

**HUMAN RIGHTS AUTHORITY
NORTHWEST REGION MEETING MINUTES
Tuesday, September 10, 2024
Illinois Guardianship and Advocacy Commission
4302 N. Main St., Conference Room
Rockford, IL 61103**

PRESENT: Sang Capone, Christine Dungey, Colleen Magee (**Co-Chair**)
ABSENT: Kacie Jensen (**Chair**), Collen Parks and Dr. Erin Wade
STAFF: Nicole S. Weathersby, DRM
GUESTS: Tanya Dworkin (Legal Counsel – Javon Bea), Alejandra Meza(IGAC),
Zoe Wedel

The regularly scheduled meeting of the Human Rights Authority, Northwest Region was called to order at 4:06 pm by Co-Chair – Colleen Magee. Introductions and greetings were completed by members and guests). It was determined that a quorum was not present, but appropriate business could be conducted. Nicole S. Weathersby, the NW Disability Rights Manager, read the confidentiality statement. It was discussed and all parties were reminded that the proceedings are confidential. All motions were carried out by proxy vote via follow-up telephone calls to absent members (Kacie J, Colleen P, and Dr. Wade) who would provide the necessary numbers to suffice a majority of HRA members in agreement for the motions presented.

Minutes

Executive and regular meeting minutes from March 5, 2024, April 30, 2024, and June 6, 2024, were tabled. **The presented motion to table the above-mentioned minutes and approve at the next meeting with a quorum present was entered by Sang C. and seconded by Colleen M. The motion was carried via a telephone proxy vote of excused members. The minutes will be ratified at the next HRA meeting.**

NEW BUSINESS

Ratifications

Complaint Closures

- 1) #23-080-9010
- 2) #24-080-9010
- 3) #24-080-9015
- 4) #24-080-9024
- 5) #24-080-9025
- 6) #24-080-9026

Complaint Acceptance /Denial

- 1) #23-080-9019
- 2) #24-080-9020
- 3) #24-080-9021
- 4) #24-080-9022
- 5) #24-080-9023
- 6) #24-080-9027
- 7) #24-080-9028

Draft Report Acceptance

- 1) #24-080-9002
- 2) #24-080-9003
- 3) #24-080-9009

Report Response Acceptance

- 1) #23-080-9011

The motion was entered by Colleen M. and seconded by Sang C., to table all ratifications until the next meeting in the presence of a quorum, motion carried via telephone proxy vote of excused members.

Agenda Updates/Changes:

There were no updates or changes for the agenda (outstanding case ratifications that need addressing).

New Complaint:

#24-080-9029 - According to the complainant, while in triage for a panic attack, the nurse physically forced the patient into a gown with the assistance of security (stated "either put on gown or will be put in gown"). Stated was injected in both arms, blood drawn and told to take a pill. Also stated being allergic to Diazepam and was given Ativan. Stated held down and restrained when there was no immediate risk. Also, the staff would not let the patient leave even though she came to the ED on her own and then was put on an involuntary. The complainant stated never receiving a copy of rights or the petition, while in the ED until arrived at the next location. Complainant states currently traumatized by incident ED incident. **Potential Rights Violations:** *Right to refuse medication was ignored., right not to be subjected to restraints was ignored, right to an appropriate involuntary admission process.* **Sang C., moved to accept, open complaint & pursue complaint, seconded by Colleen M., which was carried via telephone proxy vote of excused members. The complaint will be ratified at the next HRA meeting.**

#24-080-9030 - According to the complainant, the patient was steered by hospital staff into signing a "voluntary" admission as an alternative to avoiding a potentially scary involuntary admission (which already occurred). Also, the complainant felt that the voluntary admission was the only choice available and was not advised of the voluntary process by a qualified examiner. **Potential Rights Violations:** *Voluntary admission was not appropriately completed, advisement by a qualified examiner did not occur, inappropriate involuntary admission completed. psychiatric examination did not occur within 24 hours. Sang moved to not pursue ,due to not receiving consent, seconded Colleen M., which was carried via telephone proxy vote of excused members. The complaint will be ratified at the next HRA meeting.*

#25-080-9001 - According to the complaint, the patient arrived at the ED and was forcibly injected with psychotropic medication by the nurse and restrained by security guards. This action occurred because the patient initially refused, and the nurse threatened that medicine would be received and used security after the patient stated they would "slap" the nurse). Also, the patient stated that no one in the ED went over their rights and responsibilities or provided them with the documentation. Additional information was provided from the patient, after their release (while on the unit, all their clothes were taken while in their room, also not being allowed to communicate with current patients on the BHU, that the penitent admission status was not explained/confirmed). **Potential Rights Violations:** *Right to refuse medication and services was ignored, advisement by a qualified examiner did not occur, right to adequate and humane care and services in the least restrictive environment, pursuant to an individual services plan. Sang C., moved to accept, open complaint & pursue complaint, seconded by Colleen M., which was carried via telephone proxy vote of excused members. The complaint will be ratified at the next HRA meeting.*

#25-080-9002 -According to the complaint, the patient arrived at the ED and was not treat appropriately, was fearful for their life and very uncomfortable with going and receiving care and treatment from this facility. **Potential Rights Violations:** *Right to adequate and humane care and services in the least restrictive environment, pursuant to an individual services plan. Colleen M., moved to table the complaint, send a certified inquiry of interest letter to the complainant for possible case opening and Sang C., seconded the motion, which was carried via telephone proxy vote of excused members. The complaint will be ratified at the next HRA meeting.*

#25-080-9003 - According to the complaint, patient did not know they were being petitioned, transferred out and was not informed of their rights. **Potential Rights Violations:** *Right to adequate and humane care and services in the least restrictive environment, pursuant to an individual services plan. Right to refuse treatment and services ignored. Inappropriate involuntary admission completed. Sang C., moved to accept, open complaint & pursue complaint, seconded by Colleen M., which was*

carried via telephone proxy vote of excused members. The complaint will be ratified at the next HRA meeting.

Comments from the Public:

There were two visitors present (perspective HRA member and Legal Counsel of Javon Bea).

UNFINISHED BUSINESS

Closed Session

No quorum was present to enter closed session pursuant to Section 120/2(a) of the Open Meetings Act (5 ILCS 120/2). The meeting continued in open session, discussing draft reports, case progress, case closures and other matters while maintaining and protecting the confidentiality of recipients and complainants.

Case Progress

#24-080-9021- DRM provided case update of a virtual site visit scheduled for September 25th and added an additional HRA member to be in attendance.

Draft Reports for Acceptance:

#24-080-9006- After reviewing the report with no corrections or changes, the **HRA Committee voted to accept the draft report and send to the facility for a response within 30 days of draft report receipt, moved by Sang C. and seconded by Christine D., and the motion carried via telephone proxy vote of excused members. The report's approval will be ratified at the next HRA meeting.**

#24-080-9007-The facility's Legal Counsel provided the following input for the draft report: the facility is working on ensuring the telehealth assessment are compatible with hospital medical record program and there should be no issue in ensuring that patients receive printed medication information. **HRA Committee voted to accept the draft report and send to the facility for a response within 30 days of draft report receipt, moved by Sang C. and seconded by Christine D. and motion carried via telephone proxy vote of excused members. The report's approval will be ratified at the next HRA meeting.**

#24-080-9008- The facility's Legal Counsel provided the following input for the draft report: working on ensuring that telehealth assessment are compatible with the current hospital medical record program, updating the hospital training program (especially on the restriction of rights form) and suggested that when the HRA requests a site visit, it should be noted and asked of the facility that all involved parties review the file for the visit. **HRA Committee voted to accept the draft report and send to the facility for a response within 30 days of draft report receipt, moved by Sang C. and seconded by**

Christine D. and motion carried via telephone proxy vote of excused members. The report's approval will be ratified at the next HRA meeting.

#24-080-9012- After reviewing the report with no corrections or changes, the HRA Committee voted to accept the draft report and send to the facility for a response within 30 days of draft report receipt, moved by Sang C. and seconded by Christine D. and motion carried via telephone proxy vote of excused members. The report's approval will be ratified at the next HRA meeting.

Closure/Accept Response/Make Available to the Public

#24-080-9002-The HRA Committee voted to accept the non- response (unsubstantiated report), close and publish report, moved by Colleen M., and seconded by Sang C. and motion carried via telephone proxy vote of excused members. **The acceptance of the non-response, closing and publishing the report will be ratified at the next HRA meeting with a quorum.**

#24-080-9003 –The HRA Committee voted to accept the facility public response (unsubstantiated report), close and publish report, moved by Colleen M., and seconded by Sang C. and motion carried via telephone proxy vote of excused members. **The acceptance of the public-response, publishing report to the website and closing the report will be ratified at the next HRA meeting with a quorum.**

#24-080-9009- The HRA Committee voted to accept the facility public response (unsubstantiated report), close and publish report, moved by Colleen M., and seconded by Sang C. and motion carried via telephone proxy vote of excused members. **The acceptance of the public-response, publishing report to the website and closing the report will be ratified at the next HRA meeting with a quorum.**

Other Unfinished Business, Announcements and Comments

Discussed recruitment efforts and the need to engage and seek new members, so that a quorum will be present.

Discussed the need to complete and vote on HRA Committee positions.

Discussed the need to accept the confidentiality vote of previous executive session minutes for August 2023 & March 2024, but will address at the next HRA meeting with a quorum.

Welcomed perspective new HRA member and gave an overview of the NW HRA Committee.

DRM reminded all committee members that all required training needs to be completed before October 31, 2024, and will follow-up to ensure all HRA members log-in credentials are reset.

Colleen M. will be on a short vacation in October and offered her availability for a meeting via a virtual option.

Sang will be ending her HRA term at the end of this month and was thanked for her time and dedication to the committee.

Adjournment

Sang moved to adjourn the meeting at 5:17pm, seconded by Colleen M., and motion carried via unanimous roll call of “ayes” by committee members present in the room, meeting adjourned.

The next meeting will be held on Tuesday, October 8, 2024, at the Office of the Illinois Guardianship and Advocacy Commission, 4302 N. Main St., Conference Room - Rockford, IL at 4:00pm.

Respectfully Submitted,

Nicole S. Weathersby

Nicole S. Weathersby
Disability Rights Manager