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SENATE JOINT RESOLUTION

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WHEREAS, A substantial and growing percentage of the adult citizens of Illinois are vulnerable to abuse, neglect, exploitation or victimization as a result of age, disability, status, or health condition; and

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WHEREAS, Children of Illinois are also vulnerable to abuse, neglect, exploitation or victimization as a result of disability, status or health condition; and

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WHEREAS, Under various Illinois laws, responsibility for addressing abuse, neglect, exploitation and victimization of various segments of the vulnerable populations, and for affording them protection, is dispersed among several agencies including, but not limited to, the Illinois Departments of Public Health (DPH), Aging (DOA), Human Services (DHS), Children and Family Services (DCFS) and others; and

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WHEREAS, These agencies have responsibility for licensure and regulation and/or for investigating abuse, neglect and/or exploitation of different population groups in different settings; and

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WHEREAS, The settings in which care may be provided to such vulnerable persons ranges widely and includes, but is not

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1 limited to, hospitals, nursing homes, mental health
2 facilities, therapeutic day schools, community placements,
3 supportive housing, non-residential programs, other
4 institutional settings, domestic living situations, and other
5 non-institutional settings in the State of Illinois; and

6 WHEREAS, Licensing, protective, investigative and
7 reporting schemes in Illinois are fragmented, which results in
8 varying standards of protection, gaps in protection and unequal
9 coverage for different population groups, and a patchwork of
10 requirements (and in some cases an absence of requirements)
11 applicable to various settings in which care for individuals in
12 these groups might be provided; and

13 WHEREAS, This fragmentation has resulted in disparity of
14 treatment and widespread confusion on the part of the persons
15 being served, victims of abuse and neglect, the general public,
16 caregivers, providers, medical and other staff, and others who
17 might regulate, report, investigate or otherwise deal with
18 abuse, neglect, exploitation or victimization of members of
19 these groups or provide care for members of these groups; and

20 WHEREAS, The incidences of disparate treatment, of gaps in
21 coverage, of inefficient or ineffective reporting schemes, and
22 of abuse, neglect, exploitation and/or victimization of
23 members of vulnerable population groups have been noted by

1 Equip for Equality, the organization designated to implement
2 the federal Protection and Advocacy system for people with
3 disabilities in Illinois, and other incidences have also been
4 noted by the Guardianship and Advocacy Commission, the
5 Department of Public Health, members of the General Assembly,
6 and others; and

7 WHEREAS, Equip for Equality has detailed many of the
8 disparities and inefficiencies in a public report entitled
9 "Ensuring the Safety of Children and Adults with Disabilities:
10 Filling the Gaps in Illinois' System that Investigates
11 Allegations of Abuse and Neglect" (2008), together with
12 recommendations for change; and

13 WHEREAS, Best practices across the nation point toward a
14 unified state scheme for licensure, protection, investigation,
15 reporting, and sanctioning abuse, neglect, exploitation and/or
16 victimization of vulnerable populations; and

17 WHEREAS, The State of Illinois, as a matter of public
18 policy, should afford its citizens generally, and in particular
19 its most vulnerable citizens, the most effective and efficient
20 means of protection and care; therefore, be it

21 RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL
22 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES

1 CONCURRING HEREIN, that the Work Group on the Care and
2 Protection of Adults and Children is hereby created, to study
3 and recommend to the General Assembly how Illinois' systems of
4 regulating, licensing, investigating and reporting the
5 treatment and care of such vulnerable adults and children, and
6 of investigating and reporting and otherwise addressing the
7 abuse, neglect, exploitation and/or victimization of adults
8 and children, can be changed to provide a unified,
9 comprehensive, cohesive, and more effective and efficient
10 system that affords the maximum protection for the safety and
11 well-being of vulnerable persons of all ages in all settings of
12 care and/or support; and be it further

13 RESOLVED, That the Work Group shall consist of 25 members,
14 which shall include: at least one member (or designee) each
15 from the Office of the Attorney General, the Departments of
16 Human Services, Children and Family Services, Aging, State
17 Police, and Public Health, the Office of the Inspector General
18 of DHS, and the Guardianship and Advocacy Commission; at least
19 one member (or designee) from Equip for Equality; and 4 members
20 appointed by the President of the Senate, the Minority Leader
21 of the Senate, the Speaker of the House, and the Minority
22 Leader of the House, with one appointment by each of those
23 leaders from relevant professional associations representing
24 care and support givers, disability and health care advocacy
25 groups, local law enforcement agencies, and the general public;

1 and be it further

2 RESOLVED, That members of the Work Group not representing
3 State agencies or professional associations may be reimbursed
4 for expenses related to their participation; and be it further

5 RESOLVED, That the Work Group shall select a chair, and
6 that the State agencies represented on the Work Group shall
7 work cooperatively to provide administrative support, meeting
8 space, research and other necessary assistance for the Work
9 Group, and that the Department of Public Health shall be the
10 primary agency responsible for such support; and be it further

11 RESOLVED, That the Work Group may conduct public hearings
12 and engage in such other information gathering measures as it
13 deems necessary or desirable; and be it further

14 RESOLVED, That the Work Group shall develop and report its
15 findings and recommendations, including possible funding
16 sources necessary to implement any recommendations, to the
17 House of Representatives in a final report which shall be filed
18 on or before May 31, 2009.