

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 Child Death Review Team Act is amended by
5 changing Sections 15, 20, 25, and 40 as follows:

6 (20 ILCS 515/15)

7 Sec. 15. Child death review teams; establishment.

8 (a) The Inspector General of the Department ~~Director~~, in
9 consultation and cooperation with the Executive Council, law
10 enforcement, and other professionals who work in the field of
11 investigating, treating, or preventing child abuse or neglect
12 in that subregion, shall appoint members to a child death
13 review team in each of the Department's administrative
14 subregions of the State outside Cook County and at least one
15 child death review team in Cook County. The members of a team
16 shall be appointed for 2-year terms and shall be eligible for
17 reappointment upon the expiration of the terms. The Inspector
18 General of the Department ~~Director~~ must fill any vacancy in a
19 team within 60 days after that vacancy occurs.

20 (b) Each child death review team shall consist of at least
21 one member from each of the following categories:

22 (1) Pediatrician or other physician knowledgeable
23 about child abuse and neglect.

- 1 (2) Representative of the Department.
- 2 (3) State's attorney or State's attorney's
3 representative.
- 4 (4) Representative of a local law enforcement agency.
- 5 (5) Psychologist or psychiatrist.
- 6 (6) Representative of a local health department.
- 7 (7) Representative of a school district or other
8 education or child care interests.
- 9 (8) Coroner or forensic pathologist.
- 10 (9) Representative of a child welfare agency or child
11 advocacy organization.
- 12 (10) Representative of a local hospital, trauma
13 center, or provider of emergency medical services.
- 14 (11) Representative of the Department of State Police.
- 15 (12) Representative of the Department of Public
16 Health.

17 Each child death review team may make recommendations to
18 the Inspector General of the Department ~~Director~~ concerning
19 additional appointments. In the event of a disagreement, the
20 Executive Council's decision shall control.

21 Each child death review team member must have demonstrated
22 experience and an interest in investigating, treating, or
23 preventing child abuse or neglect.

24 (c) Each child death review team shall select a chairperson
25 and vice-chairperson from among its members. The chairperson
26 shall also serve on the Illinois Child Death Review Teams

1 Executive Council. The vice-chairperson may also serve on the
2 Illinois Child Death Review Teams Executive Council, but shall
3 not have a vote on child death review team business unless the
4 chairperson is unable to attend a meeting.

5 (d) The child death review teams shall be funded under a
6 separate line item in the Department's annual budget.

7 (e) The Department shall provide at least one full-time
8 Statewide Department of Children and Family Services Liaison
9 who shall attend all child death review team meetings, all
10 Executive meetings, all Executive Council meetings, and
11 meetings between the Director and the Executive Council.

12 (Source: P.A. 100-397, eff. 1-1-18.)

13 (20 ILCS 515/20)

14 Sec. 20. Reviews of child deaths.

15 (a) Every child death shall be reviewed by the team in the
16 subregion which has primary case management responsibility.
17 The deceased child must be one of the following:

18 (1) A youth in care.

19 (2) The subject of an open service case maintained by
20 the Department.

21 (3) The subject of a pending child abuse or neglect
22 investigation.

23 (4) A child who was the subject of an abuse or neglect
24 investigation at any time during the 12 months preceding
25 the child's death.

1 (5) Any other child whose death is reported to the
2 State central register as a result of alleged child abuse
3 or neglect which report is subsequently indicated.

4 A child death review team may, at its discretion, review
5 other sudden, unexpected, or unexplained child deaths, ~~and~~
6 cases of serious or fatal injuries to a child identified under
7 the Children's Advocacy Center Act, and all unfounded child
8 death cases.

9 (b) A child death review team's purpose in conducting
10 reviews of child deaths is to do the following:

11 (1) Assist in determining the cause and manner of the
12 child's death, when requested.

13 (2) Evaluate means by which the death might have been
14 prevented.

15 (3) Report its findings to appropriate agencies and
16 make recommendations that may help to reduce the number of
17 child deaths caused by abuse or neglect.

18 (4) Promote continuing education for professionals
19 involved in investigating, treating, and preventing child
20 abuse and neglect as a means of preventing child deaths due
21 to abuse or neglect.

22 (5) Make specific recommendations to the Director and
23 the Inspector General of the Department concerning the
24 prevention of child deaths due to abuse or neglect and the
25 establishment of protocols for investigating child deaths.

26 (c) A child death review team shall review a child death as

1 soon as practical and not later than 90 days following the
2 completion by the Department of the investigation of the death
3 under the Abused and Neglected Child Reporting Act. When there
4 has been no investigation by the Department, the child death
5 review team shall review a child's death within 90 days after
6 obtaining the information necessary to complete the review from
7 the coroner, pathologist, medical examiner, or law enforcement
8 agency, depending on the nature of the case. A child death
9 review team shall meet at least once in each calendar quarter.

10 (d) The Director shall, within 90 days, review and reply to
11 recommendations made by a team under item (5) of subsection
12 (b). With respect to each recommendation made by a team, the
13 Director shall submit his or her reply both to the chairperson
14 of that team and to the chairperson of the Executive Council.
15 The Director's reply to each recommendation must include a
16 statement as to whether the Director intends to implement the
17 recommendation. The Director shall meet in person with the
18 Executive Council at least every 60 days to discuss
19 recommendations and the Department's responses.

20 The Director shall implement recommendations as feasible
21 and appropriate and shall respond in writing to explain the
22 implementation or nonimplementation of the recommendations.

23 (e) Within 90 days after the Director submits a reply with
24 respect to a recommendation as required by subsection (d), the
25 Director must submit an additional report that sets forth in
26 detail the way, if any, in which the Director will implement

1 the recommendation and the schedule for implementing the
2 recommendation. The Director shall submit this report to the
3 chairperson of the team that made the recommendation and to the
4 chairperson of the Executive Council.

5 (f) Within 180 days after the Director submits a report
6 under subsection (e) concerning the implementation of a
7 recommendation, the Director shall submit a further report to
8 the chairperson of the team that made the recommendation and to
9 the chairperson of the Executive Council. This report shall set
10 forth the specific changes in the Department's policies and
11 procedures that have been made in response to the
12 recommendation.

13 (Source: P.A. 100-159, eff. 8-18-17.)

14 (20 ILCS 515/25)

15 Sec. 25. Team access to information.

16 (a) No later than 21 days prior to a child death review
17 team meeting, the ~~The~~ Department shall provide to a child death
18 review team and its staff ~~, on the request of the team~~
19 ~~chairperson,~~ all records and information in the Department's
20 possession that are relevant to the team's review of a child
21 death, including records and information concerning previous
22 reports or investigations of suspected child abuse or neglect,
23 all records and information from the Statewide Automated Child
24 Welfare Information System or from any other database
25 maintained by the Department, and all documents, including, but

1 not limited to, police reports and medical information.

2 (b) A child death review team shall have access to all
3 records and information that are relevant to its review of a
4 child death and in the possession of a State or local
5 governmental agency, including, but not limited to,
6 information gained through the Child Advocacy Center protocol
7 for cases of serious or fatal injury to a child. These records
8 and information include, without limitation, birth
9 certificates, all relevant medical and mental health records,
10 records of law enforcement agency investigations, records of
11 coroner or medical examiner investigations, records of the
12 Department of Corrections and Department of Juvenile Justice
13 concerning a person's parole or aftercare release, records of a
14 probation and court services department, and records of a
15 social services agency that provided services to the child or
16 the child's family.

17 (c) Child death review team staff must have full access to
18 the Statewide Automated Child Welfare Information System, any
19 other child welfare database maintained by the Department, and
20 any child death certificates held by the Office of Vital
21 Records within the Department of Public Health.

22 (Source: P.A. 98-558, eff. 1-1-14.)

23 (20 ILCS 515/40)

24 Sec. 40. Illinois Child Death Review Teams Executive
25 Council.

1 (a) The Illinois Child Death Review Teams Executive
2 Council, consisting of the chairpersons of the 9 child death
3 review teams in Illinois, is the coordinating and oversight
4 body for child death review teams and activities in Illinois.
5 The vice-chairperson of a child death review team, as
6 designated by the chairperson, may serve as a back-up member or
7 an alternate member of the Executive Council, if the
8 chairperson of the child death review team is unavailable to
9 serve on the Executive Council. The Inspector General of the
10 Department, ex officio, is a non-voting member of the Executive
11 Council. The Inspector General of the Department ~~Director~~ may
12 appoint to the Executive Council any additional ex-officio
13 members deemed necessary. Persons with expertise needed by the
14 Executive Council may be invited to meetings. The Executive
15 Council must select from its members a chairperson and a
16 vice-chairperson, each to serve a 2-year, renewable term.

17 The Executive Council must meet at least 4 times during
18 each calendar year. At each such meeting, in addition to any
19 other matters under consideration, the Executive Council shall
20 review all replies and reports received from the Director
21 pursuant to subsections (d), (e), and (f) of Section 20 since
22 the Executive Council's previous meeting. The Executive
23 Council's review must include consideration of the Director's
24 proposed manner of and schedule for implementing each
25 recommendation made by a child death review team.

26 (b) The Department must provide or arrange for the staff

1 support necessary for the Executive Council to carry out its
2 duties. This includes a full-time Executive Director and
3 support staff person. The Inspector General of the Department
4 Director, in cooperation and consultation with the Executive
5 Council, shall appoint, reappoint, and remove team members. In
6 the event of a disagreement, the Executive Council's decision
7 shall control. From funds available, the Director may select
8 from a list of 2 or more candidates recommended by the
9 Executive Council to serve as the Child Death Review Teams
10 Executive Director. The Child Death Review Teams Executive
11 Director shall oversee the operations of the child death review
12 teams and shall report directly to the Executive Council.

13 (c) The Executive Council has, but is not limited to, the
14 following duties:

15 (1) To serve as the voice of child death review teams
16 in Illinois.

17 (2) To oversee the regional teams in order to ensure
18 that the teams' work is coordinated and in compliance with
19 the statutes and the operating protocol.

20 (3) To ensure that the data, results, findings, and
21 recommendations of the teams are adequately used to make
22 any necessary changes in the policies, procedures, and
23 statutes in order to protect children in a timely manner.

24 (4) To collaborate with the General Assembly, the
25 Department, and others in order to develop any legislation
26 needed to prevent child fatalities and to protect children.

1 (5) To assist in the development of quarterly and
2 annual reports based on the work and the findings of the
3 teams.

4 (6) To ensure that the regional teams' review processes
5 are standardized in order to convey data, findings, and
6 recommendations in a usable format.

7 (7) To serve as a link with child death review teams
8 throughout the country and to participate in national child
9 death review team activities.

10 (8) To develop an annual statewide symposium to update
11 the knowledge and skills of child death review team members
12 and to promote the exchange of information between teams.

13 (9) To provide the child death review teams with the
14 most current information and practices concerning child
15 death review and related topics.

16 (10) To perform any other functions necessary to
17 enhance the capability of the child death review teams to
18 reduce and prevent child injuries and fatalities.

19 (c-5) The Executive Council shall prepare an annual report.
20 The report must include, but need not be limited to, (i) each
21 recommendation made by a child death review team pursuant to
22 item (5) of subsection (b) of Section 20 during the period
23 covered by the report, (ii) the Director's proposed schedule
24 for implementing each such recommendation, and (iii) a
25 description of the specific changes in the Department's
26 policies and procedures that have been made in response to the

1 recommendation. The Executive Council shall send a copy of its
2 annual report to each of the following:

3 (1) The Governor.

4 (2) Each member of the Senate or the House of
5 Representatives, county coroners and medical examiners,
6 and State's Attorneys, in the sole discretion of the
7 Executive Council. ~~whose legislative district lies wholly~~
8 ~~or partly within the region covered by any child death~~
9 ~~review team whose recommendation is addressed in the annual~~
10 ~~report.~~

11 (3) Each member of each child death review team in the
12 State.

13 (d) In any instance when a child death review team does not
14 operate in accordance with established protocol, the Director,
15 in consultation and cooperation with the Executive Council,
16 must take any necessary actions to bring the team into
17 compliance with the protocol.

18 (Source: P.A. 95-405, eff. 6-1-08; 95-527, eff. 6-1-08; 95-876,
19 eff. 8-21-08.)

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