**Section 503.150 Transfers to Specialized Mental Health Settings – Adult Division**

Any person committed to the Adult Division may be transferred to a specialized mental health setting if, upon examination by a Department physician or psychiatrist, the physician or psychiatrist certifies such a transfer is required.

a) Emergency transfers to specialized mental health settings may be granted by verbal approval of the Dwight Chief Administrative Officer for female transfers, or by verbal approval of the Director for male transfers if certification of the necessity of such transfer is made by a Department physician or psychiatrist. If the certification is made by a Department physician, the individual must be examined by the physician no more than two hours prior to transfer.

b) Non-emergency transfers of committed persons shall be made in accordance with the following provisions:

1) The Psychiatric Report shall be reviewed by the Dwight Mental Health Supervisor for a female or the institution Clinical Services Supervisor for a male.

2) The committed person shall receive written notice of the impending transfer and his right to request, within 24 hours, a hearing before the Psychiatric Review Committee regarding his impending placement in a specialized mental health setting. The Psychiatric Review Committee shall be composed of three persons. One member shall be a mental health professional, one member shall be a representative of the clinical services staff and one member shall not be employed by the Department.

A) A hearing will be held within five days of receipt of the written request unless the committed person requests, in writing, an additional two days to prepare for the hearing. The committed person shall be allowed to make a reasonable number of collect telephone calls to family members or outside professional persons to advise them of his impending hearing.

B) The committed person may have, at his expense, a personal psychiatrist or other mental health professional appear to present verbal or written testimony pertaining to his mental status.

C) The committed person may request that witnesses be called to appear at the hearing.

D) The Psychiatric Report must be read at the hearing and the psychiatrist may appear in person.

E) The Committee shall, by majority vote, recommend the transfer, recommend that the committed person's mental health status be reviewed by another mental health professional or, if in the opinion of a mental health professional the transfer is not warranted, recommend the transfer not be approved.

F) The Committee's recommendation shall be forwarded to the Chief Administrative Officer.

3) Approval for the transfer of a female by the Dwight Chief Administrative Officer or approval for the transfer of a male by the Director shall be made after:

A) A review of the Psychiatric Report; and

B) A review of the Psychiatric Review Committee's recommendations; or,

C) Receipt of a signed document by the committed person that he does not request a hearing.

c) After the transfer of a female to the Mental Health Unit of the Dwight Correctional Center or the transfer of a male to the Menard Psychiatric Center the following provisions must be complied with:

1) Within 24 hours of the female's arrival to the Mental Health Unit, she shall receive an examination by a mental health professional.

2) Within 3 days of a committed person's arrival at the unit or center, he shall receive a follow-up examination by a psychiatrist.

d) Within five working days after the emergency transfer of the committed person, if the individual desires, he shall be provided an opportunity to receive a hearing by the unit or center's Placement Review Board (20 Ill. Adm. Code 415.60). The Placement Review Board shall review the appropriateness of the transfer and provide the individual an opportunity to present other professional opinions in his behalf.

(Source: Amended at 11 Ill. Reg. 11502, effective July 1, 1987)