

# ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

James R. Thompson Center, 100 West Randolph Street, Room 9-035 Chicago, Illinois  
500 ½ Stratton Bldg. , Springfield, IL.  
Pullium Hall, SIU, Carbondale, IL

Minutes of Video Conference Meeting  
November 8, 2007  
1:00 PM

## COMMISSION MEMBERS PRESENT

Saul Morse  
Representative Kathy Ryg  
Senator Don Harmon  
Kenley Wade  
Seymour Bryson  
Glen Jackson

## EXECUTIVE STAFF PRESENT

Dr. Mary Milano, Executive Director  
John H. Wank, General Counsel, Deputy Director for Programs  
Bobbie Fox, Acting Director for Human Resources  
Helen Godlewski Brownfield, Director of the Office of State Guardian  
Danielle Welliever, Private Secretary to the Director  
Gina Rossi, Confidential Assistant to the Director  
Veronique Baker, Director Legal Advocacy Service  
Carol R. Tipsord, Director of Fiscal Operations  
Teresa Parks, Director Human Rights Authority

## MEETING CONVENED

The meeting of the Illinois Guardianship and Advocacy Commission meeting convened at 1:10 pm. A quorum was not yet present. Commissioners decided to begin the meeting with information only items. When the requisite numbers of commissioners were present, the Commission would jump to action items. A quorum was present at 1:30 pm with the arrival of Senator Harmon.

### **Director's Report:**

Director Milano briefed commissioners on continuing budget challenges and projections for the remainder of FY '08 and for FY'09. Because GOMB has put a hold on any layoff plans or approval of other GAC proposed strategies to meet the budget crisis, GAC expects to run out of money in FY' 08, sometime in late spring. So far the most promising proposal is to defer portion of CMS management fees, get a release of reserve from GOMB and lay off two individuals. We continue to operate as prudently as possible. We have been asked to submit proposals to GOMB at 95%, 100% and 102% of FY'08 for FY '09. We have also

submitted our own budget which looks somewhat like what the legislature had passed this year with the addition of funds to meet assumed increased CMS management fees and mandated bargaining unit salary increases. There will also be a substantial payroll increase if management supervisors are taken into ASFME.

Director Milano also reported on GAC's volunteer activity and attempted to quantify it's value. From January to June, 2007, HRA members contributed 1499 hours @ 24.75 hr., with an estimated market value of \$47, 923. In addition, a variety of other volunteers, including pro bono legal, master's level student interns and volunteer guardians and office support have contributed 4,357 hours with a conservative estimated market value of 85,865, bringing the total to \$133, 788.

A lengthy discussion followed Director Milano's report regarding the current political climate, budget concerns and growing deficits. Commissioners Morse, Ryg and others warned that trumpeting a volunteer program at this time might signal an opportunity for further budget cuts. With that said, the volunteer program should continue.

### **Action Items**

With the arrival of Senator Harmon the Commission moved immediately in the agenda to consider action items.

- Minutes were approved for both the June and September 2007 Commission meetings, with just one editorial change to the September minutes.
- A motion was made and seconded to approve all HRA nominations, reappointments and accept HRA resignations. There was no discussion. Approval was unanimous.

### **Director's report continued:**

The director's report was continued after action item business was concluded. Commissioners were briefed on proposed legislation. Through a series of investigations by the HRA, a gap in protections was discovered by HRA member Jon Burnett against abuse and neglect in hospital settings for vulnerable adults aged 18 to 59. After many hours of research of Illinois state statues and models used in other states, Jon Burnett and executive staff put together a packet of information including case studies, a chart demonstrating gaps in protections for vulnerable adults, and draft legislative language. The proposal would require mandatory reporting of abuse and neglect of vulnerable adults in hospital settings by the Department of Public Health. We have been in conversation with Representative Ryg over the last few weeks about this issue and look forward to working with Representative Ryg, Senator Harmon and others as this initial discussion goes forward. Copies are available to all who are interested.

Brief conversation followed. A phone call would be arranged between GAC staff, Representative Ryg and Senator Harmon to discuss next steps. Representative Ryg said that before the legislative session begins she would like to invite stakeholders to a roundtable discussion about the topic and proposed legislation.

**Legal and Program Report by General Council John Wank:**

- John Wank reminded all Commissions that they need to be mindful about filing their appointee interest disclosure form. If there are questions or concerns contact Danielle Welliever or John Wank.
- Mr. Wank spoke to the Public Access Counsel of in the AG's office about rumors of a new interpretation of the open meetings act. There is no change. We must have a quorum number of members at one or more physically linked together work locations. The AG's office has no quarrel with our liberally construing SIU Carbondale as an acceptable location.
- Regarding litigation against Teresa Parks and the HRA. The case has been settled in the Circuit Court of Cook County. The court will be watching us to see if the Chicago HRA proceeds with investigation of the underlying complaint. At this time they do not have sufficient members on their panel to make their quorum requirement, so there are a little hindered.

We employee about 115 staff. Twenty-one are considered merit comp staff, they are on the management side of the ledger. Sometime during this fiscal year we expect to lose about half of our managers who will go over to a newly formed bargaining unit. At that time we will be left with only about 10 merit comp staff, a dramatic change for us. From fiscal and employee compensation standpoints, last year we were able to give our managers raises for the first time in 5 years. Bargaining unit employees received regular raises during that time, resulting in "salary creep" with bargaining unit employees sometimes compensated at a higher rate those they supervise. Salary creep will continue to be a problem.

**Fiscal Report: CFO Carol Tipsord**

If GAC is exempted from the 2% reserve, we are still approximately \$140,000 to \$150,000. In order to meet payroll in '08, we are hoping to get permission to lag payments to CMS and then do the catch up billing in '09. Our intent, of course, is to go for a supplemental budget if we can.

Our year-to-date spending is just a little over what we should have been spending, because we have not been able to lay anyone off. Looking forward to FY '09, if we have to go with a 95% budget, we will have to lay off between 14 to 16 people. Hopefully we can convince OMB that would not be a good thing and we can hold on to our staff. Commissioner Morse asked if the actual headcount was different that

the authorized headcount Carol responded: GAC's authorized headcount in the budget book, 123 staff, by only funding for 111.

## **Informational Reports**

### **Office of State Guardian Report by Director Helen Godlewski**

We continue to serve as guardian for about 5,000 wards throughout the state. Our caseloads range from 104 to 170 per worker. Staff absences mentioned in the fiscal report has really affected our work. We also have 4 position vacancies totaling 500 cases. We have assigned those cases to workers in adjacent regions. Although the mandatory visits were completed, the wards would really benefit from having someone who could manage their day to day affairs. We are also expecting 2 additional leaves from the West Suburban office which will affect another 250 wards. One staff member who was on leave has returned and another is expected to return shortly. We seem to be moving the problem from one region to another but not getting ahead.

We have been able to offer our staff a couple of training opportunities and we are working to recertify our guardians with national certification. About 90% of staff are registered guardians. At this point we are looking forward to sending a few staff to the National conference being held in the Rosemont area. Ms. Godlewski extended her tanks to all staff that helped out making sure all wards were visited during the last few difficult months.

### **HRA Program Report by Teresa Parks**

The HRA continues to have 2 vacant positions, one the HRA Coordinator position in Peoria and the other is in Rantoul. If there is a referral from those regions we cover them with staff from one of the other regions.

With the slate of HRA members just approved, there are 12 HRA member vacancies across the state. The Chicago the Region has been hit hard, 2 persons moved, another had to resign for health reasons and the chair unexpectedly passed away. The HRA is in crucial need of members in the Chicago area.

The HRA has been working on Pubic Awareness activates because of a drop in referrals and due to our difficulty recruiting HRA members. We participated in a disabilities' expo in Champaign and plan to participate in more coming up in the next few months.

Updates on a couple of cases: The first case regards Cermak at the Cook County Jail. Even though the Chicago HRA is short on members, they have received the case file, are gathering information and will proceed with scheduling a meeting with Cermak officials in the coming weeks. The other case involves a CILA, Achievement Unlimited. We received confirmation that as a result of your enforcement referral, the Department of Human Services has proceeded with an

investigation although we have not received notification of the outcome of that investigation.

### **Legal Advocacy Service Report by Veronique Baker**

LAS has ten attorneys who average 700 cases per month around the state. Although we have no vacancies, we do not have attorneys in Rantoul or in the Springfield offices and those areas are not covered.

HRA director Teresa Parks and I completed training with the people from Caterpillar on special education issues and are now in the process of instituting a referral process to their attorneys at for special education cases. We will be meeting with a representative of their office shortly to develop that process.

Patricia Werner, LAS attorney in our North Suburban office, has put together a voluntary civil commitment training. It has been approved by the ISBA. It will be put on downstate in February of '08. We are also hoping to make it available to other attorney's, specific the public defenders.

### **Other Business**

Representative Ryg is planning to bring together NAMI, GAC and other stakeholders in December for a discussion of the civil commitment issues and implementation of SB 234, signed into law last year.

The Commission meeting originally scheduled for December 11<sup>th</sup> will be cancelled.

Danielle Welliever will circulate the dates for quarterly 2008 Commission meetings.

### **Adjournment**

A motion was made and seconded to adjourn. Meeting was adjourned at 2:50 pm.