

AN ACT concerning State government.

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

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

(20 ILCS 515/15)

Sec. 15. Child death review teams; establishment.

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

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

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

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

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

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

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

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

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

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

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

(20 ILCS 515/20)

Sec. 20. Reviews of child deaths.

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

(1) A youth in care.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(20 ILCS 515/25)

Sec. 25. Team access to information.

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

not limited to, police reports and medical information.

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

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

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

(20 ILCS 515/40)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The Governor.

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

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

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

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

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