

Transportation restraints and planning, Illinois, 2021
Illinois, 2021, S 2323, Feigenholtz

Restriction on Restraints in Transport

- “No youth shall be subjected to restraints during the provision of any transportation services provided or arranged by the Department or its contractual assigns”
- “Transport” means transportation of a youth provided or arranged by the Department. “Transport” does not include the emergency transportation of youth in care by an ambulance service provider in an emergency situation or inter-hospital non-emergency transportation

Transportation Planning

- “The Department must prepare a written individualized trauma-sensitive transportation plan for any youth when the youth is being transported to or from a psychiatric hospital or residential treatment center
- For youth who are psychiatrically hospitalized, the Department shall begin discharge and placement planning from the moment of admission, including developing the transportation plan required by this section

Approvals

- The Department must obtain written approval from its Chief Deputy Director and the Chief Deputy Director of its Clinical Division and court approval of the transportation plan when:
 - The youth is being transported to an out-of-state residential treatment center
 - The youth is being transported from an out-of-state residential treatment center to another residential treatment center or psychiatric hospital in any state
 - The youth is being transported from a psychiatric hospital to a residential treatment center in this state and the anticipated travel time is greater than 3 hours; or
 - A court has ordered that the plan be approved by the court

Required elements and participation in planning

- The written individualized trauma-sensitive transportation plan must be developed in consultation with:
 - The youth’s caseworker
 - The youth’s clinical treatment teams at the location the youth is leaving and the location the youth is being transported to;
 - The youth, to the extent possible and appropriate
- Plan must include:
 - Purpose of transport

- Start and end point
- Anticipated length of transport
- Time of day transport will occur
- Plan for restroom and meal breaks and overnight stays
- Written assessment of youth's clinical condition and any safety concerns that may arise during transport
- Identify individualized de-escalation techniques
- Assessment of youth's medical condition and plan for dispensing prescribed medications
- Identify the caseworker or mental health professional, known to the youth, who will accompany during transport
- Required agency participation
 - A caseworker or mental health professional known to the youth must accompany youth during transport; identity must be specified in plan
 - If the youth is in a passenger vehicle, this must be a person in addition to the person driving the vehicle to ensure youth's emotional and physical well-being; identity must be specified in plan
 - Any additional individuals accompanying the youth must have identity specified in the plan.
- Reporting
 - Transport approved by court is a "significant event" and must be reported by the Department
 - Department must annually publish on its website
 - Number of transportation plans authorized
 - Whether there were any significant events and number and type of any significant events that occurred during each transport
 - Number of transportation plans modified or denied, including information regarding why the court modified or denied
 - Number of violations of the section and a detailed description of the date and circumstances
- Court considerations
 - When considering whether to approve the individualized trauma-sensitive transportation plan, the court shall consider the minor's best interest and the following:
 - Reason for transport
 - Type of placement minor is being transported from and to
 - Anticipated length of travel

- Clinical needs of minor, including medical or emotional needs
- Any available less restrictive alternatives
- Any other factor the court deems relevant
- Court may order amendments to the plan based on written findings of fact that the plan is not in the minor's best interest