

Illinois Department of Public Health  
Office of Health Care Regulation

**Developmentally Disabled Facilities Advisory Board  
Part 350 Special Voting Meeting**

APPROVED MINUTES  
March 16, 2015, 10 a.m.

**Video conference locations**

122 S. Michigan Ave., Conference Room 711, Chicago  
525 W. Jefferson St., 4<sup>th</sup> floor Conference Room, Springfield

Call to Order and Introductions

The meeting was called to order at 10 a.m.

Members present in Springfield: Dr. Tracy Aldridge, Michael Bibo, Dr. Arden Gregory (proxy for James Mike Francis), Dr. Geunyeong Pyo, Greg Shaver, Joseph Turner

Members present in Chicago: Lois Shaeffer-Kramer

Members not present: James Mike Francis, Deborah Kennedy, Lora McCurdy

Interested parties: Roxy Kozyckj, Wendy Meltzer, Marie Rucker

IDPH representatives: Debra Bryars, Sean Dailey, Henry Kowalenko, Jackie Manker, Karon McGrath, Elizabeth Paton

Old Business

Part 350: Intermediate Care for the Developmentally Disabled Facilities Code

- Changes were made to Part 350 based on Board recommendations. Sean Dailey made the additional changes and presented to the Board for voting.
- The Board voted 6 to 2 to exclude any changes to sections 350.1082 and 350.1084 at this time and these items will be on the agenda for discussion at the May 13, 2015 meeting.

New Business

- Dr. Arden Gregory motioned to vote on the revised Part 350 Code, Dr. Geunyeong Pyo seconded the motion.
- 3 members in favor and 3 members opposed.
- The following issues were raised by those opposed in regard to the current version of the rule:
  - Section 350.185 a) 4) page 25-26. Mike Bibo's position is that facilities have very little ability to deny family visits and should not be held accountable as a distressed facility for injuries that may occur during off site outings. Sometimes only one day program is available and it is mandated by law.

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- Section 350.185 a) 5) page 26. Distressed facilities shall notify in writing... Mike Bibo says this number of notifications exceeds statutory authority
- Section 350.185 d) page 27, Mike Bibo argues that to require all these people to attend mentorship six hours each week for the 15 months they are on the distressed facilities list (at a minimum) is onerous and exceeds statutory intent. Diverts a lot of their resources and will lead to worse care not better. Should be determined on a case by case basis by the mentor or by the Department.
- Section 350.330 Abuse definition. Facilities must now meet both a state definition and a federal.
- Section 350.330 Direct Service Person definition. Combine this with Habitation Aide under DSP definition. Training is 120 hour program.
- Section 350.330 Valid License definition. Unsuspended and unrevoked. Remove unexpired.
- Section 350.3300 page d) 2) 153 This definition is too high a bar and the facility will be unable to change for discharge. The words cannot are ones he pointed out as problematic.

If the Department chooses to publish these amendments as is, a letter must be written stating why the Department moved over the Board's objections.

Meeting adjourned