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**FOR IMMEDIATE RELEASE**

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HUMAN RIGHTS AUTHORITY-SPRINGFIELD REGION

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REPORT 21-050-9006  
Andrew McFarland Mental Health Center

### INTRODUCTION

The Human Rights Authority (HRA) opened an investigation after receiving complaints of potential rights violations at Andrew McFarland Mental Health Center, a Department of Human Services hospital in Springfield that treats adult civil and forensic patients. The allegation is that a patient was made to have injections and blood draws without adequate reasons.

Substantiated findings would violate right to refuse protections under the Mental Health and Developmental Disabilities Code (405 ILCS 5) and program policy.

An HRA team met with the facility's Quality Manager who verified record contents, which, by authorization, covered November and December 2020. Relevant policies were reviewed as well.

### FINDINGS

According to a November 2, 2020 psychiatric note, the patient was informed of an upcoming mandatory lab test for Lithium levels following a recently granted petition for treatment. Court-ordered medications included Lithium, Lorazepam and the long-acting Paliperidone to be given for the patient's ongoing psychosis, schizophrenia, intermittent explosive disorder, threatening behaviors and his unwillingness to take medications voluntarily. The patient was described as cooperative during the discussion.

The record showed that these medications were started in late October per the court order, and Lithium and Lorazepam were to be given by injections should the patient refuse them by mouth. He accepted oral doses of the two medications on most days through his discharge in mid-December, except for four days when injections were given instead. There were several noted incidents of the patient persistently "cheeking" his medications, and the staff were directed

to observe him for thirty minutes after taking them, but there were otherwise no significant problems with compliance.

Periodic labs were ordered in conjunction with medications to track Lithium levels, and blood draws were taken on November 4, 18, 24, 30 and December 1 to accomplish that. There were also several references to the patient's anxiety and reluctance toward the tests, but he was eventually accepting of them after some encouragement. In one instance he complained of feeling lightheaded afterwards, and the staff gave him juice and kept an eye on him. In another the phlebotomist requested that the patient lay down in his room during a draw since he had "swooned" in the exam room with previous draws. Security staff were often present with the patient but there were no physical struggles between them according to the record.

### CONCLUSION

All patients enjoy the right to refuse services, including medications, which can be restricted under certain circumstances (405 ILCS 5/2-107). McFarland policy (MD311) and the Mental Health Code (405 ILCS 5/2-107.1) allow petitions to the courts for treatment with psychotropic medications when it is determined that a patient has a serious mental illness and exhibits either deterioration, suffering or threatening behavior; that the illness has existed for a period marked by a continued presence of symptoms; that the benefits outweigh harm; that the patient lacks decisional capacity and that other less restrictive services are inappropriate. Petitions may also seek authorization for testing and other procedures that are essential for the safe and effective administration of the treatment. The Code defines psychotropic medications as those used for antipsychotic, antidepressant, antimanic, antianxiety and behavioral modification or management purposes and includes tests and related procedures that are essential for safe and effective administration of these medications (405 ILCS 5/1-121.1).

In this case the patient's right to refuse Lorazepam, Lithium and associated tests was restricted by court order and administered accordingly. A rights violation is unsubstantiated.

### SUGGESTION

-McFarland's policy (MD311) includes *disruptive behavior* in its list of criteria for petitioning treatment when that language was removed from the Code some time ago (405 ILCS 5/1-107.1). It should be removed from the policy as well.

### RESPONSE

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

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JB Pritzker, Governor

Illinois Department of Human Services

Grace B. Hou, Secretary

**McFarland Mental Health Center**  
901 Southwind Drive • Springfield, IL 62703

June 10, 2021

Tara Dunning, Chair  
Human Rights Authority  
Illinois Guardianship and Advocacy Commission  
#521 Stratton Building  
401 S. Spring Street  
Springfield, Illinois 62706

Re: #21-050-9006

Ms. Dunning:

McFarland Mental Health Center recently received the Report of Finding for the case number listed above. Although the case was unsubstantiated, a suggestion was provided to update McFarland policy to ensure consistency with the Mental Health Code.

McFarland policy MD 311 titled Emergency and Involuntary treatment with Psychotropic Medication was updated and approved by committee on June 8, 2021. The new verbiage in the policy was taken directly from the Mental Health Code. Education on the change will be provided to all staff by July 1, 2021.

Thank you for assisting us in ensuring all patient rights are maintained.

Sincerely

Sara Broyles, LCSW  
Quality Manager  
McFarland Mental Health Center