**Section 350.636 Discharge Planning for Identified Offenders**

a) *If, based on the* security measures listed in the *Identified Offender Report and Recommendation, a facility determines that it cannot manage the identified offender resident safely within the facility, it shall commence involuntary transfer or discharge proceedings pursuant to Section 3-402* of the Act and Section 350.3300(d). (Section 2-201.6(h) of the Act) The facility may initiate involuntary transfer or discharge proceedings if it determines, during the provisional admission period described in Section 350.625 (a) through (e), that it cannot manage the identified offender safely within the facility.

b) All discharges and transfers shall be in accordance with Section 350.3300.

c) When a resident who is an identified offender is discharged, the discharging facility shall notify the Department.

d) A facility that admits or retains an identified offender shall have policies and procedures in place for discharging an identified offender for reasons related to the individual's status as an identified offender, including, but not limited to:

1) The facility's inability to meet the needs of the resident, based on Section 350.635 and subsection (a);

2) The facility's inability to provide the security measures necessary to protect facility residents, staff and visitors; or

3) The physical safety of the resident, other residents, the facility staff, or facility visitors.

e) Discharge planning shall be included as part of the individual program plan developed in accordance with Section 350.635(k).

(Source: Amended at 46 Ill. Reg. 10519, effective June 2, 2022)