



FOR IMMEDIATE RELEASE

North Suburban Regional Human Rights Authority
Report of Findings
HRA #18-100-9024
Elgin Mental Health Center

Introduction

The North Suburban Regional Human Rights Authority (HRA) opened this investigation regarding Elgin Mental Health Center (EMHC), Forensic Treatment Program (FTP) K after receiving a complaint of alleged rights violations. The complaint accepted for investigation alleged that a patient is being denied some personal possessions, like make-up and ear plugs.

The rights of patients receiving services at EMHC are protected by the Illinois Mental Health and Developmental Disabilities Code (405 ILCS 5).

Patients receiving services at EMHC's Forensic Treatment Program have been remanded by Illinois County Courts to the Illinois Department of Human Services (DHS) under statutes finding them Unfit to Stand Trial (UST) and Not Guilty by Reason of Insanity (NGRI). Placement evaluations determine the most appropriate inpatient or outpatient setting for forensic treatment based on a number of factors including age, gender, mental health diagnosis, and security need. Unless a person is specifically ordered to receive services in an outpatient setting, court ordered referrals under state forensic statutes call for placement in a secure inpatient setting. The Forensic Treatment Program has approximately 315 beds.

Methodology

To pursue this investigation, the HRA requested and reviewed facility policy relevant to the allegation and a portion of the patient's clinical record (January 2018-April 2018), with consent. A site visit was conducted at which time the allegation was discussed with Unit personnel. A subsequent site visit was then conducted at which time the allegation was discussed with the program's Director and the Chief of Security.

Findings

According to the clinical record in late November 2017, the patient was transferred from another state-operated to EMHC. In late January 2018, the patient was transferred to another unit and she was upset about not being able to put on her make-up before the transfer. In early March 2018, it was noted that the patient had been given some property that she had requested, and that she was angry that some cosmetics needed to be kept in the hygiene box. It was also noted that at this time, Center Administration was involved in getting the patient's property from the transferring facility. In early April, it was noted that the patient was given some electronic devices as well as four pairs of eyeglasses. The following month, it was documented that the transferring facility had sent

27 Personal Property Receipt inventory pages detailing over 20 boxes and 6 bags of personal property for this patient.

At the first site visit (July 2018), Unit personnel explained that the patient had been receiving services at another state operated facility. While there, she was sent to a medical hospital for an attempted suicide. From this hospital she was transferred directly to EMHC. It was stated that given this rather quick and somewhat unusual transfer, staff members from the previous state facility simply packed up a few things from her bedroom and that was what accompanied her to EMHC. Once at EMHC, the patient began to request her possessions from the transferring facility. At the time of the site visit, Unit staff members were not sure what the disposition was with this property, and advised that the HRA discuss this matter with the program Director. When asked, it was stated that the patient was obtaining some personal items by mail order, and family and friends.

In discussing the matter with the Director and Chief of Security (August 2018), it was stated that the patient has a lot of possessions. The program Director stated that he has personally gone to the transferring facility to see the items. He stated that there were about 40 boxes of possessions at that location; this facility had subsequently sent three boxes of items. It was stressed that nothing will be thrown away, but once the items are transferred to EMHC, the patient will have to go through each box. It was offered that a new system is being developed for those patients with an excessive amount of personal items, which includes long-term storage. The patient will review all possessions; the patient decides what (limited) items he/she wants on the unit; he/she decides what will be placed in the building basement storage and all other items will be placed in long-term storage. The long-term storage will be at a different location on campus. Each patient's personal possessions will be placed in plastic bins, and will be individually shrink-wrapped per patient. The patient will not be given any access to these items until discharge. Regarding the allegation that patients are not able to have ear plugs, it was stated that no patients are allowed to wear ear plugs for health and safety reasons. They checked with an Audiologist and were told that ear plugs can cause harm to the ears. In addition, it was stated that patients need to be aware of their surroundings - fire alarms, unstable patients, etc. Regarding make-up, these items are stored in a hygiene bin located at the nurses station.

The Center's Rights to Personal Property policy states that its purpose is that "patients in the Program be permitted to receive, possess and use personal property except where specific restrictions are necessary as determined by the Program's rules and regulations." The policy goes on to state that "Excess personal properties means the amount of property a patient has which cannot be stored in the individual's storage space provided for each patient in their dormitory. When it is determined that excess personal property of a patient must be stored outside of the unit, the following steps must be taken to assure the safe keeping of the items to be stored. a) all items must be accurately inventoried on the appropriate or designated Inventory Form. b) the inventory form must be signed by the patient and the staff member completing the inventory. c) a copy of the inventory must be given to the patient and the original placed in the patient's clinical file. d) staff must assure that the items are properly packaged in an adequate container (boxes, bags, etc.) e) each package must be taken to the Security Office where it will be checked to ensure proper labeling." The FTP Patient Handbook indicates that cosmetics, electric razors and personal care items may be stored on the unit but cannot be in glass containers or in aerosol form.

Conclusion

Pursuant to the Illinois Mental Health and Developmental Disabilities Code, Section 2-104, "Every recipient who resides in a mental health or developmental disabilities facility shall be permitted to receive, possess and use personal property and shall be provided with a reasonable amount of storage space therefor, except in the circumstances and under the conditions provided in

this Section. a) Possession and use of certain classes of property may be restricted by the facility director when necessary to protect the recipient or others from harm, provided that notice of such restriction shall be given to all recipients upon admission.”

Documentation showed that the patient did have access to makeup, as evidenced by the note saying she did not have time to put on her makeup before the transfer. Ear plugs are not allowed for any patients. Efforts seem to be in motion to get the possessions from the transferring facility. The allegation is unsubstantiated.

RESPONSE

Notice: The following page(s) contain the provider response. Due to technical requirements, some provider responses appear verbatim in retyped format.



Bruce Rauner, Governor

Illinois Department of Human Services

James T. Dimas, Secretary

Elgin Mental Health Center
750 South State Street • Elgin, IL 60123

November 26, 2018

Ms. Patricia Getchell- Chairperson
North Suburban Regional Human Rights Authority
9511 Harrison Street, W-300
Des Plaines, IL 60016-1565

Re: HRA# 18-100-9024

Dear Ms. Getchell:

Thank you for your thorough review. We are happy to hear these allegations were unsubstantiated. The staff at EMHC have worked closely with this patient to ensure a smooth facility transfer of both property and treatment and will continue to do so to the best of our abilities.

Please feel free to include our response with any public release of your Report of Findings.

Sincerely,

Brian Dawson, B.S.
Hospital Administrator

BD/TZ/am