

SB1750



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1750

Introduced 2/20/2015, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

225 ILCS 10/7.11 new

Amends the Child Care Act of 1969. Establishes a Youth in Care Well-Being Monitoring Workgroup to review and make recommendations regarding the Department of Children and Family Services' process of monitoring the well-being of children placed in Department-licensed child care facilities. Sets the minimum composition of the Workgroup. Requires the Workgroup to submit a report to the General Assembly with its recommendations by June 1, 2016. Requires the Department to implement the recommendations it finds feasible and appropriate and respond to the General Assembly within 120 days of the Workgroup report to explain the implementation or non-implementation of recommendations. Provides that the Department provide to the Workgroup all relevant records and information in its possession with confidential information redacted.

LRB099 09987 MLM 30207 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Child Care Act of 1969 is amended by adding
5 Section 7.11 as follows:

6 (225 ILCS 10/7.11 new)

7 Sec. 7.11. Youth in Care Well-Being Monitoring Workgroup.

8 (a) The General Assembly finds and declares all of the
9 following:

10 (1) Children who have been removed by a court from the
11 care of their parents because of child abuse, neglect, or
12 dependency and placed in the custody or guardianship of the
13 Department of Children and Family Services have typically
14 experienced multiple traumatic events, including the
15 trauma that prompted the family's involvement with the
16 Department, the trauma of being removed from their family,
17 including their siblings and extended family, and
18 additional trauma while in the Department's care as the
19 result of being placed in multiple living arrangements.

20 (2) Repeated trauma can exacerbate the already fragile
21 emotional states of youth in the Department's care and
22 contribute to lower rates of returning home to parents and
23 adoption. It can also cause youth to require care in

1 congregate care settings, as opposed to family-like
2 settings.

3 (3) When a court appoints the Department as the
4 guardian of a youth, the Department is required to, among
5 other things, act in the youth's best interests and to
6 ensure the youth's general welfare. When a court appoints
7 the Department as the custodian of a youth, the Department
8 has a duty to, among other things, protect the youth. The
9 Department is also responsible for licensing the child care
10 facilities with which it contracts to provide care to youth
11 in the Department's care.

12 (4) Youth placed in congregate care settings by the
13 Department are particularly vulnerable to abuse, neglect,
14 and maltreatment. Ensuring that children in the
15 Department's care do not experience additional trauma and
16 other negative experiences while in placements selected by
17 and licensed by the Department is of the utmost importance.
18 The Department must timely and effectively monitor the care
19 provided by its contracted child care facilities to ensure
20 the health, safety, and well-being of the children placed
21 in those facilities.

22 (b) The Department shall convene a Youth in Care Well-Being
23 Monitoring Workgroup to review and make recommendations
24 regarding the Department's process of monitoring the
25 well-being of children placed in Department-licensed child
26 care facilities. The Youth in Care Well-Being Monitoring

1 Workgroup shall:

2 (1) review the Department's current monitoring process
3 for licensed child care facilities;

4 (2) make recommendations to the General Assembly for
5 improving the timeliness and efficacy of the Department's
6 monitoring process;

7 (3) make recommendations to the General Assembly to
8 ensure that monitoring standards address the quality of
9 life for youth in Department-licensed child care
10 facilities;

11 (4) establish written standards for monitoring the
12 safety and well-being of youth placed in
13 Department-licensed child care facilities; and

14 (5) oversee the implementation of its recommendations.

15 (c) The membership of the Youth in Care Well-Being
16 Monitoring Workgroup shall be appointed by the Director and
17 consist of a minimum of:

18 (1) two representatives of the Department, including
19 one who is familiar with the Department's current
20 monitoring process;

21 (2) one representative of a child advocacy
22 organization;

23 (3) one licensed clinician with expertise in reviewing
24 or monitoring child care facilities;

25 (4) one board-certified child and adolescent
26 psychiatrist with expertise in reviewing or monitoring

1 child care facilities;

2 (5) two representatives from providers of residential
3 treatment programs in the State of Illinois;

4 (6) one representative of the Department's Youth
5 Advisory Board; and

6 (7) one representative of an agency independent of the
7 Department that has experience in accrediting or
8 monitoring residential treatment facilities.

9 (d) The Youth in Care Well-Being Monitoring Workgroup shall
10 submit a report to the General Assembly with its
11 recommendations by June 1, 2016.

12 (e) The Director of Children and Family Services shall
13 implement the Youth in Care Well-Being Monitoring Workgroup's
14 recommendations the Director finds feasible and appropriate
15 and shall respond in writing to the General Assembly within 120
16 days of the issuance of the Workgroup's report to explain the
17 implementation or non-implementation of each recommendation.

18 (f) The Department shall provide the Youth in Care
19 Well-Being Monitoring Workgroup with all records and
20 information in the Department's possession that are relevant to
21 the Youth in Care Well-Being Monitoring Workgroup's review of
22 the Department's monitoring process. Confidential information,
23 including names and identifying information of persons
24 receiving services from the Department, shall be redacted in
25 documents provided to the Youth in Care Well-Being Monitoring
26 Workgroup.