



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4328

by Rep. Barbara Wheeler

SYNOPSIS AS INTRODUCED:

20 ILCS 505/6a

from Ch. 23, par. 5006a

Amends the Children and Family Services Act. Provides that any parent or guardian who tests positive for the presence of a drug or drugs in his or her system during a drug screen test administered as part of a case plan shall have the opportunity to make a written request to the Department of Children and Family Services for a confirmation drug test to be performed on the parent or guardian. Requires the Department to provide written instructions on how to request and receive a confirmation drug test to all parents or guardians who test positive during a drug screen test administered as part of a case plan. Grants the Department rulemaking authority.

LRB099 15002 KTG 39198 b

FISCAL NOTE ACT
MAY APPLY

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

6 (20 ILCS 505/6a) (from Ch. 23, par. 5006a)

7 Sec. 6a. Case Plan.

8 (a) With respect to each Department client for whom the
9 Department is providing placement service, the Department
10 shall develop a case plan designed to stabilize the family
11 situation and prevent placement of a child outside the home of
12 the family when the child can be cared for at home without
13 endangering the child's health or safety, reunify the family if
14 temporary placement is necessary when safe and appropriate, or
15 move the child toward the most permanent living arrangement and
16 permanent legal status. Such case plan shall provide for the
17 utilization of family preservation services as defined in
18 Section 8.2 of the Abused and Neglected Child Reporting Act.
19 Such case plan shall be reviewed and updated every 6 months.
20 Where appropriate, the case plan shall include recommendations
21 concerning alcohol or drug abuse evaluation.

22 (a-5) Any parent or guardian who tests positive for the
23 presence of a drug or drugs in his or her system during a drug

1 screen test administered as part of a case plan provided under
2 subsection (a) shall have the opportunity to make a written
3 request to the Department for a confirmation drug test to be
4 performed on the parent or guardian. The Department shall
5 provide written instructions on how to request and receive a
6 confirmation drug test to all parents or guardians who test
7 positive during a drug screen test administered as part of a
8 case plan. The Department may adopt any rules necessary to
9 implement the provisions of this subsection, including a rule
10 that permits parents or guardians to submit a written request
11 for a confirmation drug test not less than 30 days after the
12 parent or guardian receives notification that he or she has
13 tested positive during a drug screen test.

14 (b) The Department may enter into written agreements with
15 child welfare agencies to establish and implement case plan
16 demonstration projects. The demonstration projects shall
17 require that service providers develop, implement, review and
18 update client case plans. The Department shall examine the
19 effectiveness of the demonstration projects in promoting the
20 family reunification or the permanent placement of each client
21 and shall report its findings to the General Assembly no later
22 than 90 days after the end of the fiscal year in which any such
23 demonstration project is implemented.

24 (Source: P.A. 89-704, eff. 8-16-97 (changed from 1-1-98 by P.A.
25 90-443); 90-28, eff. 1-1-98; 90-443, eff. 8-16-97.)