



FOR IMMEDIATE RELEASE

HUMAN RIGHTS AUTHORITY-SPRINGFIELD REGION

REPORT 21-050-9005
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's mail packages were unjustly restricted, and he was given emergency medications without an appropriate cause.

Substantiated findings would violate rights to receive mail and to refuse treatment under the Mental Health and Developmental Disabilities Code (405 ILCS 5) and program policy.

The HRA met with the facility's Quality Manager to discuss the matter. Relevant policies were reviewed as were the patient's records with authorization.

COMPLAINT SUMMARY

It was reported that the patient's mother sent him a package with various food items that were withheld for no apparent reason. A peer allegedly assaulted the patient and the staff did nothing except retaliate against the patient by giving an emergency injection when he complained.

FINDINGS

Incident notes from late October 2020 referenced the mail situation and the patient's reaction. He was said to be hounding the staff about a package his mother sent and was yelling at them if he did not get it. At one point he threatened to tear up and break things, and for

several days he continued to complain about wanting the snacks that were sent to him. According to the record, he was transferred to another unit a couple weeks later and had access to his package except for some tuna pouches. There was a lot of back and forth between him and the staff on whether he could have the pouches because of the aluminum lining which the treatment team needed to approve. The patient was discharged in early December without getting his tuna.

The Quality Manager explained that given temporary pandemic precautions, all new patients were admitted to a special triage unit for fourteen days of an essential quarantine before going to a more permanent location with the general population. There was a virus outbreak at the facility during this time and it was thought that foods and packages might carry the virus, so packages were withheld until patients went to their assigned units, which is no longer the case and the practice has ended. This patient was able to get his package once on his unit, but the tuna pouches contained aluminum, a restricted item that patients are informed of upon admission. A restriction of rights form was therefore unnecessary, and any confiscated items were returned on discharge. The Manager explained that aluminum is restricted because it can be used as a dangerous device.

Regarding the emergency medication, incident notes and a restriction notice referred to several days of ongoing antagonizations between the patient and a peer, which ended up in physical aggressions. Security had to intervene when the patient promised to “even the score” and he threatened the peer and staff with physical attacks. He would not calm down or be redirected, and an injection was given. There were no emergency intervention preferences, and no one was to be notified according to the restriction notice.

CONCLUSION

McFarland’s contraband list from a handbook that is provided to patients and families on admission identifies aluminum as a restricted item. These items are to be sent home or stored until the patient is discharged. The Mental Health Code allows patients to receive mail and use property unless they are deemed potentially harmful and so informed on admission (405 ILCS 5/2-103 and 2-104). In this case the patient was being protected by what was thought at the time to be appropriate pandemic precautions, and his package was available as soon as his quarantine was over. The tuna pouches contained aluminum, which is a restricted material that was returned on discharge. A rights violation is not substantiated.

Under program policy (PPD 02.06.02.020) and the Mental Health Code (405 ILCS 5/2-107), emergency medication may be used to prevent serious and imminent physical harm when no less restrictive alternative is available. There was supportive documentation in this record for the need to intervene with an emergency injection. A rights violation is not substantiated.

SUGGESTION

Restriction notices should be used whenever unusual circumstances make unusual restrictive rules. Perhaps an informative notice early on would have helped ease the patient's concerns about his package.

RESPONSE

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



Illinois Department of Human Services

JB Pritzker, Governor

Grace B. Hou, Secretary

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

July 12, 2021

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

Re: #21-050-9005

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 ensure notices be provided to patients when unusual rules or changes are made.

While reviewing the last year, it was noted that during the beginning of the COVID 19 pandemic not all our actions were communicated fully with patients. We have been working on ensuring open communication during these challenging times and will continue to strive to ensure all changes are shared.

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

Sincerely

Sara Broyles, LCSW
Quality Manager
McFarland Mental Health Center