and said would receive the shot whenever he would ask questions about why he was there or what was happening. He also said he was excessively restrained. Case was tabled due to no release. Motion to table entered by Judi. The motion was seconded by Tiffany. The motion carried with remaining votes.

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:

23-030-9029 – Ascension Resurrection – There were no issues in the report as drafted. The HRA motioned to issue the report. The motion was entered by Judi. The motion was seconded by Tiffany. The motion carried with remaining votes.

23-030-9034 – Madden – There were no issues in the report as drafted. The report also had no recommendations. The HRA motioned to issue the report. The motion was entered by Judi. The motion was seconded by Dallas. The motion carried with remaining votes.

23-030-9042 – Ascension St. Mary's – There were no issues in the report as drafted. The HRA motioned to issue the report. The motion was entered by Tiffany. The motion was seconded by Linda. The motion carried with remaining votes.

Accept responses, close, and publish:

22-030-9031 – Jackson Park – This case report was completed a year ago. The facility asked LAS to conduct training to satisfy the recommendations listed in the report. DRM reached out to the LAS Director, and she agreed to facilitate the training for the facility. The HRA moved to close this case and publish the report. The motion was entered by Judi. The motion was seconded by Dallas. The motion carried with remaining votes.

23-030-9004 – Ascension Resurrection – This case was close as requested verifications were received. The motion to close and publish was entered by Daryl. The motion was seconded by Judi. The motion carried with remaining votes.

23-030-9005 – Ascension St. Joseph’s – This case was tabled as the facility never responded to the recommendations in the report that was issued. The response is overdue. The motion to table was entered by Daryl. The motion was seconded by Judi. The motion carried with remaining votes.

23-030-9016 – Loren Half Robinson – The HRA motioned to close and publish the report. There were no recommendations present in the report. The motion to close and publish was entered by Daryl. The motion was seconded by Judi. The motion carried with remaining votes.

23-030-9018 – Jackson Park – This case report was completed a year ago. The facility asked LAS to conduct training to satisfy the recommendations listed in the report. DRM reached out to the LAS Director, and she agreed to facilitate the training for the facility. The HRA moved to close this case and publish the report. The motion was entered by Judi. The motion was seconded by Dallas. The motion carried with remaining votes.

23-030-9033 – Shirley Ryan – The HRA motioned to close this informal case as the facility did provide a discharge/denial reason to the recipient per the records reviewed. The motion to close was entered by Tiffany. The motion was seconded by Judi. The motion carried with remaining votes.

23-030-9044 – Alden Village North – The HRA motioned to close and publish the report. There was no issue in the report and no response required from the facility. The motion to close and publish was entered by Daryl. The motion was seconded by Judi. The motion carried with remaining votes.

23-030-9049 – Humboldt Health – The HRA motioned to close the informal case as the facility has visitation policies consistent with the Code. The motion to close was entered by Tiffany. The motion was seconded by Judi. The motion carried with remaining votes.

Other unfinished business, announcements, and comments:

Adjournment:

Motion to adjourn entered by Tiffany. The motion was seconded by Linda and the motion carried. The meeting was adjourned at 6:49 pm.

Respectfully Submitted,

Jeff Gee – Secretary