



Rep. Patricia R. Bellock

Filed: 3/24/2011

09700HB2942ham002

LRB097 09211 KTG 53332 a

1 AMENDMENT TO HOUSE BILL 2942

2 AMENDMENT NO. _____. Amend House Bill 2942 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Abused and Neglected Child Reporting Act is
5 amended by changing Section 7.21 as follows:

6 (325 ILCS 5/7.21)

7 Sec. 7.21. Review of unfounded reports. ~~Multidisciplinary~~
8 ~~Review Committee.~~

9 (a) Whenever the Department determines that a reported
10 incident of child abuse or neglect from a reporter is
11 "unfounded", the reporter may request an appeal of the
12 investigation within 10 days of the notification of the final
13 finding. Whenever the Department determines that any reported
14 incident of child abuse or neglect is "unfounded", the minor's
15 guardian ad litem appointed under the Juvenile Court Act of
16 1987 may request an appeal of the investigation within 10 days

1 of the notification of the final finding and receipt of the
2 investigative packet, if the subject of the report is also the
3 minor for whom the guardian ad litem has been appointed.
4 Appeals under this subsection will be conducted by a neutral
5 third party. The neutral third party shall make recommendations
6 to the Department as to the adequacy of the investigation and
7 the accuracy of the final finding determination. The Department
8 ~~may establish multidisciplinary review committees in each~~
9 ~~region of the State to assure that mandated reporters have the~~
10 ~~ability to have a review conducted on any situation where a~~
11 ~~child abuse or neglect report made by them was "unfounded", and~~
12 ~~they have concerns about the adequacy of the investigation.~~
13 ~~These committees shall draw upon the expertise of the Child~~
14 ~~Death Review Teams as necessary and practicable. Each committee~~
15 ~~will be composed of the following: a health care professional,~~
16 ~~a Department employee, a law enforcement official, a licensed~~
17 ~~social worker, and a representative of the State's attorney's~~
18 ~~office. In appointing members of a committee, primary~~
19 ~~consideration shall be given to a prospective member's prior~~
20 ~~experience in dealing with cases of suspected child abuse or~~
21 ~~neglect.~~

22 (b) (Blank). ~~Whenever the Department determines that a~~
23 ~~reported incident of child abuse or neglect from a mandated~~
24 ~~reporter is "unfounded", the mandated reporter may request a~~
25 ~~review of the investigation within 10 days of the notification~~
26 ~~of the final finding. Whenever the Department determines that a~~

1 ~~reported incident of child abuse or neglect from a mandated~~
2 ~~reporter or any other reporter is "unfounded", the minor's~~
3 ~~guardian ad litem appointed under the Juvenile Court Act of~~
4 ~~1987 may request a review of the investigation within 10 days~~
5 ~~of the notification of the final finding if the subject of the~~
6 ~~report is also the minor for whom the guardian ad litem has~~
7 ~~been appointed. The review of the investigation requested by~~
8 ~~the guardian ad litem may be conducted by the Regional Child~~
9 ~~Protection Manager.~~

10 ~~A review under this subsection will be conducted by the~~
11 ~~committee, except those requests for review that are made by~~
12 ~~the guardian ad litem, which shall be conducted by the Regional~~
13 ~~Child Protection Manager. The Department shall make available~~
14 ~~to the committee all information in the Department's possession~~
15 ~~concerning the case. The committee shall make recommendations~~
16 ~~to the Department as to the adequacy of the investigation and~~
17 ~~of the accuracy of the final finding determination. These~~
18 ~~findings shall be forwarded to the Regional Child Protection~~
19 ~~Manager.~~

20 (c) The Department shall provide complete records of these
21 investigations to the committee. Records provided to the
22 committee and recommendation reports generated by the
23 committee shall not be public record.

24 (c-5) On or before October 1 of each year, the Department
25 shall prepare a report setting forth (i) the number of
26 investigations appealed ~~reviewed by each committee during the~~

1 ~~previous fiscal year and~~ (ii) the number of those
2 investigations that the committee found to be inadequate, and
3 (iii) the number of recommendations to reverse final findings.

4 The report shall also include a summary ~~of the committee's~~
5 ~~comments and a summary~~ of the corrective action, if any, that
6 was taken in response to the ~~committee's~~ recommendations. The
7 report shall be a public record. The Department shall submit
8 the report to the General Assembly and shall make the report
9 available to the public upon request.

10 (d) The Department shall adopt rules to implement this
11 Section by October 1, 2011. The rules may limit the rights of a
12 reporter to appeal unfounded cases when the reporter has been
13 determined to be engaging in harassing conduct.

14 (Source: P.A. 90-239, eff. 7-28-97; 91-812, eff. 6-13-00.)".