**Section 390.637** **Transfer of an Identified Offender**

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 transfers shall be pursuant to Section 390.3300.

c) When a resident who is an identified offender is transferred to another facility regulated by the Department, the Department of Healthcare and Family Services, or the Department of Human Services, the transferring facility shall notify the Department and the receiving facility that the individual is an identified offender before making the transfer. This notification shall include all of the documentation required under Sections 390.635 and 390.3300 and a copy of the Identified Offender Report and Recommendation provided by the Illinois State Police. The transferring facility shall provide this information to the receiving facility to complete the transfer planning.

d) If the information contained in this subsection (d) has been provided to the transferring facility from the Department of Corrections, the transferring facility shall provide copies to the receiving facility before making the transfer:

1) *The mittimus and any pre-sentence investigation reports*;

2) *The social evaluation prepared pursuant to Section 3-8-2* of the Unified Code of Corrections;

3) *Any pre-release evaluation conducted pursuant to subsection (j) of Section 3-6-2* of the Unified Code of Corrections;

4) *Reports of disciplinary infractions and dispositions*;

5) *Any parole plan, including orders issued by the Prisoner Review Board, and any violation reports and dispositions*; and

6) *The name and contact information for the assigned parole agent and parole supervisor*. (Section 3-14-1(c-5) of the Unified Code of Corrections)

e) The information required by this Section shall be provided upon transfer. Information compiled concerning an identified offender shall not be further disseminated except to the resident; the resident's legal representative; law enforcement agencies; the resident's parole or probation officer; the Division of Long Term Care Field Operations in the Department's Office of Health Care Regulation; other facilities licensed by the Department, the Illinois Department of Healthcare and Family Services, or the Illinois Department of Human Services that are or will be providing care to the resident, or are considering whether to do so; health care and social service providers licensed by the Illinois Department of Financial and Professional Regulation who are or will be providing care to the resident, or are considering whether to do so; health care facilities and providers in other states that are licensed or regulated in their home state and would be authorized to receive this information if they were in Illinois.

(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)