

# SB3765



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB3765

Introduced 2/14/2020, by Sen. Napoleon Harris, III

#### SYNOPSIS AS INTRODUCED:

20 ILCS 505/5d  
750 ILCS 50/18.9

Amends the Children and Family Services Act. In a provision concerning the composition of the Direct Child Welfare Service Employee License Board, provides that, in addition to other specified members, the Board must include 5 licensed professionals from the field of human services with a human services, juris doctorate, medical, public administration, or other relevant human services degree (rather than 5 licensed professionals from the field of human services with a human services degree or equivalent course work as required by rule of the Department of Children and Family Services). Amends the Adoption Act. Provides that calls to the toll-free number maintained by the Department of Children and Family Services to respond to requests from the public about its post-placement and post-adoption support services shall be answered no more than one business day after (rather than 24 hours from) receipt of the request.

LRB101 20782 KTG 70473 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning the Department of Children and Family  
2 Services.

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

5 Section 5. The Children and Family Services Act is amended  
6 by changing Section 5d as follows:

7 (20 ILCS 505/5d)

8 Sec. 5d. The Direct Child Welfare Service Employee License  
9 Board.

10 (a) For purposes of this Section:

11 (1) "Board" means the Direct Child Welfare Service  
12 Employee License Board.

13 (2) "Director" means the Director of Children and  
14 Family Services.

15 (b) The Direct Child Welfare Service Employee License Board  
16 is created within the Department of Children and Family  
17 Services and shall consist of 9 members appointed by the  
18 Director. The Director shall annually designate a chairperson  
19 and vice-chairperson of the Board. The membership of the Board  
20 must be composed as follows: (i) 5 licensed professionals from  
21 the field of human services with a human services, juris  
22 doctorate, medical, public administration, or other relevant  
23 human services degree ~~or equivalent course work as required by~~

1 ~~rule of the Department~~ and who are in good standing within  
2 their profession, at least 2 of which must be employed in the  
3 private not-for-profit sector and at least one of which in the  
4 public sector; (ii) 2 faculty members of an accredited  
5 university who have child welfare experience and are in good  
6 standing within their profession and (iii) 2 members of the  
7 general public who are not licensed under this Act or a similar  
8 rule and will represent consumer interests.

9 In making the first appointments, the Director shall  
10 appoint 3 members to serve for a term of one year, 3 members to  
11 serve for a term of 2 years, and 3 members to serve for a term  
12 of 3 years, or until their successors are appointed and  
13 qualified. Their successors shall be appointed to serve 3-year  
14 terms, or until their successors are appointed and qualified.  
15 Appointments to fill unexpired vacancies shall be made in the  
16 same manner as original appointments. No member may be  
17 reappointed if a reappointment would cause that member to serve  
18 on the Board for longer than 6 consecutive years. Board  
19 membership must have reasonable representation from different  
20 geographic areas of Illinois, and all members must be residents  
21 of this State.

22 The Director may terminate the appointment of any member  
23 for good cause, including but not limited to (i) unjustified  
24 absences from Board meetings or other failure to meet Board  
25 responsibilities, (ii) failure to recuse himself or herself  
26 when required by subsection (c) of this Section or Department

1 rule, or (iii) failure to maintain the professional position  
2 required by Department rule. No member of the Board may have a  
3 pending or indicated report of child abuse or neglect or a  
4 pending complaint or criminal conviction of any of the offenses  
5 set forth in paragraph (b) of Section 4.2 of the Child Care Act  
6 of 1969.

7 The members of the Board shall receive no compensation for  
8 the performance of their duties as members, but each member  
9 shall be reimbursed for his or her reasonable and necessary  
10 expenses incurred in attending the meetings of the Board.

11 (c) The Board shall make recommendations to the Director  
12 regarding licensure rules. Board members must recuse  
13 themselves from sitting on any matter involving an employee of  
14 a child welfare agency at which the Board member is an employee  
15 or contractual employee. The Board shall make a final  
16 determination concerning revocation, suspension, or  
17 reinstatement of an employee's direct child welfare service  
18 license after a hearing conducted under the Department's rules.  
19 Upon notification of the manner of the vote to all the members,  
20 votes on a final determination may be cast in person, by  
21 telephonic or electronic means, or by mail at the discretion of  
22 the chairperson. A simple majority of the members appointed and  
23 serving is required when Board members vote by mail or by  
24 telephonic or electronic means. A majority of the currently  
25 appointed and serving Board members constitutes a quorum. A  
26 majority of a quorum is required when a recommendation is voted

1 on during a Board meeting. A vacancy in the membership of the  
2 Board shall not impair the right of a quorum to perform all the  
3 duties of the Board. Board members are not personally liable in  
4 any action based upon a disciplinary proceeding or otherwise  
5 for any action taken in good faith as a member of the Board.

6 (d) The Director may assign Department employees to provide  
7 staffing services to the Board. The Department must promulgate  
8 any rules necessary to implement and administer the  
9 requirements of this Section.

10 (Source: P.A. 92-471, eff. 8-22-01; 92-651, eff. 7-11-02.)

11 Section 10. The Adoption Act is amended by changing Section  
12 18.9 as follows:

13 (750 ILCS 50/18.9)

14 Sec. 18.9. Post-placement and post-adoption support  
15 services.

16 (a) It is the public policy of this State to find  
17 permanency for children through adoption and to prevent  
18 placement disruption, adoption dissolution, and secondary  
19 placement. Public awareness and access to timely, effective  
20 post-placement and post-adoption support services to provide  
21 resources for children and families is essential to promote  
22 permanency.

23 (b) The Department shall establish and maintain accessible  
24 post-placement and post-adoption support services for all

1 children adopted pursuant to this Act, all children residing in  
2 this State adopted pursuant to the Interstate Compact on the  
3 Placement of Children, all children residing in this State  
4 adopted pursuant to the Intercountry Adoption Act of 2000, and  
5 all former youth in care, as defined by the Children and Family  
6 Services Act, who have been placed in a guardianship.

7 (b-5) The Department shall establish and maintain a  
8 toll-free number to respond to requests from the public about  
9 its post-placement and post-adoption support services under  
10 subsection (b) and shall staff the toll-free number so that  
11 calls are answered on a timely basis, but in no event more than  
12 one business day after ~~24 hours from~~ the receipt of a request.

13 (c) The Department shall publicize information about the  
14 Department's post-placement and post-adoption support services  
15 pursuant to subsection (b) and the toll-free number pursuant to  
16 subsection (b-5) as follows:

17 (1) it shall post information on the Department's  
18 website;

19 (2) it shall provide the information to every licensed  
20 child welfare agency, every out of State placement agency  
21 or entity approved under Section 4.1 of this Act, and any  
22 entity providing adoption support services in the Illinois  
23 courts;

24 (3) it shall reference such information in the adoptive  
25 parents' rights and responsibilities document that the  
26 Department publishes and that is provided to adoptive

1 parents under this Act and the Child Care Act.

2 (4) it shall provide the information, including the  
3 Illinois Post Adoption and Guardianship Services booklet,  
4 to prospective adoptive parents and guardians as part of  
5 its adoption and guardianship training and at the time they  
6 are presented with the Permanency Commitment form; and

7 (5) it shall include, in each annual notification  
8 letter mailed to adoptive parents and guardians, a short,  
9 2-sided flier or news bulletin in plain language that  
10 describes access to post-placement and post-adoption  
11 services, how to access Medicaid and Individual Care Grant  
12 or Family Support Program services, the webpage address to  
13 Illinois' Post Adoption and Guardianship Services booklet,  
14 information on how to request that a copy of the booklet be  
15 mailed, and a sticker or magnet that includes the toll-free  
16 number to access the Department's post-placement and  
17 post-adoption support services.

18 (c-5) The Department shall review and update annually all  
19 information relating to its post-placement and post-adoption  
20 support services, including its Post Adoption and Guardianship  
21 Services booklet, to include updated information on Individual  
22 Care Group or Family Support Program services eligibility and  
23 the post-placement and post-adoption support services that are  
24 available through the Medicaid program or any other State  
25 program for mental health services. The Department and the  
26 Department of Healthcare and Family Services shall coordinate

1 their efforts in the development of resources described in this  
2 subsection.

3 (d) Every licensed child welfare agency, every entity  
4 approved under Section 4.1 of this Act, and any entity  
5 providing adoption support services in the Illinois courts  
6 shall provide the Department's website address and link to the  
7 Department's post-placement and post-adoption support services  
8 information set forth in subsection (c) of this Section,  
9 including the Department's toll-free number, to every adoptive  
10 parent, prospective adoptive parent, and guardian with whom  
11 they work in Illinois. This information shall be provided prior  
12 to placement.

13 (e) Beginning one year after the effective date of this  
14 amendatory Act of the 101st General Assembly, the Department  
15 shall report annually to the General Assembly on January 15 the  
16 following information for the preceding year:

17 (1) a description of all post-placement and  
18 post-adoption support services the Department provides;

19 (2) without identifying the names of the recipients of  
20 the services, the number of guardians, prospective  
21 adoptive parents, and adoptive families in Illinois who  
22 have received the Department's post-placement and  
23 post-adoption support services and the type of services  
24 provided and for each, the length of time between the  
25 initial contact to the Department to request  
26 post-placement and post-adoption support services and the



1 first receipt of services, and the type of services  
2 received;

3 (3) the number of families who have contacted the  
4 Department about its post-placement and post-adoption  
5 support services due to a potential placement disruption,  
6 adoption dissolution, secondary placement, or unregulated  
7 placement, but for whom the Department declined to provide  
8 post-placement and post-adoption support services and the  
9 reasons that services were denied;

10 (4) the number of placement disruptions, adoption  
11 dissolutions, unregulated placements, and secondary  
12 placements, and for each one:

13 (A) the type of placement or adoption, including  
14 whether the child who was the subject of the placement  
15 was a youth in care as defined in Section 4d of the  
16 Children and Family Services Act, and if the child was  
17 not a youth in care, whether the adoption was a  
18 private, agency, agency-assisted, interstate, or  
19 intercountry adoption;

20 (B) if the placement or adoption was intercountry,  
21 the country of birth of the child;

22 (C) whether the child who was the subject of the  
23 placement disruption, adoption dissolution,  
24 unregulated placement, or secondary placement entered  
25 State custody;

26 (D) the length of the placement prior to the

1 placement disruption, adoption dissolution,  
2 unregulated placement, or secondary placement;

3 (E) the age of the child at the time of the  
4 placement disruption, adoption dissolution,  
5 unregulated placement, or secondary placement;

6 (F) the reason, if known, for the placement  
7 disruption, adoption dissolution, unregulated  
8 placement, or secondary placement; and

9 (G) if a licensed child welfare agency or any  
10 approved out of State placing entity participated in  
11 the initial placement, and, if applicable, the name of  
12 the agency or approved out of State placing entity; and

13 (5) a description of the coordination between the  
14 Department and the Department of Healthcare and Family  
15 Services to develop resources under this subsection,  
16 including, but not limited to, a description of the goals  
17 of such coordination and whether the goals have been met.

18 (Source: P.A. 100-159, eff. 8-18-17; 101-155, eff. 1-1-20.)