**Section 370.3010 General**

a)

1) No resident shall be deprived of any rights, benefits, or privileges guaranteed by law, the Constitution of the State of Illinois or the Constitution of the United States solely on account of his or her status as a resident of a facility.

2) In addition, every resident shall be provided with all rights guaranteed by the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1981, ch. 91½, pars. 1-100 et seq.), as amended.

b) A resident shall be permitted to retain and use or wear his or her personal property in his or her immediate living quarters, unless deemed inappropriate by a Qualified Mental Retardation Professional, when necessary to protect the resident or others from harm, and so documented in the resident's clinical record.

c) If clothing is provided to the resident by the facility it shall be of a proper fit.

d) The facility shall provide adequate and convenient storage space for the personal property of the resident.

e) The facility shall provide a means of safeguarding small items of value for its residents in their rooms or in any other part of the facility so long as the residents have daily access to such valuables.

f) The facility shall develop procedures for investigating complaints concerning theft of resident's property and shall promptly investigate all such complaints.

g) The facility administrator shall ensure that married residents residing in the same facility be allowed to reside in the same room within the facility unless there is no room available in the facility or it is deemed medically inadvisable by the resident's attending physician and so documented in the resident's records.

h) Residents occupying any bedroom shall be of the same sex except in the case of a room occupied by husband and wife.

i) There shall be no traffic through a resident's room to reach any other area of the building.

j) Children under sixteen (16) years of age who are related to employees or owners of a facility, and who are not themselves employees of the facility, shall be restricted to quarters reserved for family or employee use except during times when such children are part of a group visiting the facility as part of a planned program, or similar activity.

k) A resident may refuse to perform labor for a facility. Performing household chores is not considered to be performing labor for a facility, unless such chores go beyond what would normally be expected from an individual living in his or her own home.

l) A resident shall be permitted the free exercise of religion. Upon a resident's request, and if necessary at the resident's expense, the facility administrator shall make arrangements for a resident's attendance at religious services of the resident's choice. However, no religious beliefs or practices, or attendance at religious services, may be imposed upon any resident.

m) All facilities shall comply with the "Illinois Election Code" (Ill. Rev. Stat. ch. 111½, pars. 3101 et seq.) as it pertains to absentee voting for residents of licensed long-term care facilities.

n) The facility shall immediately notify the resident's next of kin, representative and physician of the resident's death or when the resident's death appears to be imminent.

o) The facility shall also immediately notify the resident's family, guardian, representative, conservator and any private or public agency financially responsible for the resident's care whenever emergency situations occur such as accidents, sudden illness, disease, unexplained absences, and other circumstances arise, such as extraordinary resident charges, billings, or related administrative matters.

p) Where a resident, a resident's representative or a resident's next of kin believes that an emergency exists each of them, collectively or separately, may file a verified petition to the circuit court for the county in which the facility is located for an order placing the facility under the control of a receiver.