



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0639

Introduced 2/8/2021, by Rep. Maurice A. West, II

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1705/4

from Ch. 91 1/2, par. 100-4

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that to provide for the safety of mental health care patients and staff members, no fewer than 2 registered nurses and no fewer than 2 mental health technicians shall be assigned to any unit at any time in the following State-operated hospitals: (1) the Alton Mental Health Center, at Alton; (2) the Chicago-Read Mental Health Center, at Chicago; (3) the Clyde L. Choate Mental Health and Developmental Center, at Anna; (4) the Elgin Mental Health Center, at Elgin; (5) the John J. Madden Mental Health Center, at Chicago; and (6) the Andrew McFarland Mental Health Center, at Springfield. Provides that if a registered nurse or mental health technician is assigned to 2 or more units, the calculation of the number of registered nurses or mental health technicians who are assigned to a unit shall be calculated for each registered nurse or mental health technician as one divided by the number of units to which the registered nurse or mental health technician is assigned. Effective immediately.

LRB102 04465 RLC 14483 b

FISCAL NOTE ACT  
MAY APPLY

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 Mental Health and Developmental  
5 Disabilities Administrative Act is amended by changing Section  
6 4 as follows:

7 (20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

8 Sec. 4. Supervision of facilities and services; quarterly  
9 reports.

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

15 The Alton Mental Health Center, at Alton

16 The Clyde L. Choate Mental Health and Developmental  
17 Center, at Anna

18 The Chester Mental Health Center, at Chester

19 The Chicago-Read Mental Health Center, at Chicago

20 The Elgin Mental Health Center, at Elgin

21 The Metropolitan Children and Adolescents Center, at  
22 Chicago

23 The Jacksonville Developmental Center, at Jacksonville

1           The Governor Samuel H. Shapiro Developmental Center,  
2           at Kankakee

3           The Tinley Park Mental Health Center, at Tinley Park

4           The Warren G. Murray Developmental Center, at  
5           Centralia

6           The Jack Mabley Developmental Center, at Dixon

7           The Lincoln Developmental Center, at Lincoln

8           The H. Douglas Singer Mental Health and Developmental  
9           Center, at Rockford

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

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

12          The Andrew McFarland Mental Health Center, at  
13          Springfield

14          The Adolf Meyer Mental Health Center, at Decatur

15          The William W. Fox Developmental Center, at Dwight

16          The Elisabeth Ludeman Developmental Center, at Park  
17          Forest

18          The William A. Howe Developmental Center, at Tinley  
19          Park

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

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

26          (b-5) The Department shall cause each of the facilities

1 under its jurisdiction that provide in-patient care to comply  
2 with Section 6.25 of the Hospital Licensing Act.

3 (c) The Department shall issue quarterly electronic  
4 reports to the General Assembly on admissions, deflections,  
5 discharges, bed closures, staff-resident ratios, census,  
6 average length of stay, and any adverse federal certification  
7 or accreditation findings, if any, for each State-operated  
8 facility for the mentally ill and for persons with  
9 developmental disabilities. The quarterly reports shall be  
10 issued by January 1, April 1, July 1, and October 1 of each  
11 year. The quarterly reports shall include the following  
12 information for each facility reflecting the period ending 15  
13 days prior to the submission of the report:

14 (1) the number of employees;

15 (2) the number of workplace violence incidents that  
16 occurred, including the number that were a direct assault  
17 on employees by residents and the number that resulted  
18 from staff intervention in a resident altercation or other  
19 form of injurious behavior;

20 (3) the number of employees impacted in each incident;  
21 and

22 (4) the number of employee injuries resulting,  
23 descriptions of the nature of the injuries, the number of  
24 employee injuries requiring medical treatment at the  
25 facility, the number of employee injuries requiring  
26 outside medical treatment, and the number of days off work

1 per injury.

2 (d) The requirements in subsection (c) do not relieve the  
3 Department from the recordkeeping requirements of the  
4 Occupational Safety and Health Act.

5 (e) The Department shall:

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

11 (2) inform each employee:

12 (A) of the procedure for reporting work-related  
13 assaults and injuries;

14 (B) of the right to report work-related assaults  
15 and injuries; and

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

20 (3) not discharge, discipline, or in any manner  
21 discriminate against any employee for reporting a  
22 work-related assault or injury.

23 (f) To provide for the safety of mental health care  
24 patients and staff members, no fewer than 2 registered nurses  
25 and no fewer than 2 mental health technicians shall be  
26 assigned to any unit at any time in the following

1 State-operated hospitals:

2 (1) The Alton Mental Health Center, at Alton.

3 (2) The Chicago-Read Mental Health Center, at Chicago.

4 (3) The Clyde L. Choate Mental Health and  
5 Developmental Center, at Anna.

6 (4) The Elgin Mental Health Center, at Elgin.

7 (5) The John J. Madden Mental Health Center, at  
8 Chicago.

9 (6) The Andrew McFarland Mental Health Center, at  
10 Springfield.

11 In this subsection (f), if a registered nurse or mental  
12 health technician is assigned to 2 or more units, the  
13 calculation of the number of registered nurses or mental  
14 health technicians who are assigned to a unit shall be  
15 calculated for each registered nurse or mental health  
16 technician as one divided by the number of units to which the  
17 registered nurse or mental health technician is assigned.

18 (Source: P.A. 99-143, eff. 7-27-15; 100-1075, eff. 1-1-19.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.