

HB3805



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3805

Introduced 2/25/2009, by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

New Act

Creates the Developmental Disability Institutional Safety Act.
Contains a short title provision and legislative findings.

LRB096 09900 JDS 20063 b

A BILL FOR

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 1. Short title. This Act may be cited as the
5 Developmental Disability Institutional Safety Act.

6 Section 5. Legislative Findings. The General Assembly
7 finds that it is in the interest of the people of the State of
8 Illinois to:

9 (1) Develop independent interdisciplinary teams of
10 monitors, approved by the Illinois Departments of Public
11 Health and Human Services, to ensure on a routine basis the
12 safety and well-being of the individuals residing at each
13 state-operated developmental disability institution.

14 (2) Require the monitoring teams to produce quarterly
15 reports of their observations and release those reports to
16 Equip for Equality and the Departments of Public Health and
17 Human Services to develop and implement the steps necessary
18 to ensure that individuals are safe and receive quality
19 services and medical care.

20 (3) Develop an independent team of medical experts from
21 the private sector, including forensic pathologists,
22 doctors, and nurses, to examine all deaths at
23 State-operated developmental disability institutions, to

1 render findings regarding the adequacy of medical care and
2 treatment, and to release those findings to the Departments
3 of Public Health and Human Services as well as Equip for
4 Equality to prevent further tragedies.

5 (4) Expand the definition of abuse of individuals with
6 disabilities to include inadequate medical care that,
7 regardless of the final cause of death, compromises an
8 individual's health or leads to serious medical
9 consequences followed by the individual's death.

10 (5) Expand the definition of neglect to include the
11 failure to follow medical and personal care protocols, such
12 as dietary restrictions, regardless of whether that
13 failure causes injury.

14 (6) Require the Departments of Human Services and
15 Public Health, along with facility administrators and
16 medical directors, to develop a plan of prevention
17 following the death of any individual at a State-run
18 developmental disability institution to ensure that
19 similar deaths do not occur.

20 (7) Ensure that individuals with disabilities and
21 their guardians and families receive sufficient
22 information to understand their rights and to allow for
23 informed decision making regarding the provision of
24 services that can meet the individual's wants and needs.