**Section 350.1236 Care and Treatment of Sexual Assault Survivors**

a) For the purposes of this Section, the following definitions shall apply:

1) Ambulance Provider – an individual or entity that owns and operates a business or service using ambulances or emergency medical services vehicles to transport emergency patients.

2) Sexual Assault – an act of nonconsensual sexual conduct or sexual penetration, as defined in Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

b) When a sexual assault is alleged to have occurred, the facility shall adhere to the following *protocol for the care and treatment of residents who* are suspected of having *been sexually assaulted in* an ID/DD *facility or elsewhere* (Section 3-808 of the Act):

1) Notify local law enforcement pursuant to the requirements of Section 350.750;

2) Call an ambulance provider if medical care is needed;

3) Move the survivor, as quickly as reasonably possible, to a closed environment to ensure privacy while waiting for emergency or law enforcement personnel to arrive. The facility shall ensure the welfare and privacy of the survivor, including the use of incident code to avoid embarrassment; and

4) Immediately notify the resident's guardian or other authorized representative, and inform the guardian or other authorized representative, and the resident, that the facility will call another friend or family member and a sexual assault crisis advocate, when available, to accompany the survivor, if the guardian or other representative, or the resident, wishes.

c) The facility shall preserve evidence of the alleged sexual assault, and shall not launder or dispose of the resident's clothing or bed linens until local law enforcement can determine whether they have evidentiary value. The facility shall encourage the survivor not to change clothes or bathe, if the survivor has not done so since the sexual assault.

d) The facility shall notify the Department and draft a descriptive summary of the alleged sexual assault pursuant to the requirements of Section 350.700.

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