



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0106

Introduced 2/3/2021, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

20 ILCS 505/2.2

Amends the Children and Family Services Act. In provisions requiring the Department of Children and Family Services to submit annual reports to the General Assembly concerning youth in care who are awaiting placement or psychiatric hospitalization (rather than placement), provides that the reports are to be submitted no later than December 31 of each year (rather than on December 31 of each year through December 31, 2023). Requires the reports to be posted on the Department's website and to include specified information, including: (i) the number of youth in care placed in out-of-state residential treatment facilities, whether each youth was referred to any in-state programs for placement and, if so, the number of in-state referrals for each youth prior to referring the youth to out-of-state programs; (ii) the number of youth not in the temporary custody or guardianship of the Department who are the subjects of open child protection cases, intact family cases, or any other types of child welfare case, including, but not limited to, those youth for whom the Department is required to make medical assistance payments because they were hospitalized in inpatient psychiatric hospitals or units and were beyond medical necessity during the Department's involvement with the case; and (iii) the number of youth in care who remain in emergency rooms for longer than 24 hours waiting for admission to a psychiatric hospital bed. Effective immediately.

LRB102 10236 KTG 15562 b

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 changing Section 2.2 as follows:

6 (20 ILCS 505/2.2)

7 Sec. 2.2. Annual reports on youth in care waiting for
8 placement. No later than December 31, 2018, and on December 31
9 of each year thereafter ~~through December 31, 2023,~~ the
10 Department shall prepare and submit an annual report, covering
11 the previous fiscal year, to the General Assembly regarding
12 youth in care waiting for placements or psychiatric
13 hospitalization. The report shall also be posted on the
14 Department's website. The report shall include:

15 (1) the number of youth in care who remained in
16 emergency placements, including but not limited to
17 shelters and emergency foster homes, for longer than 30
18 days, their genders and ages, their recommended placement
19 type, the total length of time each youth remained in
20 emergency care, the barriers to timely placement, and
21 whether they were placed in the recommended placement type
22 after they were removed from the emergency placement, and
23 if not, what type of placement they were placed in;

1 (2) the number of youth in care who remained in
2 psychiatric hospitals beyond the time they were clinically
3 ready for discharge or beyond medical necessity, whichever
4 is sooner, their genders and ages, their recommended
5 placement type, the total length of time each youth
6 remained psychiatrically hospitalized beyond necessity,
7 the barriers to timely placement, and whether they were
8 placed in the recommended placement type after they were
9 removed from the psychiatric hospital, and if not, what
10 type of placement they were placed in;

11 (3) the number of youth in care who remained in a
12 detention center or Department of Juvenile Justice
13 facility solely because the Department cannot locate an
14 appropriate placement for the youth, their genders and
15 ages, their recommended placement type, the total length
16 of time each youth remained in the detention center or
17 Department of Juvenile Justice facility after they could
18 have been released, the barriers to timely placement, and
19 whether they were placed in the recommended placement type
20 after being released from detention of the Juvenile
21 Justice facility, and if not, what type of placement they
22 were placed in;

23 (3.1) the number of youth in care placed in
24 out-of-state residential treatment facilities, whether
25 each youth was referred to any in-state programs for
26 placement and, if so, the number of in-state referrals for

1 each youth prior to referring the youth to out-of-state
2 programs; whether the youth was psychiatrically
3 hospitalized beyond medical necessity prior to being sent
4 out of state; the state each youth is placed in; and
5 whether the youth is placed in a secure facility out of
6 state;

7 (3.2) the number of youth not in the temporary custody
8 or guardianship of the Department who are or were the
9 subjects of child protection investigations coded as 84b
10 (lock-out, psychiatrically hospitalized) under the
11 Department's Neglect Allegation Classification system,
12 including youth for whom the Department is required to
13 make payments in accordance with Section 5-5.07 of the
14 Illinois Public Aid Code because they were hospitalized in
15 inpatient psychiatric hospitals or units and were beyond
16 medical necessity during the Department's involvement with
17 the case. At a minimum, the report shall include the
18 following information regarding each youth: age, region,
19 date of hospitalization, date the youth was beyond medical
20 necessity, date and reason for the Department's
21 involvement, length of time the youth was beyond medical
22 necessity, whether the youth was referred for services
23 under the Department of Healthcare and Family Services'
24 Family Support Program, whether the youth was referred for
25 intact family services, whether and when the Department
26 petitioned for custody of the youth, and the youth's

1 living arrangement upon being discharged from the
2 hospital;

3 (3.3) the number of youth in care who remain in
4 emergency rooms for longer than 24 hours waiting for
5 admission to a psychiatric hospital bed. At a minimum, the
6 report shall include the following information regarding
7 each youth: age, region, date of admission to the
8 emergency room, length of time the youth was in the
9 emergency room, date and time the youth was discharged
10 from the emergency room, hospital or placement the youth
11 was discharged to, and a description of any critical
12 incidents that occurred during the hospitalization,
13 including, but not limited to, the use of emergency
14 psychotropic medication or the use of any type of
15 restraint.

16 (4) a description of how the Department collected the
17 information reported and any difficulties the Department
18 had in collecting the information and whether there are
19 concerns about the validity of the information; and

20 (5) a description of any steps the Department is
21 taking to reduce the length of time youth in care wait in
22 psychiatric hospitals, emergency placements, detention
23 centers, and Department of Juvenile Justice facilities for
24 clinically appropriate placements.

25 (Source: P.A. 100-87, eff. 1-1-18.)

26 Section 99. Effective date. This Act takes effect upon

SB0106

- 5 -

LRB102 10236 KTG 15562 b

1 becoming law.