

AN ACT concerning State government.

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

Section 5. The Children and Family Services Act is amended by changing Section 2.2 as follows:

(20 ILCS 505/2.2)

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

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

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

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

(3.1) 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; whether the youth was psychiatrically hospitalized beyond medical necessity prior to being sent out of state; the state each youth is placed in; and whether the youth is placed in a secure facility out of state;

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

living arrangement upon being discharged from the hospital;

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

(3.4) the number of youth in care who remained overnight in temporary living spaces not licensed under the Child Care Act of 1969 solely because the Department cannot locate an appropriate placement for the youth. Temporary living spaces not authorized under the Child Care Act of 1969 include, but are not limited to, Department or licensed child welfare agency offices or welcome centers. As used in this paragraph, "remaining overnight" means being present in the temporary living space at 1:00 a.m. At a minimum, the report shall include the following information regarding each youth: age,

region, date of stay, length of time the youth was in the temporary living space, date and time the youth was moved from the temporary living space, the reason for the youth remaining overnight, and the type of placement or setting the youth was in immediately after leaving the temporary living space. The report shall reflect the number of unique youth involved, the number of episodes that occurred fitting the criteria, and the number of unique youth involved in multiple episodes;

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

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

(Source: P.A. 102-76, eff. 7-9-21.)

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