

**East Central Regional Human Rights Authority
Alan G Ryle Companies/Residential Developers
Report of Findings
Case #19-060-9010**

The East Central Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission voted to pursue an investigation of Residential Developers after receiving the following complaint of possible rights violations:

Complaint:

- 1. Provider did not notify the guardian that an abuse, neglect, and or exploitation (ANE) complaint had been made to the Illinois Department of Human Services' Office of Inspector General (OIG) involving the consumer at the residence.**

Complaint Summary: The CILA home did not notify the guardian that on 10/12/2018 there was a ANE complaint made to OIG regarding the consumer. The guardian only found out about the report when the final OIG report was mailed to the guardian by OIG.

Investigation

The HRA proceeded with the investigation after having received written consent. To pursue the matter, the HRA visited the facility and the program representatives were interviewed. Relevant practices, policies and sections of the consumer's record were reviewed.

Interviews:

On July 9, 2019 at 9:30 am, the HRA met with the Director of Clinical Services. It should be noted that the staff member directly responsible for calling the guardian was available by phone if needed, however, it was not necessary. The meeting occurred at 4102 Belmont Point, Champaign. The meeting began with introductions, a review of HRA procedures, and a review of the allegations being addressed in this investigation.

The staff provided some general information about Residential Developers. Residential Developers is one of four companies overseen by the Alan G Ryle Companies. Alan G Ryle Companies oversees 37, 24-hour Community Integrated Living Arrangement (CILA) homes serving approximately 250 consumers and employing approximately 300 staff. All staff employed at the CILA homes are certified through the Illinois Direct Service Professional (DSP) training. All DSP staff are mandated by law to have Abuse and Neglect and Human Rights Training bi-yearly, however, Alan G Ryle requires that each staff member complete the trainings on an annual basis each January. DSP staff interact with their supervisors daily and have regular staff meetings to discuss any new changes or provide any training needs.

Residential Developers has a formal grievance process that is provided to consumers and/or their guardians when they begin services. The grievance process includes discussing issues with the

DSP, the supervisor, management, and reviews by the internal Human Rights Committee if needed. Staff reported that there have been no complaints or grievances filed involving this consumer and/or this incident.

Staff stated that it is the agency policy to notify a guardian of a possible abuse, neglect, or exploitation incident as soon as they are aware that it may have occurred. Every incident is documented on an incident report form that includes a checklist which documents guardian notification with the date and time that the notification was made. Typically, notification occurs by phone because this is the quickest way to make contact. Occasionally when a guardian cannot be reached by phone a, a notification may be mailed. The call to the guardian is made by the DSP that is completing the incident report.

In this case, the consumer was involved in a suspected ANE incident on 10/13/18. The DSP on call was completing the required incident report and made 2 calls to the guardian's telephone number (leaving messages each time). Since the incident occurred after hours, the DSP also contacted the after-hours on-call number and notified the staff who answered that there was a possible ANE incident involving the consumer and that the Office of Inspector General had been contacted. Staff noted that since they had made two calls to the guardian and then again to the after-hours staff, they did not feel that written notification was needed. Staff reviewed the incident report for 10/13/18 with the HRA. The report reviews the incident and includes date and time that the guardian was called. Staff also reviewed the telephone call logs showing that the DSP called the guardian's number twice on 10/13/18 and then later that day called the after-hours number.

After an ANE report is made and the guardian has been notified, it becomes the responsibility of the investigative body (in this case OIG) to update the guardian on the progress of the investigation. The consumer's Residential Developer records indicated that letters were sent out by OIG in February letting the agency know the results of the investigation.

Records Reviews:

Residential Developers provided the HRA with the following records:

An incident report dated 10/13/18 described the incident, staff response to the incident, and documented that OIG was contacted at 9:30am and the guardian was called at 10:00am. The incident report also had sections for injury, nurse recommendations, needed follow up, and outcome/adverse reactions. Each of these sections was appropriately completed for the incident.

Wireless billing records for 10/13/18 showed a call to the guardian's telephone number at 10:01am, at 10:23am, and a call to the after-hours number at 10:24am lasting 4 minutes.

Consumer face sheets and the discovery tool indicated that the consumer's guardian's contact information was all correct and readily available to the staff making the report.

Alan G Ryle policy titled "Abuse and Neglect Policy" states in section C: "After OIG notifies the Alan G. Ryle Companies' OIG Liaison that an allegation of abuse or neglect has been received,

the Alan G. Ryle Companies' QIDP or facility Administrator shall notify the victim or his/her legal guardian, if applicable, of the allegation within 24 hours. If the Alan G. Ryle Companies' QIDP or facility Administrator is unable to reach the guardian by phone, a letter of notification shall be sent within 24 hours."

The HRA reviewed the OIG case and found that the guardian was listed correctly in the investigation records and that guardian notification was completed via a letter to the guardian in February 2019 when the investigation had completed.

Conclusions

1. Provider did not notify the guardian that an abuse, neglect, and or exploitation (ANE) complaint had been made to OIG involving the consumer at the residence.

The Illinois Administrative Code (Ill. Admin. Code tit. 59, § 115.320) states "Each agency shall have and use a process for reporting and handling instances of abuse and neglect in accordance with applicable standards, regulations and laws that shall include notification of the individual allegedly abused or neglected and his or her guardian or parent of the allegation within 24 hours after receiving the allegation"

Staff confirmed that a possible ANE incident occurred on 10/13/18. Staff notified the Office of Inspector General at 9:30am and then contacted the consumer's guardian via telephone voicemail at 10:01am and again at 10:23am. Since the guardian was not available personally, the staff additionally called and spoke to the after-hours staff member at 10:24am in order to verify that someone had been contacted of the ANE report.

Based on the findings above the East Central Human Rights Authority concludes that the consumer's rights were not violated and, therefore, the complaint is **unsubstantiated**. No recommendations or suggestions are being made in relation to this complaint.

The HRA would like to thank the Alan G Ryle/Residential Developer staff for their cooperation with this investigation.