

PEORIA REGIONAL HUMAN RIGHTS AUTHORITY MINUTES
September 16, 2009

The regular stated meeting of the Peoria Regional Human Rights Authority (HRA) was called to order at 1:05 PM on Wednesday, September 16, 2009 by Chairperson Jim Runyon.

The meeting was held at KCCDD, 2015 Windish Drive, Galesburg, Illinois.

ROLL CALL

PRESENT: Jim Runyon, Steve Watts, Ann Hicke, Dolores Sheen, Meri Tucker, Carolynsue Wolf and Flora Knutson

ABSENT: Dean Steiner

STAFF: Teresa Parks

GUESTS: Jeremy McNamara, HRA Member applicant
Libby Holbrook, TCRC
Molly Anderson, TCRC
Tracy Litzinger, Five Points
Phil Scherer, Institute for Addiction Recovery, Proctor Hospital

The Chairperson stated that a quorum was present.

The Chairperson stated that personally identifiable information should not be presented in public meetings to protect the privacy of those persons with disabilities on whose behalf the HRA conducts investigations.

Introductions were made.

MINUTES: Steve Watts made a motion to approve the July 15, 2009 meeting minutes; the motion was seconded and carried.

COMMUNICATIONS: The HRA reviewed recent newspaper articles related to special education. Teresa Parks shared statewide program statistics for fiscal year 2009. Teresa Parks reported that Jeremy McNamara's appointment to the HRA will be considered at the next Commission meeting scheduled for September 22, 2009.

NEW BUSINESS

A. Ratifications:

09-090-9002 - Robert Young Center - This case was closed at the HRA's May 20, 2009 meeting at which there was no quorum; a telephone case closure vote was secured from Meri Tucker. The case closure was to be ratified at the July 15, 2009 meeting of the HRA but the case was not included in the ratification list. There were no substantiated findings; a response was not required and none was received. At the May 20, 2009 meeting, Steve Watts made a motion to close the case but not make the findings a part of the public record in order to protect the

confidentiality of the service recipient referenced in the case; the motion was seconded and approved by the members present. Dolores Sheen made a motion to ratify the case closure and the decision not to make the findings public; the motion was seconded and carried.

10-090-9004 - Ottawa Regional Hospital and Healthcare Center - the complaints state the following with regard to inpatient and outpatient services offered by the hospital's Choices Behavioral Health Services: 1) The hospital violates patient confidentiality with regard to outstanding bills. 2) Hospital staff harass patients about outstanding bills when patients arrive for treatment. 3) The hospital provides inadequate services with regard to clinician services when a clinician falls asleep during therapy services; and 4) The hospital provides an inadequate grievance process when there is a lack of response to patient grievances. Emergency case acceptance was approved on 07-31-09 by Jim Runyon, Meri Tucker and Flora Knutson. Meri Tucker made a motion to ratify emergency case acceptance; the motion was seconded and carried.

10-090-9005 - TCRC - The complaints allege the following regarding the agency's CILA Program: 1) A CILA does not respond to guardian concerns regarding a resident's Services Plan. 2) A CILA resident was denied telephone communication with his guardian. 3) A resident's guardian has been denied access to a CILA and therefore, cannot fulfill guardian responsibilities to procure and monitor CILA service provision. 4) A resident was "sent to his room for time-out for 4 hours," was not observed by staff during this time-frame, and was only allowed out for a meal and bathroom use. The guardian was not involved in the decision to use this behavioral approach. 5) A resident has not received adequate services with regard to laundry assistance, toileting assistance and room care. 6) A resident was denied his exercise goal after a visit with his guardian. 7) A resident was denied access to a community activity for which he had registered and paid. 8) The CILA purchased inappropriate and unapproved items using the resident's funds. An emergency case opening was approved by Jim, Ann and Meri on 08-24-09. Carolynsue Wolf made a motion to ratify emergency case acceptance; the motion was seconded and carried.

09-090-9020 - Special Education Program - The complaint initially alleged that the ISBE failed to accept a parent's complaints related to special education services; after discussing with the GAC General Counsel, it was determined that the HRA does not have jurisdiction to investigate ISBE as ISBE is not a direct service provider. The complaint was then modified to the following: 1) the program fails to provide a student with an accommodation as identified in the student's IEP; 2) the program does not maintain adequate student records in that items referenced in the student's IEP are not found in the student's file. Releases were sent on 05-13-09 and 08-31-09 with no response to date. The complainant recently contacted the HRA to report that an IEP meeting has been scheduled to address some of the concerns. Meri Tucker made a motion not to accept the complaint for investigation due to the lack of a release; as part of the notification letter to the complainant, it was suggested to offer the HRA's availability as a future resource if needed. The motion was seconded and carried.

10-090-9003 - Community Mental Health Center - A recipient's long-standing medication changed based on inaccurate information provided by a prior service provider and without feedback from service recipient. HRA information and a release were sent 07-13-09 with no

response to date. Steve Watts made a motion not to accept the complaint due to the lack of a release and as part of the notification letter to the complainant, offer the HRA's assistance for future needs if warranted; the motion was seconded and carried.

10-090-9006 - Elementary School - The complaint alleges that the behavior of a student with autism is not handled appropriately by the bus driver when the bus driver manhandles the student and allows another student to strike out him. The complaint also alleges that the student is bullied by peers and the student is unsafe at school. Furthermore, the school failed to hold an IEP meeting to address parental concerns or consider alternate placement. A release of information has been secured. Carolynsue Wolf made a motion to accept the complaint for investigation; the motion was seconded and carried.

10-090-9007 - Hospital Emergency Room - The complaint alleges that a recipient was assaulted by staff in the ER and the ER then refused to provide treatment. According to the complaint, a recipient who had attempted suicide was brought into the ER by his parents was verbally and physically assaulted when he refused to undress and put on a gown. When the recipient struck back at a male nurse, the nurse reportedly refused to provide treatment and called the police who arrested the recipient and transported him away temporarily; the police later returned him to the hospital for treatment and he was admitted to the ICU. The family also reported the incident to the Illinois Department of Public Health. The complaint was just received and HRA information and a release is being forwarded. Steve Watts made a motion to accept the complaint for investigation pending the receipt of a release; the motion was seconded and carried.

UNFINISHED BUSINESS - Flora Knutson made a motion to enter closed session at 1:30 p.m. to discuss confidential information regarding case progress, draft reports and case closures. The motion was seconded and carried. Guest, Jeremy McNamara, left the meeting. Guest, Tracy Litzinger entered the closed session discussion of Case #10-090-9001 - Five Points and then left the meeting. Guest Phil Scherer entered the closed session discussion of Case #09-090-9018 - Illinois Institute of Addiction Recovery and then left the meeting; HRA Member Dolores Sheen excused herself during the closed session discussion of Case #09-090-9018 - Illinois Institute of Addiction Recovery due to a potential conflict of interest. Guests, Libby Holbrook and Molly Anderson, entered the closed session discussion of Case #10-090-9005 - TCRC and then left the meeting; Meri Tucker excused herself during the closed session discussion of Case #10-090-9005 - TCRC due to a potential conflict of interest. The HRA returned to open session at 3:00 p.m. having taken no action in closed session. The following summary of items was discussed.

CASE PROGRESS REPORTS:

09-090-9001: Sharon Health Care Willows - A site visit has been completed with Carolynsue Wolf participating; new case information has been secured and the investigation continues. A second site visit is needed. Carolynsue Wolf and Jon Burnet are assigned.

09-090-9009: Monroe Grade School - A site visit has been completed with Flora Knutson and Jim Runyon participating. The case is ready for a report.

09-090-9017: Henry County Jail - a site visit was held with Dolores Sheen and Carolynsue Wolf participating. The jail is to send additional information.

09-090-9018: Illinois Institute of Addiction Recovery - a site visit is needed. Carolynsue Wolf and Flora Knutson are assigned.

09-090-9019: Methodist Medical Center - a site visit is needed. Carolynsue Wolf, Meri Tucker and Flora Knutson are assigned.

09-090-9021: DD Homes Network - a site visit is needed. Carolynsue Wolf and Ann Hicke are assigned.

09-090-9022: Southside Office of Concern - a site visit is needed. Meri Tucker and Jim Runyon are assigned.

10-090-9001: Five Points - The HRA will be in contact with the Commission's General Counsel to review case information.

10-090-9002: Davies Square - a site visit is needed. Carolynsue Wolf and Ann Hicke are assigned.

10-090-9005: TCRC - a site visit is needed. Dolores Sheen and Carolynsue Wolf are assigned.

DRAFT REPORTS:

09-090-9006: Robert Young Center - Carolynsue Wolf made a motion to accept a draft report with revisions; the motion was seconded and carried.

09-090-9015: Pekin Community High School - Meri Tucker made a motion to accept a draft report with revisions; the motion was seconded and carried.

09-090-9016: Bridgeway - Additional information is needed to conclude the report. No action was taken.

CASE CLOSURES

09-090-9005: Tazwood Mental Health Center - No response was required and none was provided. Dolores Sheen made a motion to close the case making the findings a part of the public record; the motion was seconded and carried.

09-090-9008: Midland School District - Flora Knutson made a motion to approve the response and close the case making the findings public and, at the provider's request, the response public with any identifying information masked. The motion was seconded and carried.

OTHER BUSINESS

The HRA discussed the Commission's continued interest in filling the vacant Peoria HRA Coordinator position.

ANNOUNCEMENTS: The next meeting of the Peoria Regional HRA is tentatively scheduled for November 18, 2009 at the Canton Ingersoll Library.

ADJOURNMENT: Meri Tucker made a motion to adjourn at 3:10 p.m.; the motion was seconded and carried.

Ann Hicke, Recorder