



Rep. Michael Halpin

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LRB100 19642 RLC 36853 a

1 AMENDMENT TO HOUSE BILL 4895

2 AMENDMENT NO. _____. Amend House Bill 4895 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Children and Family Services Act is amended
5 by adding Section 41 as follows:

6 (20 ILCS 505/41 new)

7 Sec. 41. Department of Children and Family Services to
8 submit quarterly reports to the General Assembly.

9 (a) The Department of Children and Family Services shall,
10 by January 1, April 1, July 1, and October 1 of each year,
11 transmit to the General Assembly, a report that shall include
12 the following information reflecting the period ending 15 days
13 prior to the submission of the report:

14 (1) the number of assaults on or threats against
15 employees in the line of duty by service region;

16 (2) the number of employee injuries resulting from

1 assaults in the line of duty; and

2 (3) descriptions of the nature of each injury, the
3 number of injuries requiring medical treatment, and the
4 number of days off work per injury.

5 (b) The requirements in subsection (a) do not relieve the
6 Department from the recordkeeping requirements of the
7 Occupational Safety and Health Act.

8 (c) The Department shall:

9 (1) establish a reasonable procedure for employees to
10 report work-related assaults and injuries. A procedure is
11 not reasonable if it would deter or discourage a reasonable
12 employee from accurately reporting a workplace assault or
13 injury;

14 (2) inform each employee:

15 (A) of the procedure for reporting work-related
16 assaults and injuries;

17 (B) of the right to report work-related assaults
18 and injuries; and

19 (C) that the Department is prohibited from
20 discharging or in any manner discriminating against
21 employees for reporting work-related assaults and
22 injuries; and

23 (3) not discharge, discipline, or in any manner
24 discriminate against any employee for reporting a
25 work-related assault or injury.

1 Section 10. The Mental Health and Developmental
2 Disabilities Administrative Act is amended by changing Section
3 4 as follows:

4 (20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

5 Sec. 4. Supervision of facilities and services; quarterly
6 reports.

7 (a) To exercise executive and administrative supervision
8 over all facilities, divisions, programs and services now
9 existing or hereafter acquired or created under the
10 jurisdiction of the Department, including, but not limited to,
11 the following:

12 The Alton Mental Health Center, at Alton

13 The Clyde L. Choate Mental Health and Developmental
14 Center, at Anna

15 The Chester Mental Health Center, at Chester

16 The Chicago-Read Mental Health Center, at Chicago

17 The Elgin Mental Health Center, at Elgin

18 The Metropolitan Children and Adolescents Center, at
19 Chicago

20 The Jacksonville Developmental Center, at Jacksonville

21 The Governor Samuel H. Shapiro Developmental Center,
22 at Kankakee

23 The Tinley Park Mental Health Center, at Tinley Park

24 The Warren G. Murray Developmental Center, at
25 Centralia

1 The Jack Mabley Developmental Center, at Dixon
2 The Lincoln Developmental Center, at Lincoln
3 The H. Douglas Singer Mental Health and Developmental
4 Center, at Rockford
5 The John J. Madden Mental Health Center, at Chicago
6 The George A. Zeller Mental Health Center, at Peoria
7 The Andrew McFarland Mental Health Center, at
8 Springfield
9 The Adolf Meyer Mental Health Center, at Decatur
10 The William W. Fox Developmental Center, at Dwight
11 The Elisabeth Ludeman Developmental Center, at Park
12 Forest
13 The William A. Howe Developmental Center, at Tinley
14 Park
15 The Ann M. Kiley Developmental Center, at Waukegan.

16 (b) Beginning not later than July 1, 1977, the Department
17 shall cause each of the facilities under its jurisdiction which
18 provide in-patient care to comply with standards, rules and
19 regulations of the Department of Public Health prescribed under
20 Section 6.05 of the Hospital Licensing Act.

21 (b-5) The Department shall cause each of the facilities
22 under its jurisdiction that provide in-patient care to comply
23 with Section 6.25 of the Hospital Licensing Act.

24 (c) The Department shall issue quarterly reports to the
25 General Assembly on admissions, deflections, discharges, bed
26 closures, staff-resident ratios, census, average length of

1 stay, and any adverse federal certification or accreditation
2 findings, if any, for each State-operated facility for the
3 mentally ill and for persons with developmental disabilities.
4 The quarterly reports shall be issued by January 1, April 1,
5 July 1, and October 1 of each year. The quarterly reports shall
6 include the following information for each facility reflecting
7 the period ending 15 days prior to the submission of the
8 report:

9 (1) the number of employees;

10 (2) the number of workplace violence incidents that
11 occurred, including the number that were a direct assault
12 on employees by residents and the number that resulted from
13 staff intervention in a resident altercation or other form
14 of injurious behavior;

15 (3) the number of employees impacted in each incident;

16 and

17 (4) the number of employee injuries resulting,
18 descriptions of the nature of the injuries, the number of
19 employee injuries requiring medical treatment at the
20 facility, the number of employee injuries requiring
21 outside medical treatment, and the number of days off work
22 per injury.

23 (d) The requirements in subsection (c) do not relieve the
24 Department from the recordkeeping requirements of the
25 Occupational Safety and Health Act.

26 (e) The Department shall:

1 (1) establish a reasonable procedure for employees to
2 report work-related assaults and injuries. A procedure is
3 not reasonable if it would deter or discourage a reasonable
4 employee from accurately reporting a workplace assault or
5 injury;

6 (2) inform each employee:

7 (A) of the procedure for reporting work-related
8 assaults and injuries;

9 (B) of the right to report work-related assaults
10 and injuries; and

11 (C) that the Department is prohibited from
12 discharging or in any manner discriminating against
13 employees for reporting work-related assaults and
14 injuries; and

15 (3) not discharge, discipline, or in any manner
16 discriminate against any employee for reporting a
17 work-related assault or injury.

18 (Source: P.A. 99-143, eff. 7-27-15.)

19 Section 15. The Unified Code of Corrections is amended by
20 changing Sections 3-2.5-61 and 3-5-3.1 as follows:

21 (730 ILCS 5/3-2.5-61)

22 Sec. 3-2.5-61. Annual and other reports.

23 (a) The Director shall make an annual report to the
24 Governor and General Assembly concerning persons committed to

1 the Department, its institutions, facilities, and programs, of
2 all moneys expended and received, and on what accounts expended
3 and received no later than January 1 of each year. The report
4 shall include the ethnic and racial background data, not
5 identifiable to an individual, of all persons committed to the
6 Department, its institutions, facilities, programs, and
7 outcome measures established with the Juvenile Advisory Board.

8 (b) The Department of Juvenile Justice shall, by January 1,
9 April 1, July 1, and October 1 of each year, transmit to the
10 Governor and General Assembly, a report which shall include the
11 following information:

12 (1) the number of youth in each of the Department's
13 facilities and the number of youth on aftercare;

14 (2) the demographics of sex, age, race and ethnicity,
15 classification of offense, and geographic location where
16 the offense occurred;

17 (3) the educational and vocational programs provided
18 at each facility and the number of residents participating
19 in each program;

20 (4) the present capacity levels in each facility; ~~and~~

21 (5) the ratio of the security staff to residents in
22 each facility by federal Prison Rape Elimination Act (PREA)
23 definitions; ~~and~~

24 (6) the number of reported assaults on staff at each
25 facility;

26 (7) the number of reported incidents of youth sexual

1 aggression towards staff at each facility including sexual
2 assault, residents exposing themselves, sexual touching,
3 and sexually offensive language; and

4 (8) the number of staff injuries resulting from youth
5 violence at each facility including descriptions of the
6 nature and location of the injuries, the number of staff
7 injuries requiring medical treatment at the facility, the
8 number of staff injuries requiring outside medical
9 treatment and the number of days off work per injury. For
10 purposes of this Section, the definition of assault on
11 staff includes, but is not limited to, kicking, punching,
12 knocking down, harming or threatening to harm with
13 improvised weapons, or throwing urine or feces at staff.

14 (c) The requirements in subsection (b) do not relieve the
15 Department from the recordkeeping requirements of the
16 Occupational Safety and Health Act.

17 (d) The Department shall:

18 (1) establish a reasonable procedure for employees to
19 report work-related assaults and injuries. A procedure is
20 not reasonable if it would deter or discourage a reasonable
21 employee from accurately reporting a workplace assault or
22 injury;

23 (2) inform each employee:

24 (A) of the procedure for reporting work-related
25 assaults and injuries;

26 (B) of the right to report work-related assaults

1 and injuries; and

2 (C) that the Department is prohibited from
3 discharging or in any manner discriminating against
4 employees for reporting work-related assaults and
5 injuries; and

6 (3) not discharge, discipline or in any manner
7 discriminate against any employee for reporting a
8 work-related assault or injury.

9 (Source: P.A. 99-255, eff. 1-1-16.)

10 (730 ILCS 5/3-5-3.1) (from Ch. 38, par. 1003-5-3.1)

11 Sec. 3-5-3.1. As used in this Section, "facility" includes
12 any facility of the Department of Corrections.

13 (a) The Department of Corrections shall, by January 1st,
14 April 1st, July 1st, and October 1st of each year, transmit to
15 the General Assembly, a report which shall include the
16 following information reflecting the period ending fifteen
17 days prior to the submission of the report: (1) the number of
18 residents in all Department facilities indicating the number of
19 residents in each listed facility; (2) a classification of each
20 facility's residents by the nature of the offense for which
21 each resident was committed to the Department; (3) the number
22 of residents in maximum, medium, and minimum security
23 facilities indicating the classification of each facility's
24 residents by the nature of the offense for which each resident
25 was committed to the Department; (4) the educational and

1 vocational programs provided at each facility and the number of
2 residents participating in each such program; (5) the present
3 design and rated capacity levels in each facility; (6) the
4 projected design and rated capacity of each facility six months
5 and one year following each reporting date; (7) the ratio of
6 the security staff ~~guards~~ to residents in each facility; (8)
7 the ratio of total employees to residents in each facility; (9)
8 the number of residents in each facility that are single-celled
9 and the number in each facility that are double-celled; (10)
10 information indicating the distribution of residents in each
11 facility by the allocated floor space per resident; (11) a
12 status of all capital projects currently funded by the
13 Department, location of each capital project, the projected
14 on-line dates for each capital project, including phase-in
15 dates and full occupancy dates; (12) the projected adult prison
16 facility populations of the Department for each of the
17 succeeding twelve months following each reporting date,
18 indicating all assumptions built into such population
19 estimates; (13) the projected exits and projected admissions in
20 each facility for each of the succeeding twelve months
21 following each reporting date, indicating all assumptions
22 built into such population estimate; and (14) the locations of
23 all Department-operated or contractually operated community
24 correctional centers, including the present design and rated
25 capacity and population levels at each facility; (15) the
26 number of reported assaults on employees at each facility; (16)

1 the number of reported incidents of resident sexual aggression
2 towards employees at each facility including sexual assault,
3 residents exposing themselves, sexual touching, and sexually
4 offensive language; and (17) the number of employee injuries
5 resulting from resident violence at each facility including
6 descriptions of the nature of the injuries, the number of
7 injuries requiring medical treatment at the facility, the
8 number of injuries requiring outside medical treatment and the
9 number of days off work per injury. For purposes of this
10 Section, the definition of assault on staff includes, but is
11 not limited to, kicking, punching, knocking down, harming or
12 threatening to harm with improvised weapons, or throwing urine
13 or feces at staff.

14 (b) The requirements in subsection (a) do not relieve the
15 Department from the recordkeeping requirements of the
16 Occupational Safety and Health Act.

17 (c) The Department shall:

18 (1) establish a reasonable procedure for employees to
19 report work-related assaults and injuries. A procedure is
20 not reasonable if it would deter or discourage a reasonable
21 employee from accurately reporting a workplace assault or
22 injury;

23 (2) inform each employee:

24 (A) of the procedure for reporting work-related
25 assaults and injuries;

26 (B) of the right to report work-related assaults

1 and injuries; and

2 (C) that the Department is prohibited from
3 discharging or in any manner discriminating against
4 employees for reporting work-related assaults and
5 injuries; and

6 (3) not discharge, discipline, or in any manner
7 discriminate against any employee for reporting a
8 work-related assault or injury.

9 (Source: P.A. 99-255, eff. 1-1-16.)

10 Section 99. Effective date. This Act takes effect January
11 1, 2019."