**Section 390.636 Discharge Planning for Identified Offenders**

a) *If, based on the* security measures listed in the *Identified Offender Report and Recommendation, a facility determines that it cannot manage the identified offender resident safely within the facility, then it shall commence involuntary transfer or discharge proceedings pursuant to Section 3-402* of the Act and Section 390.3300. (Section 2-201.6(h) of the Act)

b) All discharges shall be pursuant to Section 390.3300.

c) When a resident who is an identified offender is discharged, the discharging facility shall notify the Department within 48 hours.

d) A facility that admits or retains an identified offender shall have in place policies and procedures for the discharge of an identified offender for reasons related to the individual's status as an identified offender, including, but not limited to:

1) The facility's inability to meet the needs of the resident, based on Section 390.635 and subsection (a);

2) The facility's inability to provide the security measures necessary to protect facility residents, staff and visitors; or

3) The physical safety of the resident, other residents, the facility staff, or facility visitors.

e) Discharge planning shall be included as part of the plan of care developed pursuant to Section 390.635(i).

(Source: Former Section repealed at 31 Ill. Reg. 6145, effective April 3, 2007 and new Section adopted at 46 Ill. Reg. 8192, effective May 6, 2022)