



FOR IMMEDIATE RELEASE

North Suburban Regional Human Rights Authority
Report of Findings
HRA #18-100-9012
West Suburban Nursing & Rehabilitation Center

In February 2018, the North Suburban Regional Human Rights Authority opened an investigation of possible rights violations regarding West Suburban Nursing & Rehabilitation Center. The complaint alleged that a resident was unjustly sent to a hospital for behavioral health services because she filed a complaint with the Illinois Department of Public Health. Residents receiving services at West Suburban Nursing & Rehabilitation Center are protected by the Nursing Home Care Act (210 ILCS 45/100 et. seq.).

According to its web-site, West Suburban Nursing and Rehabilitation Center is a 259 –bed facility dedicated to assisting residents reach their greatest rehabilitative potential by developing and implementing customized care plans to treat their individual needs. The facility offers a skilled and licensed team of professionals to provide a comprehensive program of Physical, Occupational and Speech therapies. The facility also provides long-term care services, in-house dialysis, and an Alzheimer’s and Dementia Special Care Unit.

Method of Investigation

An on-site visit was conducted in April 2018, at which time the HRA discussed the allegations with the facility personnel. A portion of the resident’s record was reviewed with written consent. The HRA acknowledges the full cooperation of facility personnel.

Findings

The complaint alleged that a resident was unjustly sent to a hospital for behavioral health services because she filed a complaint with the Illinois Department of Public Health (IDPH). The clinical record revealed data on a 56 year-old female who was admitted to the facility on September 22, 2017. Admitting diagnosis included spinal stenosis, fibromyalgia, repeated falls, major depressive disorder, and hypertension. On November 8, 2017, the resident had been observed taunting her roommate and exhibiting rude and aggressive behaviors towards the roommate. The roommate had expressed fear of being in the same room with the resident, as the resident had made accusatory statements to the roommate. The resident was observed poking her food before she ate it, which staff members described as paranoid behavior. The Psychiatrist was notified who ordered that the resident be sent out for a psychiatric admission and/or evaluation. Social Service Notes documented that an involuntary petition to a nearby hospital was completed for psychiatric hospitalization to prevent the resident from harming herself or others. The petition was included in the chart which documented that the resident was in need of immediate hospitalization to prevent physical harm to herself or others. The petition noted that the resident exhibited paranoid behaviors

by poking her finger in meals before eating, she was observed taunting her roommate and causing mental anguish, and that the roommate reported that the resident approached her in a very rude and aggressive manner making accusatory statements.

At the site visit, it was stated that the resident had not been sent to the hospital because she had filed a complaint with IDPH. It was stated that the resident has a long history of filing complaints and making some outlandish accusations both in-house and with outside entities, but this behavior in and of itself does not warrant being sent for behavioral health services. It was stated she was sent to the hospital because her behavior was such that they needed to ensure the safety of the resident and others. It was offered that this was the second time that the resident needed to be sent for behavioral health services, the first being the end of October 2017. It was explained, and documentation supports the explanation that staff members went to the hospital to meet with the resident regarding her return to the facility, but she refused to meet with them. The resident was subsequently discharged and transferred to another placement. Facility staff members stressed on a few occasions that they had every intention of having the resident return to their facility for further treatment.

The HRA inquired about staff training, and we were told that employees receive training on the first day of employment. At this time facility policies procedures and nursing home regulations are reviewed. The employee then goes to his/her designated area and works with an experienced employee who trains them on the residents' individual needs. Unit safety precautions/regulations are also addressed at this time. The facility also provides continuous training on different topics related to patient care.

The facility's Transfer and Discharge policy and Procedure defines discharge as meaning to leave the facility without plans or intentions to return. Transfer means to leave the facility with plans or intention to return (i.e. transfer to an acute care facility for appropriate care). The policy states (in part) that the resident may be transferred from the facility when it has been determined that: the transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility, and/or the resident being at the facility endanger the safety of self or other individuals in the facility.

Conclusion

Pursuant to the Nursing Home Care Act, Section 2-112, "A resident shall be permitted to present grievances on behalf of himself or others to the administrator, the Long-Term Care Facility Advisory Board, the residents' advisory council, State governmental agencies or other persons without threat of discharge or reprisal in any form or manner whatsoever. The administrator shall provide all residents or their representatives with the name, address, and telephone number of the appropriate State governmental office where complaints may be lodged."

The HRA found no evidence to support the claim that the resident was sent to a hospital for behavioral health services for filing a complaint with IDPH. Documentation showed that she was transferred to the hospital to ensure the safety of herself and others. The allegation is unsubstantiated.