

1 AN ACT concerning safety.

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

4 Section 5. The State Police Act is amended by changing
5 Section 45 as follows:

6 (20 ILCS 2610/45)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 45. Compliance with the Health Care Violence
10 Prevention Act; training. The Department shall comply with the
11 Health Care Violence Prevention Act and shall provide an
12 appropriate level of training for its officers concerning the
13 Health Care Violence Prevention Act.

14 (Source: P.A. 100-1051, eff. 1-1-19.)

15 Section 10. The Health Care Violence Prevention Act is
16 amended by changing Section 30 as follows:

17 (210 ILCS 160/30)

18 (This Section may contain text from a Public Act with a
19 delayed effective date)

20 Sec. 30. Medical care for committed persons.

21 (a) If a committed person receives medical care and

1 treatment at a place other than an institution or facility of
2 the Department of Corrections, a county, or a municipality,
3 then the institution or facility shall:

4 (1) to the greatest extent practicable, notify the
5 hospital or medical facility that is treating the committed
6 person prior to the committed person's visit and notify the
7 hospital or medical facility of any significant medical,
8 mental health, recent violent actions, or other safety
9 concerns regarding the patient;

10 (2) to the greatest extent practicable, ensure the
11 transferred committed person is accompanied by the most
12 comprehensive medical records possible;

13 (3) provide at least one guard trained in custodial
14 escort and custody of high-risk committed persons to
15 accompany any committed person. The custodial agency shall
16 attest to such training for custodial escort and custody of
17 high-risk committed persons through: (A) the training of
18 the Department of Corrections, ~~or~~ Department of Juvenile
19 Justice, or Department of State Police; (B) law enforcement
20 training that is substantially equivalent to the training
21 of the Department of Corrections, ~~or~~ Department of Juvenile
22 Justice, or Department of State Police; or (C) the training
23 described in Section 35. Under no circumstances may leg
24 irons or shackles or waist shackles be used on any pregnant
25 female prisoner who is in labor. In addition, restraint of
26 a pregnant female prisoner in the custody of the Cook

1 County shall comply with Section 3-15003.6 of the Counties
2 Code. Additionally, restraints shall not be used on a
3 committed person if medical personnel determine that the
4 restraints would impede medical treatment; and

5 (4) ensure that only medical personnel, Department of
6 Corrections, county, or municipality personnel, and
7 visitors on the committed person's approved institutional
8 visitors list may visit the committed person. Visitation by
9 a person on the committed person's approved institutional
10 visitors list shall be subject to the rules and procedures
11 of the hospital or medical facility and the Department of
12 Corrections, county, or municipality. In any situation in
13 which a committed person is being visited:

14 (A) the name of the visitor must be listed per the
15 facility's or institution's documentation;

16 (B) the visitor shall submit to the search of his
17 or her person or any personal property under his or her
18 control at any time; and

19 (C) the custodial agency may deny the committed
20 person access to a telephone or limit the number of
21 visitors the committed person may receive for purposes
22 of safety.

23 If a committed person receives medical care and treatment
24 at a place other than an institution or facility of the
25 Department of Corrections, county, or municipality, then the
26 custodial agency shall ensure that the committed person is

1 wearing security restraints in accordance with the custodial
2 agency's rules and procedures if the custodial agency
3 determines that restraints are necessary for the following
4 reasons: (i) to prevent physical harm to the committed person
5 or another person; (ii) because the committed person has a
6 history of disruptive behavior that has placed others in
7 potentially harmful situations or presents a substantial risk
8 of inflicting physical harm on himself or herself or others as
9 evidenced by recent behavior; or (iii) there is a well-founded
10 belief that the committed person presents a substantial risk of
11 flight. Under no circumstances may leg irons or shackles or
12 waist shackles be used on any pregnant female prisoner who is
13 in labor. In addition, restraint of a pregnant female prisoner
14 in the custody of the Cook County shall comply with Section
15 3-15003.6 of the Counties Code.

16 The hospital or medical facility may establish protocols
17 for the receipt of committed persons in collaboration with the
18 Department of Corrections, county, or municipality,
19 specifically with regard to potentially violent persons.

20 (b) If a committed person receives medical care and
21 treatment at a place other than an institution or facility of
22 the Department of Juvenile Justice, then the institution or
23 facility shall:

24 (1) to the greatest extent practicable, notify the
25 hospital or medical facility that is treating the committed
26 person prior to the committed person's visit, and notify

1 the hospital or medical facility of any significant
2 medical, mental health, recent violent actions, or other
3 safety concerns regarding the patient;

4 (2) to the greatest extent practicable, ensure the
5 transferred committed person is accompanied by the most
6 comprehensive medical records possible;

7 (3) provide: (A) at least one guard trained in
8 custodial escort and custody of high-risk committed
9 persons to accompany any committed person. The custodial
10 agency shall attest to such training for custodial escort
11 and custody of high-risk committed persons through: (i) the
12 training of the Department of Corrections, ~~or~~ Department of
13 Juvenile Justice, or Department of State Police, (ii) law
14 enforcement training that is substantially equivalent to
15 the training of the Department of Corrections, ~~or~~
16 Department of Juvenile Justice, or Department of State
17 Police, or (iii) the training described in Section 35; or
18 (B) 2 guards to accompany the committed person at all times
19 during the visit to the hospital or medical facility; and

20 (4) ensure that only medical personnel, Department of
21 Juvenile Justice personnel, and visitors on the committed
22 person's approved institutional visitors list may visit
23 the committed person. Visitation by a person on the
24 committed person's approved institutional visitors list
25 shall be subject to the rules and procedures of the
26 hospital or medical facility and the Department of Juvenile

1 Justice. In any situation in which a committed person is
2 being visited:

3 (A) the name of the visitor must be listed per the
4 facility's or institution's documentation;

5 (B) the visitor shall submit to the search of his
6 or her person or any personal property under his or her
7 control at any time; and

8 (C) the custodial agency may deny the committed
9 person access to a telephone or limit the number of
10 visitors the committed person may receive for purposes
11 of safety.

12 If a committed person receives medical care and treatment
13 at a place other than an institution or facility of the
14 Department of Juvenile Justice, then the Department of Juvenile
15 Justice shall ensure that the committed person is wearing
16 security restraints on either his or her wrists or ankles in
17 accordance with the rules and procedures of the Department of
18 Juvenile Justice if the Department of Juvenile Justice
19 determines that restraints are necessary for the following
20 reasons: (i) to prevent physical harm to the committed person
21 or another person; (ii) because the committed person has a
22 history of disruptive behavior that has placed others in
23 potentially harmful situations or presents a substantial risk
24 of inflicting physical harm on himself or herself or others as
25 evidenced by recent behavior; or (iii) there is a well-founded
26 belief that the committed person presents a substantial risk of

1 flight. Any restraints used on a committed person under this
2 paragraph shall be the least restrictive restraints necessary
3 to prevent flight or physical harm to the committed person or
4 another person. Restraints shall not be used on the committed
5 person as provided in this paragraph if medical personnel
6 determine that the restraints would impede medical treatment.
7 Under no circumstances may leg irons or shackles or waist
8 shackles be used on any pregnant female prisoner who is in
9 labor. In addition, restraint of a pregnant female prisoner in
10 the custody of the Cook County shall comply with Section
11 3-15003.6 of the Counties Code.

12 The hospital or medical facility may establish protocols
13 for the receipt of committed persons in collaboration with the
14 Department of Juvenile Justice, specifically with regard to
15 persons recently exhibiting violence.

16 (Source: P.A. 100-1051, eff. 1-1-19.)

17 Section 95. No acceleration or delay. Where this Act makes
18 changes in a statute that is represented in this Act by text
19 that is not yet or no longer in effect (for example, a Section
20 represented by multiple versions), the use of that text does
21 not accelerate or delay the taking effect of (i) the changes
22 made by this Act or (ii) provisions derived from any other
23 Public Act.

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