**Section 390.3210 General**

a) *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 status as a resident of a facility.* (Section 2-101 of the Act)

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 medically inappropriate by a physician and so documented in the resident's clinical record.* (Section 2-103 of the Act)

c) *If clothing is provided to the resident by the facility it shall be of a proper fit.* (Section 2-103 of the Act)

d) *The facility shall provide adequate* and convenient *storage space for the personal property of the resident.* (Section 2-103 of the Act) For the purposes of this subsection, "adequate" means storage space that is sufficient to meet the resident's needs and "convenient" means easily accessible and closely situated to the resident's room.

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.* (Section 2-103 of the Act)

f) *The facility shall make reasonable efforts to prevent loss and theft of residents' property. Those efforts shall be appropriate to the particular facility and may,* for example, *include, but are not limited to, staff training and monitoring, labeling property, and frequent property inventories.* (Section 2-103 of the Act)

g) *The facility shall develop procedures for investigating complaints concerning theft of* *residents'* *property and shall promptly investigate all such complaints.* (Section 2-103 of the Act)

h) *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* *residents'* *attending physician and so documented in the* *residents'* *medical records.* (Section 2-108(e) of the Act)

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

j) Children under 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.* (Section 2-113 of the Act)

l) *A resident shall be permitted the free exercise of religion. Upon a resident's request, and if necessary at his 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.* (Section 2-109 of the Act)

m) All facilities shall comply with the Election Code as it pertains to absentee voting for residents of licensed long-term care facilities.

n) *The facility shall immediately notify the identified resident's next of kin, guardian, resident's representative, and physician of the resident's death or when the resident's death appears to be imminent.* (Section 2-208 of the Act) *In addition, the facility shall:*

1) *Immediately notify the Department by telephone of a resident's death within 24 hours after the resident's death;*

2) *Notify the Department of the death of a facility's resident that does not occur in the facility immediately upon learning of the death;*

3) *Promptly notify the coroner or medical examiner of a resident's death in a manner and form to be determined by the Department after consultation with the coroner or medical examiner of the county in which the facility is located;*

4) *Submit written notification* to the Department *of the death of a resident within 72 hours after the death, including a report of any medication errors or other incidents that occurred within 30 days of the resident's death.* (Section 2-208(a) of the Act)

o) *The facility shall immediately notify the resident's next of kin, guardian, or resident representative of any unusual incident, abuse, or neglect involving the resident. A facility shall immediately notify the Department by telephone of any unusual incident, abuse, or neglect required to be reported pursuant to State law or* this Part. *In addition to notice to the Department by telephone, the facility* shall *submit written notification* to the Department, *of any unusual incident, abuse, or neglect within one day after the unusual incident, abuse, or neglect within one day after the unusual incident, abuse, or neglect occurring. For purposes of this* Section, "*unusual incident" means serious injury; unscheduled hospital visit for treatment of serious injury; 9-1-1 calls for emergency services directly relating to a resident threat; or stalking of staff or person served that raises health or safety concerns.* (Section 2-208(b) of the Act)

p) *A facility's failure to comply with requirements of* this Section *shall constitute a Type "B" violation.* (Section 2-208(a) of the Act)

q) *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.* (Section 3-503 of the Act) *As used in Section 3-503 of the Act, "emergency" means a threat to the health, safety or welfare of a resident that the facility is unwilling or unable to correct.* (Section 3-501 of the Act)

r) *No identification wristlets shall be employed except as ordered by a physician who documents the need for such mandatory identification in the resident's clinical record. When identification bracelets are required, they* shall *identify the resident's name, and the name and address of the facility issuing the identification wristlet.* (Section 2-106a of the Act)

(Source: Amended at 46 Ill. Reg. 8192, effective May 6, 2022)