

## PEORIA REGIONAL HUMAN RIGHTS AUTHORITY MINUTES

March 24, 2010

The regular stated meeting of the Peoria Regional Human Rights Authority (HRA) was called to order at 1:05 PM on Wednesday, March 24, 2010 by Chairperson Jim Runyon.

The meeting was held at Warren Achievement Center, 1220 E. Second Avenue, Monmouth, Illinois.

### ROLL CALL

**PRESENT:** Ann Hicke, Jeremy McNamara, Jim Runyon, Meri Tucker, Steven Watts and Carolynsue Wolf

**ABSENT:** Flora Knutson, Dolores Sheen and Dean Steiner

**STAFF:** Teresa Parks

**GUESTS:** Libby Holbrook, TCRC  
Sam Light, Illini Bluffs School District  
Tracy Litzinger, attorney for Five Points

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.

Carolynsue Wolf made a motion to enter closed session at 1:12 p.m. pursuant to Section 120/2 (c) (4) and (10) of the Open Meetings Act (5 ILCS 20), Section 3955/10 of the Guardianship and Advocacy Act (20 ILCS 3955) and Section 110/5 of the Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110); the motion was seconded. The purpose of the closed session was to discuss confidential case details regarding Cases #10-090-9001, 10-090-9008 and 10-090-9005. Guest, Tracy Litzinger joined the closed session to address Case #10-090-9001 and then left the meeting. Guest, Sam Light, entered the closed session discussion of Case #10-090-9008 and then left the meeting. Guest, Libby Holbrook, joined the closed session discussion of Case #10-090-9005 and then left the meeting. HRA Member, Meri Tucker, left the closed session during the discussion of Case #10-090-9005 due to a conflict of interest. HRA Member, Ann Hicke, left the closed session during the discussion of Case #10-090-9008 due to a conflict of interest. The HRA returned to open session at 2:05 p.m. having taken no action in closed session.

**MINUTES:** Carolynsue Wolf made a motion to approve the January 20, 2010 meeting minutes; the motion was seconded and carried.

**COMMUNICATIONS:** Teresa Parks reported on the following: 1) newspaper article in packet regarding special education aide; 2) revisions to the Guardianship and Advocacy Act allowing Commission Director to approve HRA action items; 3) letters sent to prospective HRA volunteers; 4) follow-up letter to prior applicant; 5) a report on participation in two informational fairs, one for District #150 and the other at Dunlap High School; 6) a reminder about the travel request form.

## NEW BUSINESS

### **A. Ratifications:**

**10-090-9010 - Midland School District** - the complaint alleges the following with regard to a student receiving special education services at the high school: 1) the school unjustifiably removed a student's accommodation that was to be provided as per the student's IEP and no IEP revisions were made; 2) Later, the accommodations was reinstated, however, it has not been adequately used to accommodate the student's educational needs. Neither the student nor her teachers have been oriented or trained on its use. The student's IEP does not adequately address its use, and updates are not routinely done. 3) the student receives inadequate transition planning. 4) the district publicized confidential information involving the student. An emergency case opening was approved on 02-18-10 by Jim Runyon, Carolynsue Wolf, and Meri Tucker. Steve Watts made a motion to ratify the emergency case opening; the motion was seconded and carried.

### **B. New Complaints:**

**10-090-9016 - Special Education Program** - The complaint alleges that the school is threatening to report a parent to DCFS for failing to sign a release allowing school access to a student's medical records; the school inappropriately secured a medical release from the student; the school uses approaches that impact the student's dignity; the school staff violated a student's privacy; the school has not provided adequate transition planning and goals; and, the school does not provide adequate notice of IEP meetings. Releases were sent on December 14, 2009 and again on February 16, 2010 with no response. Meri Tucker made a motion not to accept the case due to the lack of a signed release; the motion was seconded and carried.

**10-090-9018 - Hospital** - the complaint states that the hospital did not secure a patient's personal items, including dentures and a hearing aide. The complaint also states that the hospital did not provide adequate discharge planning or arrange for needed in-home care. A release was sent on 12-15-09 and again on 02-16-10 with no response. Steve Watts made a motion not to accept the case due to the lack of a release; the motion was seconded and carried.

**10-090-9019 - Special Education Program** - The complaint states that the program has not adequately accommodated a student's ability to physically access his special education program and the parent's ability to grieve is hindered by the possibility that the student's placement may change to accommodate mobility needs which, in turn, would negatively impact the student's educational needs. A release was sent 12-15-09 and again on 02-16-10 with no response. The complainant recently reported to the HRA that the school planned to make the accommodation. Meri Tucker made a motion not to accept the case; the motion was seconded and carried.

**10-090-9020 - Nursing Home.** The complaint states that a resident is not able to access, on an ongoing basis, devices that he used at his prior residence related to breathing and sleeping, that the resident has not received adequate treatment for prostate problems, that the resident has not received adequate care for his diabetes, that therapy is inadequate, that care related to nighttime incontinence is inadequate, and that there are delays in securing hospital admission. The complaint also states that the facility does not adequately involve the agent named in the patient's power of attorney. A release was sent 12-15-09 and again on 02-16-10 with no response. Meri Tucker made a motion not to accept the case due to the lack of a release; the motion was seconded and carried.

**10-090-9021 - ICF DD Group Home.** The complaint states that admission practices are discriminator with regard to an individual's race, that the home inappropriately maintained the name of a former staff person resident accounts and the facility was forging that person's name when withdrawing funds, that a resident's needs were not met with regard to the purchase of shoes, and there is a general lack of staff to meet resident needs. No releases were made available nor were contacts for specific residents

named. The HRA discussed the complainants need to involve law enforcement for forgery allegations and the need to involve the Illinois Department of Human Rights related to racial discrimination. Due to the lack of releases and contact information, Meri Tucker made a motion not to accept the case but provide the complainant with resource information on IDHR and law enforcement referral; the motion was properly seconded and carried.

**C. Nominating Committee** - HRA Members discussed the end of term for Jim Runyon, the need for a new Chair, and reappointments for Meri Tucker and Ann Hicke. Jim will serve as part of the nominating committee to present a slate of officers at the May meeting. Ann and Meri agreed to serve another term of office.

UNFINISHED BUSINESS - Meri Tucker made a motion to reenter closed session at 2:43 p.m. to discuss confidential information regarding case progress, draft reports and case closures pursuant to Section 120/2 (c) (4) and (10) of the Open Meetings Act (5 ILCS 20), Section 3955/10 of the Guardianship and Advocacy Act (20 ILCS 3955) and Section 110/5 of the Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110).. The motion was seconded and carried. The HRA returned to open session at 3:38 p.m. having taken no action in closed session. The following summary of items was discussed.

CASE PROGRESS REPORTS:

**09-090-9022: Southside Office of Concern** - a site visit has been completed and the case is ready for a report. Meri Tucker and Jim Runyon are assigned.

**10-090-9001: Five Points** - one site visit was completed but additional information is needed to finish. The Center's attorney is requesting written information on HRA jurisdiction. Steve Watts and Carolynsue Wolf are assigned.

**10-090-9004: Ottawa Regional Hospital and Healthcare Center** - a site visit has been completed and the case is ready for a report. Steve Watts and Jeremy McNamara are assigned.

**10-090-9006: Charter Oaks School** - a site visit has been scheduled. Jim Runyon and Jeremy McNamara are assigned.

**10-090-9007: Methodist Medical Center** - A subpoena was sent but the provider responded that the information requested is protected. Carolynsue Wolf made a motion for the Commission to pursue subpoena enforcement; the motion was properly seconded and carried.

**10-090-9008: Illini Bluffs School District** -A site visit has been scheduled. Jim Runyon is assigned.

**10-90-9011: Human Service Center.** A site visit has been scheduled. Dolores Sheen and Dean Steiner are assigned.

**10-090-9014: CWTC.** A site visit is scheduled with Flora Knutson, Carolynsue Wolf and Meri Tucker assigned.

**10-090-9015: ARC of Rock Island County.** A site visit is needed. Jeremy McNamara and Steve Watts are assigned.

**10-090-9017: St. Margaret's Hospital.** A site visit is needed. Dolores Sheen and Flora Knutson are assigned.

DRAFT REPORTS:

**09-090-9019: Methodist Medical Center** - Jeremy McNamara made a motion to approve the report with revisions; the motion was seconded and carried.

**09-090-9021: DD Homes Network** - Carolynsue Wolf made a motion to approve the report with revisions; the motion was seconded and carried.

**10-090-9005: TCRC** - Jeremy McNamara made a motion to approve the report with revisions; the motion was seconded and carried. Meri Tucker abstained.

CASE CLOSURES

**09-090-9009: Monroe Grade School** - The HRA reviewed the provider's response. Meri Tucker made a motion to close the case making the report part of the public record; the motion was seconded and carried.

**09-090-9017: Henry County Jail.** No response received. The HRA discussed sharing findings with governing body. A reminder letter will be sent. No action taken.

**09-090-9018: Illinois Institute of Addiction Recovery.** The HRA reviewed the provider's response. Meri Tucker made a motion to close the case making the findings and the provider's response, at the provider's request, public. The motion was seconded and carried.

**10-090-9002: Davies Square.** No response received. The HRA discussed sending a reminder letter and sharing the findings with enforcement entities. Meri Tucker made a motion to share findings with licensing bodies and another attempt will be made to secure a response from the provider; 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 May 19, 2010 in Macomb.

ADJOURNMENT: Steve Watts made a motion to adjourn at 3:50 p.m.; the motion was seconded and carried.

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Ann Hicke, Recorder