



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4758

Introduced 2/6/2024, by Rep. Terra Costa Howard

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 regarding youth in care waiting for placement or psychiatric hospitalization, expands the information required in the reports to include the number of youth in care who remained overnight in temporary living spaces not authorized under the Child Care Act of 1969 solely because the Department cannot locate an appropriate placement for the youth. Provides that temporary living spaces not authorized under the Child Care Act of 1969 include, but are not limited to, Department or private agency offices or welcome centers. Defines "remaining overnight" to mean being present in the temporary living space at 1:00 a.m. Provides that 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. Requires the report to 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. Effective immediately.

LRB103 39252 KTG 69404 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, the Department shall prepare and
10 submit an annual report, covering the previous fiscal year, to
11 the General Assembly regarding youth in care waiting for
12 placements or psychiatric hospitalization. The report shall
13 also be posted on the Department's website. The report shall
14 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 (3.4) the number of youth in care who remained
17 overnight in temporary living spaces not authorized under
18 the Child Care Act of 1969 solely because the Department
19 cannot locate an appropriate placement for the youth.
20 Temporary living spaces not authorized under the Child
21 Care Act of 1969 include, but are not limited to,
22 Department or private agency offices or welcome centers.
23 As used in this paragraph, "remaining overnight" means
24 being present in the temporary living space at 1:00 a.m.
25 At a minimum, the report shall include the following
26 information regarding each youth: age, region, date of

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

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

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

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

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