

PEORIA REGIONAL HUMAN RIGHTS AUTHORITY MINUTES
May 19, 2021

The regular stated meeting of the Peoria Regional Human Rights Authority (HRA) was called to order at approximately 10:00am Wednesday, May 19, 2021 Via WebEx teleconference Call-in number: 312-535-8110 Access code: ~~1335562557##~~, if requested by board member or provider, and in person attendance at Guardianship & Advocacy Commission Becker Building- 6th Floor Conference Room 401 Main St. Ste. 620 Peoria, IL 61602.

ROLL CALL

Present: Rod Joos, Sandy Anton, and Dolores Sheen, Meri Tucker and Barb Ekstrum (in-person), Tracy Wright, and Joan Rice (webex).

Absent: Mandy Swartzendruber and Nicole Montgomery

Staff: Erin Nowlan
Gene Seaman

Guests: Jim Runyon
Stephany Buhs, EPIC via Webex
Danie Kocher, EPIC via Webex

Meri Tucker read the confidentiality statement: Illinois law protects the privacy of those persons with disabilities on whose behalf the Human Rights Authority conducts investigations. The Authority welcomes concerned citizens wishing to present information. We remind all citizens and guests that public reference to any name, description, or other information, which would identify an eligible person or the family without consent, is strictly prohibited.

Introductions were made.

The motion was made by Rod Joos to enter closed session at 10:25am 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 by Sandy Anton and carried. The purpose of the closed session was to discuss confidential aspects of cases with guests attending representing their agency. Dolores Sheen joined the meeting at approximately 10:19am. Board returned to Open Session at 12:01pm.

MINUTES

Sandy Anton made a motion to approve the open board meeting minutes from March 17, 2021 with a correction to board member Joan Rice's last name. The motion was seconded by Rod Joos and the motion passed.

Ratifications:

None.

New Cases:

21-090-9008- Hospital- Forced medication violation. Complaint states a patient was given forced medications 8 times in 7 days and held down to receive the medication 3 of those times. Patient was never volatile and only loud. Patient was redirectable. Staff never explained why patient was given medication. The emergency medication was a Haldol and Ativan combo. This occurred between June 24th and July 2nd. Motion to open case made by Rod Joos and seconded by Sandy Anton. Motion passes.

21-090-9010- Hospital- Inadequate treatment planning. Complaint alleges that a patient received treatment in the hospital for five weeks under the impression that it was involuntary mental health treatment. Complaint alleges that the doctor refused to take patient off of medications that were court ordered due to adverse side effects. Patient medications were not changed until a new doctor met with patient. Motion to close due to no consent to release information made by Dolores Sheen and seconded by Rod Joos. Motion passes.

21-090-9011- Jail- Inadequate mental health care. A detainee has not been given their antidepressant medication in a timely manner. Complaint alleges that a detainee is not being provided with their prescribed medication to treat symptoms of depression. Motion to close due to no consent to release information made by Rod Joos and seconded by Dolores Sheen. Motion passes.

21-090-9012- Mental Health Treatment Provider- Inadequate outpatient mental health care, refusing services to a client, disrespectful tone when assigned case manager is communicating with a client, and threatening to terminate client's services with primary care physician. A client's rights are being violated by service provider staff when they speak to the client in a rude tone, have made threats to take away access to medical doctor, and are threatening to terminate services for missing one appointment due to a subpoena to court. Motion to close case due to no consent to release information made by Dolores Sheen and seconded by Sandy Anton. Motion passes.

21-090-9013- Jail- Inadequate mental health care, a detainee is not receiving prescription medication to treat mental health symptoms in a timely manner and is being given a prescribed sleeping medication at 4pm rather than as prescribed. Complaint alleges the jail is not meeting the mental health needs of a detainee. The detainee has not had access to his medications for his mental health needs. Medications have been dropped off to the jail and they were only recently provided to the detainee. The time it is taking to connect the detainee to mental health services is very delayed. Motion to table case opening and send another follow-up letter was made by Sandy Anton and seconded by Rod Joos. Motion passes.

21-090-9016 – Jail – (1) Facility is not providing adequate mental health care for a detainee who

has been found unfit to stand trial. Prescription medication is not used to mitigate behavioral health symptoms, instead the detainee is being tased. (2) A detainee's rights are being violated by the jail as they are not providing mental health treatment. The complaints allege that a detainee has been found unfit to stand trial but "no bed" has been found for the detainee. The detainee has been in custody and detained since their arrest and has not been receiving medication although the detainee has been admitted for addictions treatment in the past and reportedly sees demons and "is out of it". The detainee had a status hearing and the jail did not bring the detainee to court saying they are unsafe. The complaint further states that the detainee is not being given any medications and the mental health provider for the jail says the detainee is "faking" the symptoms. Jail staff have used a taser to control behaviors rather than treating with a PRN medication or any medications to manage his behavioral health needs. Motion to table opening pending further information made by Sandy Anton and seconded by Rod Joos. Motion passes.

21-090-9017- DCFS Licensed Daycare Provider- (1) Inadequate treatment by daycare provider to meet the behavioral and medical needs of a child they are contracted to provide supervision and care for. The daycare agency terminated services by expelling a child from their daycare who has a behavioral diagnosis on the Autism Spectrum and a medical diagnosis of epilepsy. The daycare has not provided any communication, verbally or in writing to the parent/guardian prior to the expulsion. (2) The daycare center violated the rights of one of the children in their care when they did not meet with the parent to discuss any medical or behavioral concerns prior to terminating services. Complaint alleges a child began attending a DCFS Licensed Daycare Provider in early 2021. Prior to the child's enrollment the parents met with daycare staff and discussed their child's disability needs in great detail. Daycare staff stated they would be able to support the child's behavioral needs and there would be regular communication with them if there were any issues. The child appeared to have been adjusting well to the daycare setting and no concerns had been reported. The daycare notified the parents in March 2021 that the child could no longer attend daycare and did not provide a reason or discharge paperwork. The daycare refuses to communicate with the parent(s). Motion to open case made by Rod Joos and seconded by Dolores Sheen. Motion passes.

21-090-9019- Hospital Behavioral Health Unit- Inadequate care and improper use of physical restraint, chemical restraint and seclusion. Patient had a toothache and was asking for pain medication, but the request was denied. When a nurse brought the other medications to the patient the patient refused the medication and slapped the cup of water out of the nurse's hand. Twelve security staff then arrived to the unit, restrained the patient on the ground; on their back, gave them a shot of Haldol and placed them in seclusion. The complaint further states this patient felt that staff were trying to kill them and the response was not appropriate for spilling water on someone. Motion to table case opening pending release made by Rod Joos and seconded by Dolores Sheen. Motion passes.

21-090-9020- State Agency- (1) Inadequate communication from agency on why the agency denied home based services. (2) Individual's rights to services were violated when a Service Recipient requested a copy of their Determination of Need Assessment (DON) that was used to deny services and it was never provided. The complaint states an agency denied services to an applicant and it is going through the appeal process. When the applicant requested

documentation that determined the denial of services the agency did not provide the applicant with this information as requested. Motion to table case open pending release made by Rod Joos and seconded by Dolores Sheen. Motion passes.

Draft Report:

20-090-9010- EPIC – motion to approve draft report made by Rod Joos and seconded by Sandy Anton. Motion passes.

20-090-9011- Sharon Healthcare Pines – motion to approve draft report made by Sandy Anton and seconded by Rod Joos. Motion passes.

20-090-9012- OSF St. Elizabeth Hospital- motion to approve draft report made by Rod Joos and seconded by Sandy Anton. Motion passes.

Case Closures:

20-090-9001 – UnityPoint Healthcare Methodist/Proctor- motion to close case made by Rod Joos and seconded by Barb Ekstrum. Motion passes.

20-090-9008 – Peoria County Jail- motion to table closure pending response; 30 day extension requested by facility made by Dolores Sheen and seconded by Joan Rice.

20-090-9013 – Carle (formerly Advocate) BroMenn Hospital- motion to close case made by Sandy Anton and seconded by Rod Joos. Motion passes.

Other Business:

An Update was provided to the HRA board as to the board's recommended changes to the IGAC-HRA public website.

Special recognition for Dolores Sheen and Meri Tucker whose second six year term with the Peoria HRA board concluded at this meeting.

Training on Open Meetings Act for chair and Freedom of Information Act (FOIA) discussed. The Attorney General website is still not working to access these trainings.

ADJOURNMENT

Meri Tucker adjourned the meeting at 12:19pm

Respectfully Submitted,



Tracy Wright, Secretary