



Rep. Stephanie A. Kifowit

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10000SB1987ham001

LRB100 09952 RPS 43538 a

1 AMENDMENT TO SENATE BILL 1987

2 AMENDMENT NO. _____. Amend Senate Bill 1987 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Police Act is amended by changing
5 Section 45 as follows:

6 (20 ILCS 2610/45)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 45. Compliance with the Health Care Violence
10 Prevention Act; training. The Department shall comply with the
11 Health Care Violence Prevention Act and shall provide an
12 appropriate level of training for its officers concerning the
13 Health Care Violence Prevention Act.

14 (Source: P.A. 100-1051, eff. 1-1-19.)

15 Section 10. The Health Care Violence Prevention Act is

1 amended by changing Section 30 as follows:

2 (210 ILCS 160/30)

3 (This Section may contain text from a Public Act with a
4 delayed effective date)

5 Sec. 30. Medical care for committed persons.

6 (a) If a committed person receives medical care and
7 treatment at a place other than an institution or facility of
8 the Department of Corrections, a county, or a municipality,
9 then the institution or facility shall:

10 (1) to the greatest extent practicable, notify the
11 hospital or medical facility that is treating the committed
12 person prior to the committed person's visit and notify the
13 hospital or medical facility of any significant medical,
14 mental health, recent violent actions, or other safety
15 concerns regarding the patient;

16 (2) to the greatest extent practicable, ensure the
17 transferred committed person is accompanied by the most
18 comprehensive medical records possible;

19 (3) provide at least one guard trained in custodial
20 escort and custody of high-risk committed persons to
21 accompany any committed person. The custodial agency shall
22 attest to such training for custodial escort and custody of
23 high-risk committed persons through: (A) the training of
24 the Department of Corrections, ~~or~~ Department of Juvenile
25 Justice, or Department of State Police; (B) law enforcement

1 training that is substantially equivalent to the training
2 of the Department of Corrections, ~~or~~ Department of Juvenile
3 Justice, or Department of State Police; or (C) the training
4 described in Section 35. Under no circumstances may leg
5 irons or shackles or waist shackles be used on any pregnant
6 female prisoner who is in labor. In addition, restraint of
7 a pregnant female prisoner in the custody of the Cook
8 County shall comply with Section 3-15003.6 of the Counties
9 Code. Additionally, restraints shall not be used on a
10 committed person if medical personnel determine that the
11 restraints would impede medical treatment; and

12 (4) ensure that only medical personnel, Department of
13 Corrections, county, or municipality personnel, and
14 visitors on the committed person's approved institutional
15 visitors list may visit the committed person. Visitation by
16 a person on the committed person's approved institutional
17 visitors list shall be subject to the rules and procedures
18 of the hospital or medical facility and the Department of
19 Corrections, county, or municipality. In any situation in
20 which a committed person is being visited:

21 (A) the name of the visitor must be listed per the
22 facility's or institution's documentation;

23 (B) the visitor shall submit to the search of his
24 or her person or any personal property under his or her
25 control at any time; and

26 (C) the custodial agency may deny the committed

1 person access to a telephone or limit the number of
2 visitors the committed person may receive for purposes
3 of safety.

4 If a committed person receives medical care and treatment
5 at a place other than an institution or facility of the
6 Department of Corrections, county, or municipality, then the
7 custodial agency shall ensure that the committed person is
8 wearing security restraints in accordance with the custodial
9 agency's rules and procedures if the custodial agency
10 determines that restraints are necessary for the following
11 reasons: (i) to prevent physical harm to the committed person
12 or another person; (ii) because the committed person has a
13 history of disruptive behavior that has placed others in
14 potentially harmful situations or presents a substantial risk
15 of inflicting physical harm on himself or herself or others as
16 evidenced by recent behavior; or (iii) there is a well-founded
17 belief that the committed person presents a substantial risk of
18 flight. Under no circumstances may leg irons or shackles or
19 waist shackles be used on any pregnant female prisoner who is
20 in labor. In addition, restraint of a pregnant female prisoner
21 in the custody of the Cook County shall comply with Section
22 3-15003.6 of the Counties Code.

23 The hospital or medical facility may establish protocols
24 for the receipt of committed persons in collaboration with the
25 Department of Corrections, county, or municipality,
26 specifically with regard to potentially violent persons.

1 (b) If a committed person receives medical care and
2 treatment at a place other than an institution or facility of
3 the Department of Juvenile Justice, then the institution or
4 facility shall:

5 (1) to the greatest extent practicable, notify the
6 hospital or medical facility that is treating the committed
7 person prior to the committed person's visit, and notify
8 the hospital or medical facility of any significant
9 medical, mental health, recent violent actions, or other
10 safety concerns regarding the patient;

11 (2) to the greatest extent practicable, ensure the
12 transferred committed person is accompanied by the most
13 comprehensive medical records possible;

14 (3) provide: (A) at least one guard trained in
15 custodial escort and custody of high-risk committed
16 persons to accompany any committed person. The custodial
17 agency shall attest to such training for custodial escort
18 and custody of high-risk committed persons through: (i) the
19 training of the Department of Corrections, ~~or~~ Department of
20 Juvenile Justice, or Department of State Police, (ii) law
21 enforcement training that is substantially equivalent to
22 the training of the Department of Corrections, ~~or~~
23 Department of Juvenile Justice, or Department of State
24 Police, or (iii) the training described in Section 35; or
25 (B) 2 guards to accompany the committed person at all times
26 during the visit to the hospital or medical facility; and

1 (4) ensure that only medical personnel, Department of
2 Juvenile Justice personnel, and visitors on the committed
3 person's approved institutional visitors list may visit
4 the committed person. Visitation by a person on the
5 committed person's approved institutional visitors list
6 shall be subject to the rules and procedures of the
7 hospital or medical facility and the Department of Juvenile
8 Justice. In any situation in which a committed person is
9 being visited:

10 (A) the name of the visitor must be listed per the
11 facility's or institution's documentation;

12 (B) the visitor shall submit to the search of his
13 or her person or any personal property under his or her
14 control at any time; and

15 (C) the custodial agency may deny the committed
16 person access to a telephone or limit the number of
17 visitors the committed person may receive for purposes
18 of safety.

19 If a committed person receives medical care and treatment
20 at a place other than an institution or facility of the
21 Department of Juvenile Justice, then the Department of Juvenile
22 Justice shall ensure that the committed person is wearing
23 security restraints on either his or her wrists or ankles in
24 accordance with the rules and procedures of the Department of
25 Juvenile Justice if the Department of Juvenile Justice
26 determines that restraints are necessary for the following

1 reasons: (i) to prevent physical harm to the committed person
2 or another person; (ii) because the committed person has a
3 history of disruptive behavior that has placed others in
4 potentially harmful situations or presents a substantial risk
5 of inflicting physical harm on himself or herself or others as
6 evidenced by recent behavior; or (iii) there is a well-founded
7 belief that the committed person presents a substantial risk of
8 flight. Any restraints used on a committed person under this
9 paragraph shall be the least restrictive restraints necessary
10 to prevent flight or physical harm to the committed person or
11 another person. Restraints shall not be used on the committed
12 person as provided in this paragraph if medical personnel
13 determine that the restraints would impede medical treatment.
14 Under no circumstances may leg irons or shackles or waist
15 shackles be used on any pregnant female prisoner who is in
16 labor. In addition, restraint of a pregnant female prisoner in
17 the custody of the Cook County shall comply with Section
18 3-15003.6 of the Counties Code.

19 The hospital or medical facility may establish protocols
20 for the receipt of committed persons in collaboration with the
21 Department of Juvenile Justice, specifically with regard to
22 persons recently exhibiting violence.

23 (Source: P.A. 100-1051, eff. 1-1-19.)

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".