

COMMISSION MEETING MINUTES

September 22, 2009 1:00 PM

Video Conference sites:

James R. Thompson Center
100 W. Randolph, Rm. 9-036
Chicago, IL 60601

500 ½ Stratton Building
Springfield, IL

Morse Library
ISS Conference Room

MEMBERS PRESENT

Anthony E. Rothert, Chairman
Dr. Seymour Bryson
Andrea M. Schleifer

MEMBERS ABSENT

Inez Torres Davis
Representative Angelo "Skip" Saviano
Senator Ira Silverstein
Kenley R. Wade
Senator Don Harmon
Kathleen Ryg

EXECUTIVE STAFF PRESENT

Chicago

Dr. Mary L. Milano
Helen Godlewski Brownfield
Bobbie Fox
Constance Umbles-Sailers
Florence P. Martin

Executive Director
Director, Office of State Guardian
Associate Director Human Services
Confidential Assistant to the Director
Private Secretary to the Director

Springfield

Carol R. Tipsord
Teresa Parks

Director of Fiscal Operations
Director, Human Rights Authority

EXECUTIVE STAFF ABSENT

Veronique Baker
John H. Wank

Director, Legal Advocacy Service
General Counsel / Deputy Director for Programs

Chairman Rothert called meeting to order at 1:00 pm. A quorum was not present.

DIRECTOR'S REPORT

Director Milano stated that the agency is operating quite normally despite 2 factors effecting personnel:

- For the fiscal year, merit compensation employee pay increases have been frozen. This directly applies to all of our executive staff and non-union supervisors who have evaluation dates July 1 through December 31 of 2009. The compensation scheme that was put into effect by CMS ran on a calendar year basis, however, the freeze was imposed mid year in accordance with the fiscal year thereby creating some significant inequalities in compensation.
- Additionally for those same employees, the Governor has imposed a 12 day, unpaid furlough requirement upon the agencies which are under his control. At the agency (GAC) this affects a relatively small group of people resulting in a savings of approximately \$36K over the course of the fiscal year. This has placed a strain not only on morale but also operations due to the fact that one of the mandates of the order is that no state work, e-mail or voicemail checks, etc., be conducted on that day. The mandate also requires that the agency be able to guarantee there is no overtime accrued as a possible result of anyone taking a furlough day. We have asked for relief for our 2 lawyer supervisors and will be asking for further relief due to the resignation of Gina Rossi (Director of Policy and Training) which leaves a vacancy in the management team. Not only placing a strain on daily operations this directly impacts the agency's on-call scheduling that we've attempted to staff with merit compensation employees for policy considerations and cost effectiveness.

These issues place a strain on those who are responsible for operations at GAC. We have no idea as to what will be happening when the legislature reconvenes or whether there will be any budgetary changes.

We have been pursuing reappointment of our commissioners, although there hasn't been any response from the Governor's office with respect to reappointments or new appointments.

The legislative program for the coming year is less aggressive than the last; we will be looking to amend the GAC Act in order to provide a more realistic quorum requirement. We may also be working on some legislation for the protection of persons who are in the custody of DCFS who have aged out of their programs.

Director Milano has been working with Illinois Imagines policy group pursuant to our grant to DHS with respect to providing additional services in the state addressing the needs of the disabled who are victims of sexual violence. It appears that the grant will be renewed for a second year.

Lastly, Director Milano made all aware that the Commission's Vice-Chairman, Andrea Schleifer, is listed among the final candidates for seating as an Associate Judge in the Circuit Court of Cook County. We expect that if results are positive she will still remain a member of the Commission.

Fiscal Report Carol Tipsord

Final Fiscal Year 2009 expenditures were completed August 31, 2009 and financial reporting was completed with GOMB. General Revenue Fund expenditures totaled \$9,917,346 for FY 2009. The GRF appropriation for FY 2010 is \$8,873,300, which does not include funding for retirement. Retirement expenditures/payments will originate in the Office of the Comptroller for FY 2010 and will be covered at the rate of 11.347% or approximately \$838,550 for the fiscal year. The appropriations for personal services were split between bargaining unit employees and merit compensation employees for the current fiscal year. Other operations appropriations covering contractual, travel, telecommunications and other lines total \$918,000. The GAC fund is appropriated and authorized at \$187,700 for FY 2010. The fund is maintained through fees charged and collected from wards of the state and we anticipate about \$70,000 in GAC fees will be collected through fiscal year 2010.

The semi-annual audit of the Commission is taking place at this time and we anticipate the audit and report will be completed sometime in December 2009. At this time, we are not aware of any potential audit findings covering this two-year period.

INFORMATION ITEMS

Office of the State Guardian Helen Godlewski Brownfield

OSG currently serves as legal guardian for nearly 4900 wards living in approximately 1600 different placements throughout the state. With the addition of new staff, our caseloads sizes have stabilized at bit, the average caseload size is now 112. Despite the decrease, our caseloads continue to be among the highest in the country and are roughly three times the national average.

The Governor has announced that Howe Developmental Center in Tinley Park will close; the target date is April 2010. More than 200 individuals reside at Howe. There are 28 OSG wards remaining at this facility. 12 are being screened for community placement, the remaining wards will be transferred to Murray Developmental Center in Centralia or another state operated placement. Director Milano, Laura Sakas, OSG managing attorney and Helen Godlewski met with Lilia Teninty and Greg Fenton from the Department of Human Services in August. We discussed placement alternatives and transition plans for our wards. Jennifer Miller and Joyce Ebster from our West Suburban region continue to work closely with staff from Howe to ensure that all discharge plans meet the needs of our wards.

We have a handful of new staff that are still in need of certification through the National Center for Guardianship Certification. We plan to have them sit for the certification exam in April of 2010 at the time of the National Guardianship Association's colloquium which will be held in Rosemont.

We've also been working on developing continuing education training programs for staff who are National Certified Guardians. Most staff will need to be recertified this December and require 20

hours of CEU's. We have a training session scheduled this month in Springfield and another session scheduled at our West Suburban office in November.

We also have a new graduate student, Brent Edminster, from the Jane Addam's School of Social Work, at the University of Illinois. He will be working with Connie and helping us with the Volunteer Guardianship Advocacy program. He will also visit a small caseload of community based wards and individuals in long term care seeking placement in the community. He is under the clinical supervision of Susan Hagrelius, a licensed clinical social worker, and will be with us throughout the school year. Brent is familiar with the population we serve having worked at both Misericorida and Thresholds.

Lastly, OSG case records, database, fiduciary records and regional files have been undergoing a routine audit by the Auditor Generals' Office for the past few months. Appreciation goes out to Joe Stafford, Kathy Eddy, Bill Scheidemantel and Jeff Derrick for their work in preparing for this year's audit.

Human Rights Authority

Theresa Parks

Motion was made by Commissioner Schleifer to take action/ratify 3 reappointments, 6 new and 3 end of term appointments at the December 8, 2009 Commission meeting. Motion was seconded by Commissioner Bryson. Motion passed.

Interviews have been held for the position vacancy of HRA coordinator in Peoria.

The Metro East office had the assistance of Patricia Hobbs, an intern from Southern Illinois University during the spring and summer. She assisted the Metro East and Springfield HRA regions. Her internship is now finished and her assistance was greatly appreciated. With regard to volunteers, there are currently 10 member vacancies in East Central (Champaign), Metro East (St. Louis), Rockford, Springfield and South Suburban regions.

In an update on enforcement referrals for 2 residential facilities, Emma Place and Pine Terrace, the HRA expressed dissatisfaction with the response from the Department of Human Services (DHS) and the Department of Public Health (DPH). Correspondence was made by HRA to the directors of each agency. Dr. Carol Adams, former director of DHS, sent a letter indicating that there would be a meeting between Commission staff and DHS. John Wank, Jon Burnet, Helen Godlewski and Teresa Parks met with DHS representatives on August 27, 2009 regarding Emma Place. They expressed the HRA's concerns and DHS was interested, but felt they needed more data/information. Helen Godlewski and Teresa Parks are working on gathering data and they plan to meet again in November to share additional information.

Aside from an initial survey there has been no response from DPH regarding Pine Terrace. However, it is the HRA's hope that any impact made with DHS, with regard to Emma Place, will also address and benefit the concerns at Pine Terrace; as they involve the same corporation and same issues and use the same policies and practices across settings.

In April the Commission made an enforcement referral to the State Board of Education involving a special education issue originating out of the Peoria HRA. While our mandate requires they respond within 60 days we have not gotten a response. A reminder letter was sent and as of the September meeting there had not been any response.

Minor changes in HRA statistics from the previous fiscal year were highlighted:

- Slight increase in cases statewide;
- Increase in number of complaints from family members, private guardians and the Office of State Guardian verses the actual services;
- Decrease in complaints against State operated mental health facilities; they continue to rank highest in terms of the types of providers investigated;
- Increase in complaints regarding community health providers, such as community mental health centers, private psychiatric hospitals and hospital psychiatric units. Overall Mental health providers continue to be the HRA's most frequently investigated providers;
- Slight increase in complaints concerning special education programs.

With regards to rights issues:

- a slight increase in the number of cases involving admission and discharge practices and communication or visitation rights;
- a slight decrease in rights issues involving confidentiality complaints;
- Rights issues revolving around inadequate treatment and programming continue to rank the highest among rights issues investigated by the HRA.

In the legislative arena, the passage of HB 2289 will allow the Commission Directors to approve HRA action items effective Jan 1, 2010 but still requires the action items to be reported to the Commission at the quarterly meetings.

Motion to adjourn was made by Commissioner Schleifer and seconded by Commissioner Torres Davis. Motion carried.

Meeting adjourned at 2:41 pm.