

**ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION  
IL LAW ENFORCEMENT TRAINING AND STANDARDS BOARD  
600 South Second Street, Suite 300  
Conference Room  
Springfield, Illinois 62704-2542  
(217) 524-5344**

**COMMISSION MINUTES  
June 27, 2002**

**MEMBERS PRESENT**

Kenley R. Wade, Vice Chairperson  
Susan B. McMahan, Secretary  
Susan Alvarez  
Seymour Bryson, Ph.D.  
Glenn Jackson  
Saul J. Morse  
Susan B. Tatnall

**MEMBERS ABSENT**

Joanne G. Perkins, Chairperson  
Senator Todd Sieben, Treasurer  
Betty A. Bollmeier  
Representative Mary Flowers

**EXECUTIVE STAFF PRESENT**

Nancy DeMarco, Director  
John H. Wank, General Counsel and Deputy Director for Programs  
Teresa Parks, Director of the Human Rights Authority  
Jeff Plesko, Director of the Legal Advocacy Service  
Helen Godlewski, Director of the Office of State Guardian  
Pat Long, Director of Human Resources  
Kate Steigerwald, Director of Legislative Affairs and Public Information  
Carol R. Tipsord, Director of Fiscal Operations  
Jerry R. Turnbull, Director of Financial Operations  
Jeff Derrick, Chief Internal Auditor  
Kara Helton, Administrative Assistant to the Director  
Jan Pinkerton, Office Administrator

**REGIONAL STAFF PRESENT**

William Scheidemantel, Managing Attorney, OSG Southern Regions,  
East Central Regional Office

## MINUTES

The June 27, 2002 meeting of the Illinois Guardianship and Advocacy Commission (IGAC) convened at 11:00 a.m. at the Illinois Law Enforcement Training and Standards Board, 600 South Second Street, Suite 300, Springfield. **Commissioner Kenley R. Wade**, Vice Chairperson, presided.

### OPENING REMARKS

**Commissioner Wade** welcomed the Commissioners and staff present to the Commission Meeting.

### DIRECTOR'S COMMENTS

Director DeMarco also welcomed those in attendance and announced that **Commissioners Kenley R. Wade, Susan B. McMahon, Susan Alvarez, Seymour Bryson, Ph.D., Glenn Jackson** and **Saul J. Morse** were confirmed by the Senate on May 14, 2002.

The Director commented on the FY 03 summary budget sheet distributed by Carol Tipsord, the Director of Fiscal Operations. As everyone is aware, there is a serious budget crisis facing the state. The IGAC budget proposed by the Governor and ultimately passed by the General Assembly is 4.8% less than last year's budget. This budget will allow the Commission to continue to meet its mandates, but will provide little flexibility in terms of filling vacancies, providing staff training, or any other non-essential expenditures. The vacancies created by staff electing to exercise the Early Retirement Incentive (ERI) will likely remain unfilled for the remainder of Fiscal Year 2003.

Director DeMarco is scheduling visits to the regional offices to further explain and answer questions about the budget and ERI bill. The Commission has an approved head count of 134.5 and is authorized to fill vacancies to a head count of 132.5 this fiscal year. However, the Commission's appropriation level will only support approximately 120 full-time staff for the year.

Director DeMarco, Jeff Plesko, Director of the Legal Advocacy Service (LAS) and Teresa Parks, Director of the Human Rights Authority (HRA), met with Dr. Judy Bukowski, Assistant Associate Director, Office of Mental Health, Illinois Department of Human Services (DHS) to discuss rights issues at state-operated mental health facilities. The meeting primarily focused on Chester Mental Health Center. The HRA currently has several open cases at Chester. A new process for reviewing and responding to HRA cases has been established. The DHS representative reported that a new director has been hired for Chester Mental Health Center. Commission staff was also invited to present information regarding Commission programs at a recent meeting of DHS hospital administrators where there was positive interaction and dialogue.

Director DeMarco is going to increase the legislative visits and will keep the Commissioners advised. Kate Steigerwald and Human Rights Authority members are included in these visits when possible.

The official Summary of Findings has been received from the Office of the Auditor General, for the Two Years Ended June 30, 2001, stating there were no material findings of noncompliance disclosed during audit tests, and commending the Commission for maintaining an effective system of internal controls. Chief Internal Auditor, Jeff Derrick, has completed some internal auditing in the regional offices.

The National Guardianship Association (NGA) annual conference will be held October 6-9, 2002 in St. Louis.

### MINUTES

A motion was made by **Commissioner Susan B. McMahon**, seconded and carried, to approve the minutes of the March 21, 2002 Commission Meeting.

### APPOINTMENTS

The following people were presented for appointment to Regional Authorities by Teresa Parks. **Commissioner Susan B. Tatnall** made a motion in favor of the appointments; the motion was seconded and carried: *Nicol Beaumont*, a V.R. Provider from Watseka, and *Jacob A. Krandel*, a Citizen from Champaign, to the East Central Regional Authority; *Rena Zaid*, a D.D. Provider from Highland Park, to the North Suburban Regional Authority; and *Barbara Runyan*, a Citizen from Pekin, to the Peoria Regional Authority. Letters confirming appointments will be sent.

### REAPPOINTMENTS

A motion was made by **Commissioner McMahon**, seconded and carried, to approve the following reappointments to the Regional Authorities.

The Commissioners reappointed *Alphonso Farmer*, a D.D. Provider from Villa Ridge, to the Egyptian Regional Authority; and *Nancy Leenerman*, a Citizen from Palos Heights, to the South Suburban Regional Authority, effective July 2002. Letters confirming the reappointments will be sent.

### **END OF TERM**

The Commission expressed thanks to *Leona Davis*, from the Chicago Regional Authority, whose term will expire in August 2002; *Hattie Adkinson* and *Pam O'Connor*, from the Egyptian Regional Authority; and *Fred Flynn* and *Karen Steffan*, from the South Suburban Regional Authority, whose terms will expire in July 2002, for their years of service.

### **STANDARDS FOR ENFORCEMENT REFERRALS**

Teresa Parks distributed a draft copy of standards for HRA enforcement referrals to be reviewed by the Commissioners. **Commissioner Saul J. Morse** requested that program and legal staff review the impact of enforcement standards on IGAC, particularly the extent to which the standards would be binding. **Commissioner Wade** asked that this issue be placed on the agenda for the September Commission Meeting.

Kate Steigerwald, Director of Legislative Affairs and Public Information, distributed the current IGAC Legislative Update and Veto Session Calendar.

### **PROGRAM REPORTS**

#### **HUMAN RIGHTS AUTHORITY**

Teresa Parks reported on a referral sent to the Illinois Department of Public Health (IDPH) and the Health Care Financing Administration (HCFA) for enforcement action. To date, neither organization has provided a formal, written response, although verbal contact has been made with both IDPH and HCFA. Both agencies indicated they would provide written responses to the referrals. Ms. Parks noted the IDPH internet site revealed that the nursing home in question has been cited with 28 violations in the past year, including violations identified after the HRA's Report was forwarded to IDPH.

Shifts in HRA staffing continue to ensure adequate coverage of both the HRA program as well as overall Commission needs.

HRA staff development, as well as HRA member training, will be considered this year, within the budget constraints.

Ms. Parks reported HRA member vacancies in the North Suburban Regional Authority, the Chicago Regional Authority and the East Central Regional Authority. If the Commissioners know of anyone who might be interested in serving, please contact Teresa.

April was Volunteer Month and both a certificate and a letter of appreciation, along with a cloth attaché case, were given to HRA members in appreciation for their service. Director DeMarco visited each regional authority to also thank the HRA members.

There have been two Human Rights Authority rules adopted by the Joint Committee on Administrative Rules (JCAR). One rule change expanded the Authority's ability to close cases by allowing for the telephone polling of closure votes after a regularly scheduled meeting at which a quorum is not present. This rule change will facilitate case closures and remove successfully resolved cases from regional meeting agendas in a more timely manner. The second change extended the Authority's rule regarding conflict of interest to specifically include HRA staff. This rule previously listed only HRA members in reference to conflict of interest requirements. The revised rule, although already practiced by the program informally, provides formal clarification on conflict of interest issues involving HRA staff.

Director DeMarco also emphasized the need for HRA members, especially in the northern regions. Invitation is always extended to the Commissioners to attend HRA meetings; the date time and location of meetings are on the website. **Commissioner McMahan** asked for the breakdown of the nine members who serve on the regional authorities. Teresa Parks explained that three of the nine volunteers must be service provider representatives; the remaining six volunteers are mandated to be consumers, family members or interested citizens. **Commissioner McMahan** mentioned she knew of some possible volunteers and would ask them to contact Teresa Parks.

### **LEGAL ADVOCACY SERVICE**

Jeff Plesko, Director of the Legal Advocacy Service, reported that Lisa Chalem, Staff Attorney in the West Suburban Regional Office, will not return to IGAC from her maternity leave. Laurel Spahn, Staff Attorney in the Chicago General Office, spends much of her time at the West Suburban Regional Office and will probably remain there.

The Civil Unit at Alton Mental Health Center may close and move wards to other facilities which will be a greater distance for staff to travel.

Mr. Plesko referred to the March and May Appellate Update the Commissioners received in their packets, explaining how the process of cases moves. Current Appellate Updates are usually included in the Commission packet, but in order to follow cases in a more timely manner, Mr. Plesko will now e-mail the monthly report to the Commissioners.

### **OFFICE OF STATE GUARDIAN**

Helen Godlewski, Director of the Office of State Guardian, reported that at the beginning of the FY02 there were sixty OSG wards at Lincoln Developmental Center (LDC). Nineteen wards have been moved to other placements. One ward had a successor guardian appointed; forty wards remain at LDC, seventeen are targeted for Community Integrated Living Arrangements (CILA's) and the remaining wards are under review for community placement. The IL Department of Human Services (DHS) anticipates moving all residents out by August 31, 2002. Ms. Godlewski reported OSG is working closely with the IL Department of Human Services (DHS) in relocating wards, placing them closer to family where possible. John Wank referenced the fact that twenty years ago, all of the wards were in state-operated facilities.

From a grant funded by the Illinois Department of Human Services (DHS), Office of Developmental Disabilities, IGAC is producing a video entitled "Adult Guardianship In Illinois". This video focuses on the different types of guardianship and alternatives to guardianship in Illinois. It will be distributed throughout the state to all judges who hear guardianship cases, and to attorneys who deal with probate laws. The intention is that these judges and attorneys will, in turn, present this video to clients who come before them needing to petition for guardianship. A written insert will also be included with this video providing web sites and telephone numbers for additional resources and information. Kate Steigerwald reported the video is expected to be completed within the next several weeks.

Ms. Godlewski thanked Jerry Turnbull, John Holmes, Bill Scheidemantel and Rhonda Williams for the recent fiduciary training to see that a streamlined method of entering and approving financial disbursement requests can be up and running by July 1, 2002. This new method will eliminate duplicative typing in most disbursement situations and will allow fiduciary to provide greater quality control.

Ms. Godlewski reported that OSG has nine staff vacancies: six guardianship representatives, one estate representative, one paralegal and one OSG attorney. Uncovered caseloads in the Egyptian, West Suburban and North Suburban regions will be redistributed and visited by existing staff. Adjustments will continue to be made throughout the fiscal year.

HRA staff have graciously offered to assist with ward visits should we have a large number of staff opting for early retirement. Ms. Godlewski thanked Teresa Parks for HRA help and Jeff Plesko for offering LAS to lend a hand in completing legal work around the state.

John Wank, Jeff Plesko and Bill Scheidemantel provided input on pending matters in litigation involving the Legal Advocacy Service and Office of State Guardian. Jeff agreed to provide copies of the LAS Appellate Court docket to the Commissioners. John and Jeff also discussed two matters pending before the Illinois Appellate and Supreme Courts and agreed to provide Commissioners with updates in the future.

### **CLOSING**

**The next stated Commission Meeting is scheduled for Monday, September 23, 2002 at the State of Illinois Building, in Chicago. The following stated Commission Meeting is scheduled for Thursday, December 12, 2002, in Chicago.**

A motion was made by **Commissioner Tatnall**, seconded and carried, to adjourn the meeting. The meeting adjourned at 2:35 p.m.