

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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 electronically transmit to the General Assembly, a report that
12 shall include the following information reflecting the period
13 ending 15 days prior to the submission of the electronic
14 report:

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

17 (2) the number of employee injuries resulting from
18 assaults in the line of duty; and

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

22 (b) The requirements in subsection (a) do not relieve the
23 Department from the recordkeeping requirements of the

1 Occupational Safety and Health Act.

2 (c) The Department shall:

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

8 (2) inform each employee:

9 (A) of the procedure for reporting work-related
10 assaults and injuries;

11 (B) of the right to report work-related assaults
12 and injuries; and

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

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

20 Section 10. The Mental Health and Developmental
21 Disabilities Administrative Act is amended by changing Section
22 4 as follows:

23 (20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

24 Sec. 4. Supervision of facilities and services; quarterly

1 reports.

2 (a) To exercise executive and administrative supervision
3 over all facilities, divisions, programs and services now
4 existing or hereafter acquired or created under the
5 jurisdiction of the Department, including, but not limited to,
6 the following:

7 The Alton Mental Health Center, at Alton

8 The Clyde L. Choate Mental Health and Developmental
9 Center, at Anna

10 The Chester Mental Health Center, at Chester

11 The Chicago-Read Mental Health Center, at Chicago

12 The Elgin Mental Health Center, at Elgin

13 The Metropolitan Children and Adolescents Center, at
14 Chicago

15 The Jacksonville Developmental Center, at Jacksonville

16 The Governor Samuel H. Shapiro Developmental Center,
17 at Kankakee

18 The Tinley Park Mental Health Center, at Tinley Park

19 The Warren G. Murray Developmental Center, at
20 Centralia

21 The Jack Mabley Developmental Center, at Dixon

22 The Lincoln Developmental Center, at Lincoln

23 The H. Douglas Singer Mental Health and Developmental
24 Center, at Rockford

25 The John J. Madden Mental Health Center, at Chicago

26 The George A. Zeller Mental Health Center, at Peoria

1 The Andrew McFarland Mental Health Center, at
2 Springfield

3 The Adolf Meyer Mental Health Center, at Decatur

4 The William W. Fox Developmental Center, at Dwight

5 The Elisabeth Ludeman Developmental Center, at Park
6 Forest

7 The William A. Howe Developmental Center, at Tinley
8 Park

9 The Ann M. Kiley Developmental Center, at Waukegan.

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

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

18 (c) The Department shall issue quarterly electronic
19 reports to the General Assembly on admissions, deflections,
20 discharges, bed closures, staff-resident ratios, census,
21 average length of stay, and any adverse federal certification
22 or accreditation findings, if any, for each State-operated
23 facility for the mentally ill and for persons with
24 developmental disabilities. The quarterly reports shall be
25 issued by January 1, April 1, July 1, and October 1 of each
26 year. The quarterly reports shall include the following

1 information for each facility reflecting the period ending 15
2 days prior to the submission of the report:

3 (1) the number of employees;

4 (2) the number of workplace violence incidents that
5 occurred, including the number that were a direct assault
6 on employees by residents and the number that resulted from
7 staff intervention in a resident altercation or other form
8 of injurious behavior;

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

10 and

11 (4) the number of employee injuries resulting,
12 descriptions of the nature of the injuries, the number of
13 employee injuries requiring medical treatment at the
14 facility, the number of employee injuries requiring
15 outside medical treatment, and the number of days off work
16 per injury.

17 (d) The requirements in subsection (c) do not relieve the
18 Department from the recordkeeping requirements of the
19 Occupational Safety and Health Act.

20 (e) The Department shall:

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

26 (2) inform each employee:

1 (A) of the procedure for reporting work-related
2 assaults and injuries;

3 (B) of the right to report work-related assaults
4 and injuries; and

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

9 (3) not discharge, discipline, or in any manner
10 discriminate against any employee for reporting a
11 work-related assault or injury.

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

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

15 (730 ILCS 5/3-2.5-61)

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

17 (a) The Director shall make an annual electronic report to
18 the Governor and General Assembly concerning persons committed
19 to the Department, its institutions, facilities, and programs,
20 of all moneys expended and received, and on what accounts
21 expended and received no later than January 1 of each year. The
22 report shall include the ethnic and racial background data, not
23 identifiable to an individual, of all persons committed to the
24 Department, its institutions, facilities, programs, and

1 outcome measures established with the Juvenile Advisory Board.

2 (b) The Department of Juvenile Justice shall, by January 1,
3 April 1, July 1, and October 1 of each year, electronically
4 transmit to the Governor and General Assembly, a report which
5 shall include the following information:

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

8 (2) the demographics of sex, age, race and ethnicity,
9 classification of offense, and geographic location where
10 the offense occurred;

11 (3) the educational and vocational programs provided
12 at each facility and the number of residents participating
13 in each program;

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

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

18 (6) the number of reported assaults on staff at each
19 facility;

20 (7) the number of reported incidents of youth sexual
21 aggression towards staff at each facility including sexual
22 assault, residents exposing themselves, sexual touching,
23 and sexually offensive language; and

24 (8) the number of staff injuries resulting from youth
25 violence at each facility including descriptions of the
26 nature and location of the injuries, the number of staff

1 injuries requiring medical treatment at the facility, the
2 number of staff injuries requiring outside medical
3 treatment and the number of days off work per injury. For
4 purposes of this Section, the definition of assault on
5 staff includes, but is not limited to, kicking, punching,
6 knocking down, harming or threatening to harm with
7 improvised weapons, or throwing urine or feces at staff.

8 (c) The requirements in subsection (b) do not relieve the
9 Department from the recordkeeping requirements of the
10 Occupational Safety and Health Act.

11 (d) The Department shall:

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

17 (2) inform each employee:

18 (A) of the procedure for reporting work-related
19 assaults and injuries;

20 (B) of the right to report work-related assaults
21 and injuries; and

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

26 (3) not discharge, discipline or in any manner

1 discriminate against any employee for reporting a
2 work-related assault or injury.

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

4 (730 ILCS 5/3-5-3.1) (from Ch. 38, par. 1003-5-3.1)

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

7 (a) The Department of Corrections shall, by January 1st,
8 April 1st, July 1st, and October 1st of each year,
9 electronically transmit to the General Assembly, a report which
10 shall include the following information reflecting the period
11 ending fifteen days prior to the submission of the report: (1)
12 the number of residents in all Department facilities indicating
13 the number of residents in each listed facility; (2) a
14 classification of each facility's residents by the nature of
15 the offense for which each resident was committed to the
16 Department; (3) the number of residents in maximum, medium, and
17 minimum security facilities indicating the classification of
18 each facility's residents by the nature of the offense for
19 which each resident was committed to the Department; (4) the
20 educational and vocational programs provided at each facility
21 and the number of residents participating in each such program;
22 (5) the present design and rated capacity levels in each
23 facility; (6) the projected design and rated capacity of each
24 facility six months and one year following each reporting date;
25 (7) the ratio of the security staff ~~guards~~ to residents in each

1 facility; (8) the ratio of total employees to residents in each
2 facility; (9) the number of residents in each facility that are
3 single-celled and the number in each facility that are
4 double-celled; (10) information indicating the distribution of
5 residents in each facility by the allocated floor space per
6 resident; (11) a status of all capital projects currently
7 funded by the Department, location of each capital project, the
8 projected on-line dates for each capital project, including
9 phase-in dates and full occupancy dates; (12) the projected
10 adult prison facility populations of the Department for each of
11 the succeeding twelve months following each reporting date,
12 indicating all assumptions built into such population
13 estimates; (13) the projected exits and projected admissions in
14 each facility for each of the succeeding twelve months
15 following each reporting date, indicating all assumptions
16 built into such population estimate; ~~and~~ (14) the locations of
17 all Department-operated or contractually operated community
18 correctional centers, including the present design and rated
19 capacity and population levels at each facility; (15) the
20 number of reported assaults on employees at each facility; (16)
21 the number of reported incidents of resident sexual aggression
22 towards employees at each facility including sexual assault,
23 residents exposing themselves, sexual touching, and sexually
24 offensive language; and (17) the number of employee injuries
25 resulting from resident violence at each facility including
26 descriptions of the nature of the injuries, the number of

1 injuries requiring medical treatment at the facility, the
2 number of injuries requiring outside medical treatment and the
3 number of days off work per injury. For purposes of this
4 Section, the definition of assault on staff includes, but is
5 not limited to, kicking, punching, knocking down, harming or
6 threatening to harm with improvised weapons, or throwing urine
7 or feces at staff.

8 (b) The requirements in subsection (a) do not relieve the
9 Department from the recordkeeping requirements of the
10 Occupational Safety and Health Act.

11 (c) The Department shall:

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

17 (2) inform each employee:

18 (A) of the procedure for reporting work-related
19 assaults and injuries;

20 (B) of the right to report work-related assaults
21 and injuries; and

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

26 (3) not discharge, discipline, or in any manner

1 discriminate against any employee for reporting a
2 work-related assault or injury.

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

4 Section 99. Effective date. This Act takes effect January
5 1, 2019.