



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2760

Introduced 2/4/2020, by Sen. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

20 ILCS 505/2.2

Amends the Children and Family Services Act. In provisions requiring the Department of Children and Family Services to submit annual reports to the General Assembly concerning youth in care who are awaiting placement, provides that the reports are to be submitted no later than December 31, of each year (rather than on December 31 of each year through December 31, 2023). Requires the reports to be posted on the Department's website and to include specified information, including: (i) the number of youth in care placed in out-of-state residential treatment facilities, whether each youth was referred to any in-state programs for placement and, if so, the number of in-state referrals for each youth prior to referring the youth to out-of-state programs; and (ii) the number of youth not in the temporary custody or guardianship of the Department who are the subjects of open child protection cases, intact family cases, or any other type of child welfare case, including, but not limited to, those youth for whom the Department is required to make medical assistance payments because they were hospitalized in inpatient psychiatric hospitals or units and were beyond medical necessity during the Department's involvement with the case. Effective immediately.

LRB101 16996 KTG 66396 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Children and Family Services Act is amended  
5 by changing Section 2.2 as follows:

6 (20 ILCS 505/2.2)

7 Sec. 2.2. Annual reports on youth in care waiting for  
8 placement. No later than December 31, 2018, and on December 31  
9 of each year thereafter ~~through December 31, 2023,~~ the  
10 Department shall prepare and submit an annual report, covering  
11 the previous fiscal year, to the General Assembly regarding  
12 youth in care waiting for placements. The report shall also be  
13 posted on the Department's website. The report shall include:

14 (1) the number of youth in care who remained in  
15 emergency placements, including but not limited to  
16 shelters and emergency foster homes, for longer than 30  
17 days, their genders and ages, their recommended placement  
18 type, the total length of time each youth remained in  
19 emergency care, the barriers to timely placement, and  
20 whether they were placed in the recommended placement type  
21 after they were removed from the emergency placement, and  
22 if not, what type of placement they were placed in;

23 (2) the number of youth in care who remained in

1 psychiatric hospitals beyond the time they were clinically  
2 ready for discharge or beyond medical necessity, whichever  
3 is sooner, their genders and ages, their recommended  
4 placement type, the total length of time each youth  
5 remained psychiatrically hospitalized beyond necessity,  
6 the barriers to timely placement, and whether they were  
7 placed in the recommended placement type after they were  
8 removed from the psychiatric hospital, and if not, what  
9 type of placement they were placed in;

10 (3) the number of youth in care who remained in a  
11 detention center or Department of Juvenile Justice  
12 facility solely because the Department cannot locate an  
13 appropriate placement for the youth, their genders and  
14 ages, their recommended placement type, the total length of  
15 time each youth remained in the detention center or  
16 Department of Juvenile Justice facility after they could  
17 have been released, the barriers to timely placement, and  
18 whether they were placed in the recommended placement type  
19 after being released from detention of the Juvenile Justice  
20 facility, and if not, what type of placement they were  
21 placed in;

22 (3.1) the number of youth in care placed in  
23 out-of-state residential treatment facilities, whether  
24 each youth was referred to any in-state programs for  
25 placement and, if so, the number of in-state referrals for  
26 each youth prior to referring the youth to out-of-state

1 programs; whether the youth was psychiatrically  
2 hospitalized beyond medical necessity prior to being sent  
3 out-of-state; the state each youth is placed in; and  
4 whether the youth is placed in a secure facility out of  
5 state;

6 (3.2) the number of youth not in the temporary custody  
7 or guardianship of the Department who are the subjects of  
8 open child protection cases, intact family cases, or any  
9 other type of child welfare case, including, but not  
10 limited to, those youth for whom the Department is required  
11 to make payments in accordance with Section 5-5.07 of the  
12 Illinois Public Aid Code because they were hospitalized in  
13 inpatient psychiatric hospitals or units and were beyond  
14 medical necessity during the Department's involvement with  
15 the case. At a minimum, the report shall include the  
16 following information regarding each youth: age, region,  
17 date of hospitalization, date the youth was beyond medical  
18 necessity, date and reason for the Department's  
19 involvement, length of time the youth was beyond medical  
20 necessity, whether the youth was referred for services  
21 under the Department of Healthcare and Family Services'  
22 Family Support Program, whether and when the Department  
23 petitioned for custody of the youth, and the youth's living  
24 arrangement upon being discharged from the hospital;

25 (4) a description of how the Department collected the  
26 information reported and any difficulties the Department

1 had in collecting the information and whether there are  
2 concerns about the validity of the information; and

3 (5) a description of any steps the Department is taking  
4 to reduce the length of time youth in care wait in  
5 psychiatric hospitals, emergency placements, detention  
6 centers, and Department of Juvenile Justice facilities for  
7 clinically appropriate placements.

8 (Source: P.A. 100-87, eff. 1-1-18.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.