



Sen. James F. Clayborne, Jr.

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LRB100 17926 KTG 39118 a

1 AMENDMENT TO SENATE BILL 2407

2 AMENDMENT NO. _____. Amend Senate Bill 2407 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Child Death Review Team Act is amended by
5 changing Sections 15, 20, 25, and 40 as follows:

6 (20 ILCS 515/15)

7 Sec. 15. Child death review teams; establishment.

8 (a) The Inspector General of the Department ~~Director~~, in
9 consultation and cooperation with the Executive Council, law
10 enforcement, and other professionals who work in the field of
11 investigating, treating, or preventing child abuse or neglect
12 in that subregion, shall appoint members to a child death
13 review team in each of the Department's administrative
14 subregions of the State outside Cook County and at least one
15 child death review team in Cook County. The members of a team
16 shall be appointed for 2-year terms and shall be eligible for

1 reappointment upon the expiration of the terms. The Inspector
2 General of the Department ~~Director~~ must fill any vacancy in a
3 team within 60 days after that vacancy occurs.

4 (b) Each child death review team shall consist of at least
5 one member from each of the following categories:

6 (1) Pediatrician or other physician knowledgeable
7 about child abuse and neglect.

8 (2) Representative of the Department.

9 (3) State's attorney or State's attorney's
10 representative.

11 (4) Representative of a local law enforcement agency.

12 (5) Psychologist or psychiatrist.

13 (6) Representative of a local health department.

14 (7) Representative of a school district or other
15 education or child care interests.

16 (8) Coroner or forensic pathologist.

17 (9) Representative of a child welfare agency or child
18 advocacy organization.

19 (10) Representative of a local hospital, trauma
20 center, or provider of emergency medical services.

21 (11) Representative of the Department of State Police.

22 (12) Representative of the Department of Public
23 Health.

24 Each child death review team may make recommendations to
25 the Inspector General of the Department ~~Director~~ concerning
26 additional appointments. In the event of a disagreement, the

1 Executive Council's decision shall control.

2 Each child death review team member must have demonstrated
3 experience and an interest in investigating, treating, or
4 preventing child abuse or neglect.

5 (c) Each child death review team shall select a chairperson
6 and vice-chairperson from among its members. The chairperson
7 shall also serve on the Illinois Child Death Review Teams
8 Executive Council. The vice-chairperson may also serve on the
9 Illinois Child Death Review Teams Executive Council, but shall
10 not have a vote on child death review team business unless the
11 chairperson is unable to attend a meeting.

12 (d) The child death review teams shall be funded under a
13 separate line item in the Department's annual budget; this line
14 item shall not be reduced.

15 (e) The Department shall provide at least one full-time
16 Statewide Department of Children and Family Services Liaison
17 who shall attend all child death review team meetings, all
18 Executive meetings, all Executive Council meetings, and
19 meetings between the Director and the Executive Council.

20 (Source: P.A. 100-397, eff. 1-1-18.)

21 (20 ILCS 515/20)

22 Sec. 20. Reviews of child deaths.

23 (a) Every child death shall be reviewed by the team in the
24 subregion which has primary case management responsibility.
25 The deceased child must be one of the following:

1 (1) A youth in care.

2 (2) The subject of an open service case maintained by
3 the Department.

4 (3) The subject of a pending child abuse or neglect
5 investigation.

6 (4) A child who was the subject of an abuse or neglect
7 investigation at any time during the 12 months preceding
8 the child's death.

9 (5) Any other child whose death is reported to the
10 State central register as a result of alleged child abuse
11 or neglect which report is subsequently indicated.

12 A child death review team may, at its discretion, review
13 other sudden, unexpected, or unexplained child deaths, ~~and~~
14 cases of serious or fatal injuries to a child identified under
15 the Children's Advocacy Center Act, and all unfounded child
16 death cases.

17 (b) A child death review team's purpose in conducting
18 reviews of child deaths is to do the following:

19 (1) Assist in determining the cause and manner of the
20 child's death, when requested.

21 (2) Evaluate means by which the death might have been
22 prevented.

23 (3) Report its findings to appropriate agencies and
24 make recommendations that may help to reduce the number of
25 child deaths caused by abuse or neglect.

26 (4) Promote continuing education for professionals

1 involved in investigating, treating, and preventing child
2 abuse and neglect as a means of preventing child deaths due
3 to abuse or neglect.

4 (5) Make specific recommendations to the Director and
5 the Inspector General of the Department concerning the
6 prevention of child deaths due to abuse or neglect and the
7 establishment of protocols for investigating child deaths.

8 (c) A child death review team shall review a child death as
9 soon as practical and not later than 90 days following the
10 completion by the Department of the investigation of the death
11 under the Abused and Neglected Child Reporting Act. When there
12 has been no investigation by the Department, the child death
13 review team shall review a child's death within 90 days after
14 obtaining the information necessary to complete the review from
15 the coroner, pathologist, medical examiner, or law enforcement
16 agency, depending on the nature of the case. A child death
17 review team shall meet at least once in each calendar quarter.

18 (d) The Director shall, within 90 days, review and reply to
19 recommendations made by a team under item (5) of subsection
20 (b). With respect to each recommendation made by a team, the
21 Director shall submit his or her reply both to the chairperson
22 of that team and to the chairperson of the Executive Council.
23 The Director's reply to each recommendation must include a
24 statement as to whether the Director intends to implement the
25 recommendation. The Director shall meet in person with the
26 Executive Council at least every 60 days to discuss

1 recommendations and the Department's responses.

2 The Director shall implement recommendations as feasible
3 and appropriate and shall respond in writing to explain the
4 implementation or nonimplementation of the recommendations.

5 (e) Within 90 days after the Director submits a reply with
6 respect to a recommendation as required by subsection (d), the
7 Director must submit an additional report that sets forth in
8 detail the way, if any, in which the Director will implement
9 the recommendation and the schedule for implementing the
10 recommendation. The Director shall submit this report to the
11 chairperson of the team that made the recommendation and to the
12 chairperson of the Executive Council.

13 (f) Within 180 days after the Director submits a report
14 under subsection (e) concerning the implementation of a
15 recommendation, the Director shall submit a further report to
16 the chairperson of the team that made the recommendation and to
17 the chairperson of the Executive Council. This report shall set
18 forth the specific changes in the Department's policies and
19 procedures that have been made in response to the
20 recommendation.

21 (Source: P.A. 100-159, eff. 8-18-17.)

22 (20 ILCS 515/25)

23 Sec. 25. Team access to information.

24 (a) No later than 21 days prior to a child death review
25 team meeting, the ~~The~~ Department shall provide to a child death

1 review team and its staff ~~, on the request of the team~~
2 ~~chairperson,~~ all records and information in the Department's
3 possession that are relevant to the team's review of a child
4 death, including records and information concerning previous
5 reports or investigations of suspected child abuse or neglect,
6 all records and information from the Statewide Automated Child
7 Welfare Information System or from any other database
8 maintained by the Department, and all documents, including, but
9 not limited to, police reports and medical information.

10 (b) A child death review team shall have access to all
11 records and information that are relevant to its review of a
12 child death and in the possession of a State or local
13 governmental agency, including, but not limited to,
14 information gained through the Child Advocacy Center protocol
15 for cases of serious or fatal injury to a child. These records
16 and information include, without limitation, birth
17 certificates, all relevant medical and mental health records,
18 records of law enforcement agency investigations, records of
19 coroner or medical examiner investigations, records of the
20 Department of Corrections and Department of Juvenile Justice
21 concerning a person's parole or aftercare release, records of a
22 probation and court services department, and records of a
23 social services agency that provided services to the child or
24 the child's family.

25 (c) Child death review team staff must have full access to
26 the Statewide Automated Child Welfare Information System, any

1 other child welfare database maintained by the Department, and
2 any child death certificates held by the Office of Vital
3 Records within the Department of Public Health.

4 (Source: P.A. 98-558, eff. 1-1-14.)

5 (20 ILCS 515/40)

6 Sec. 40. Illinois Child Death Review Teams Executive
7 Council.

8 (a) The Illinois Child Death Review Teams Executive
9 Council, consisting of the chairpersons of the 9 child death
10 review teams in Illinois, is the coordinating and oversight
11 body for child death review teams and activities in Illinois.
12 The vice-chairperson of a child death review team, as
13 designated by the chairperson, may serve as a back-up member or
14 an alternate member of the Executive Council, if the
15 chairperson of the child death review team is unavailable to
16 serve on the Executive Council. The Inspector General of the
17 Department, ex officio, is a non-voting member of the Executive
18 Council. The Inspector General of the Department ~~Director~~ may
19 appoint to the Executive Council any additional ex-officio
20 members deemed necessary. Persons with expertise needed by the
21 Executive Council may be invited to meetings. The Executive
22 Council must select from its members a chairperson and a
23 vice-chairperson, each to serve a 2-year, renewable term.

24 The Executive Council must meet at least 4 times during
25 each calendar year. At each such meeting, in addition to any

1 other matters under consideration, the Executive Council shall
2 review all replies and reports received from the Director
3 pursuant to subsections (d), (e), and (f) of Section 20 since
4 the Executive Council's previous meeting. The Executive
5 Council's review must include consideration of the Director's
6 proposed manner of and schedule for implementing each
7 recommendation made by a child death review team.

8 (b) The Department must provide or arrange for the staff
9 support necessary for the Executive Council to carry out its
10 duties. This includes a full-time Executive Director and
11 support staff person. The Inspector General of the Department
12 Director, in cooperation and consultation with the Executive
13 Council, shall appoint, reappoint, and remove team members. In
14 the event of a disagreement, the Executive Council's decision
15 shall control. From funds available, the Director may select
16 from a list of 2 or more candidates recommended by the
17 Executive Council to serve as the Child Death Review Teams
18 Executive Director. The Child Death Review Teams Executive
19 Director shall oversee the operations of the child death review
20 teams and shall report directly to the Executive Council.

21 (c) The Executive Council has, but is not limited to, the
22 following duties:

23 (1) To serve as the voice of child death review teams
24 in Illinois.

25 (2) To oversee the regional teams in order to ensure
26 that the teams' work is coordinated and in compliance with

1 the statutes and the operating protocol.

2 (3) To ensure that the data, results, findings, and
3 recommendations of the teams are adequately used to make
4 any necessary changes in the policies, procedures, and
5 statutes in order to protect children in a timely manner.

6 (4) To collaborate with the General Assembly, the
7 Department, and others in order to develop any legislation
8 needed to prevent child fatalities and to protect children.

9 (5) To assist in the development of quarterly and
10 annual reports based on the work and the findings of the
11 teams.

12 (6) To ensure that the regional teams' review processes
13 are standardized in order to convey data, findings, and
14 recommendations in a usable format.

15 (7) To serve as a link with child death review teams
16 throughout the country and to participate in national child
17 death review team activities.

18 (8) To develop an annual statewide symposium to update
19 the knowledge and skills of child death review team members
20 and to promote the exchange of information between teams.

21 (9) To provide the child death review teams with the
22 most current information and practices concerning child
23 death review and related topics.

24 (10) To perform any other functions necessary to
25 enhance the capability of the child death review teams to
26 reduce and prevent child injuries and fatalities.

1 (c-5) The Executive Council shall prepare an annual report.
2 The report must include, but need not be limited to, (i) each
3 recommendation made by a child death review team pursuant to
4 item (5) of subsection (b) of Section 20 during the period
5 covered by the report, (ii) the Director's proposed schedule
6 for implementing each such recommendation, and (iii) a
7 description of the specific changes in the Department's
8 policies and procedures that have been made in response to the
9 recommendation. The Executive Council shall send a copy of its
10 annual report to each of the following:

11 (1) The Governor.

12 (2) Each member of the Senate or the House of
13 Representatives, county coroners and medical examiners,
14 State's Attorneys, and others, in the sole discretion of
15 the Executive Council. ~~whose legislative district lies~~
16 ~~wholly or partly within the region covered by any child~~
17 ~~death review team whose recommendation is addressed in the~~
18 ~~annual report.~~

19 (3) Each member of each child death review team in the
20 State.

21 (d) In any instance when a child death review team does not
22 operate in accordance with established protocol, the Director,
23 in consultation and cooperation with the Executive Council,
24 must take any necessary actions to bring the team into
25 compliance with the protocol.

26 (Source: P.A. 95-405, eff. 6-1-08; 95-527, eff. 6-1-08; 95-876,

1 eff. 8-21-08.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".