**Section 300.3210 General**

a) *No resident shall be deprived of any rights, benefits, or privileges guaranteed by State or federal law, the Constitution of the State of Illinois, or the Constitution of the United States solely on account of* the resident's *status as a resident of a facility.*

1) *Residents shall have the right to be treated with courtesy and respect by employees or persons providing medical services or care and shall have their human and civil rights maintained in all aspects of medical care as defined in the State Operations Manual for Long-Term Care Facilities.*

2) *Residents shall have their basic human needs, including but not limited to water, food, medication, toileting, and personal hygiene, accommodated in a timely manner, as defined by the person and agreed upon by the interdisciplinary team.*

A) A facility shall treat each resident with respect and dignity and care for each resident in a manner and in an environment that promotes maintenance or enhancement of the resident's quality of life, recognizing each resident's individuality.

B) A facility shall protect and promote the rights of the resident.

C) Residents have the right to reside in and receive services in the facility with reasonable accommodation of their needs and preferences except when to do so would endanger the health or safety of the resident or other residents.

3) *Residents have the right to maintain their autonomy as much as possible.*  (Section 2-101 of the Act)

b) *A resident shall be permitted to retain and use or wear his* or her *personal property in his or her immediate living quarters, unless deemed medically inappropriate by a physician and so documented in the resident's clinical record*. (Section 2-103 of the Act)

c) *If clothing is provided to the resident by the facility, it shall be of a proper fit.* (Section 2-103 of the Act)

d) *The facility shall provide adequate storage space for the personal property of the resident*. (Section 2-103 of the Act)

e) *The facility shall provide a means of safeguarding small items of value for its residents in their rooms or in any other part of the facility so long as the residents have daily access to their valuables.* (Section 2-103 of the Act)

f) *The facility shall make reasonable efforts to prevent loss and theft of residents' property. Those efforts shall be appropriate to the particular facility and may* *include, but are not limited to, staff training and monitoring, labeling property, and frequent property inventories.* (Section 2-103 of the Act)

g) *The* facility *shall develop procedures for investigating complaints concerning theft* *of* *residents'* *property and shall promptly investigate all complaints.* (Section 2-103 of the Act)

h) *The facility administrator shall ensure that married residents residing in the same facility be allowed to reside in the same room within the facility unless there is no room available in the facility or it is deemed medically inadvisable by the resident*s*'* *attending physician and so documented in the resident*s*'* *medical records.* (Section 2-108(e) of the Act)

i) There shall be no traffic through a resident's room to reach any other area of the building.

j) Children under 16 years of age who are related to employees or owners of a facility, and who are not themselves employees of the facility, shall be restricted to quarters reserved for family or employee use except during times when such children are part of a group visiting the facility as part of a planned program, or similar activity.

k) *A resident may refuse to perform labor for a facility.* *Residents shall not perform labor or services for the facility unless consistent with* the requirements in subsections (k)(1) through (k)(3)*.*

1) *The activities must be included for therapeutic purposes and be appropriately goal related to the individual's care plan. If a resident chooses to perform labor or services, the resident must be compensated at or above the prevailing wage rate.* (Section 2-113 of the Act)

2) The resident has a right to choose or refuse to perform services for the facility and the facility shall not require a resident to perform services for the facility.

3) The resident may perform services for the facility if the resident chooses when:

A) The facility has documented the resident's need or desire for work in the plan of care;

B) The plan specifies the nature of the services performed and whether the services are voluntary or paid;

C) Compensation for paid services is at or above prevailing rates; and

D) The resident agrees to the work arrangement described it the plan of care.

l) *A resident shall be permitted the free exercise of religion. Upon a resident's request, and if necessary at his* or her *expense, the facility administrator shall make arrangements for a resident's attendance at religious services of the resident's choice. However, no religious beliefs or practices, or attendance at religious services, may be imposed upon any resident.*  (Section 2-109 of the Act)

m) All facilities shall comply with the Election Code as it pertains to absentee voting for residents of licensed long-term care facilities.

n) *The facility shall immediately notify the resident's next of kin, representative and physician of the resident's death or when the resident's death appears to be imminent*. (Section 2-208 of the Act)

o) The facility shall also immediately notify the resident's family, guardian, representative, conservator, and any private or public agency financially responsible for the resident's care whenever unusual circumstances such as accidents, sudden illness, disease, unexplained absences, extraordinary resident charges, billings, or related administrative matters arise.

p) *Where a resident, a resident's representative or a resident's next of kin believes that an emergency exists each of them, collectively or separately, may file a verified petition to the circuit court for the county in which the facility is located for an order placing the facility under the control of a receiver.* (Section 3-503 of the Act) *As used in Section 3-503* of the Act*, "emergency" means a threat to the health, safety or welfare of a resident that the facility is unwilling or unable to correct.* (Section 3-501 of the Act)

q) *An identification wristlet may be employed for any resident upon a physician's order, which shall document the need for the identification wristlet in the resident's clinical record.* Nothing in this Section prohibits a facility from allowing any resident who requests an identification wristlet from having one. A facility may provide an identification wristlet to any resident if requested by the resident.

r) *A facility may require a resident residing in an Alzheimer's disease unit,* as defined in Subpart U, *with a history of wandering to wear an identification wristlet, unless the resident's guardian or power of attorney directs that the wristlet be removed.*

s) *All identification wristlets shall include, at a minimum, the resident's name and the name, telephone number, and address of the facility issuing the identification wristlet.* (Section 2-106a of the Act)

t) The facility shall ensure that residents are not subjected to physical, verbal, sexual or psychological abuse, neglect, exploitation, or misappropriation of property.

u) Cook County facilities with Colbert Class Members shall provide residents access to the supports and services they need in the most integrated settings appropriate to their needs, including community-based settings, to promote and maximize their independence, choice, and opportunities to develop and use independent living skills. For the purposes of this subsection (u), "community-based setting" means the most integrated setting appropriate to promote the resident's independence in daily living and ability to interact with persons without disabilities to the fullest extent possible.

v) All Cook County facilities with Colbert Class Members shall provide educational materials and information to all newly admitted Colbert Class Members within one to three days of admission, informing them of their rights and services under the Colbert Consent Decree, as prescribed by the Colbert Lead Defendant Agency. All Cook County facilities shall provide verification that the educational materials and information were given to the Colbert Class Members, as requested by a Colbert Defendant Agency.

(Source: Amended at 49 Ill. Reg. 760, effective December 31, 2024)