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| Resident Criminal History Record Information Requests | | | | NO. | |
| 1. Facility shall, within 24 hours of admission of a resident, request a criminal history background check pursuant to the Uniform Conviction Information Act [20 ILCS 2635] for persons 18 or older seeking admission to the facility. Background checks shall be based on the resident’s name, date of birth, and other identifiers as required by the Department of State Police. (Section 2-201.5(b) of the Act) 2. The facility shall check for the individual’s name on the Illinois Sex Offender Registration website at [www.isp.state.il.us](http://www.isp.state.il.us) and the Illinois Department of Corrections sex registrant search page at [www.idoc.state.il.us](http://www.idoc.state.il.us) to determine if the individual is listed as a registered sex offender. 3. If the results of the background check are inconclusive, the facility shall initiate a fingerprint-based check, unless the fingerprint check is waived by the Director of Public Health based on verification by the facility that the resident is completely immobile or that the resident meets other criteria related to the resident’s health or lack of potential risk, such as the existence of a severe, debilitating physical, medical, or mental condition that nullifies potential risk presented by the resident. (Section 2-201.5(b) of the Act) The facility shall arrange for a fingerprint-based background check or request a waiver from the Department within 5 days after receiving inconclusive results of a name-based background check. The fingerprint-based background check shall be conducted within 25 days after receiving the inconclusive results of the name-based check. 4. Waivers issued pursuant to Section 2-201.5 of the Act shall be valid while the resident is immobile or while the criteria supporting the waiver exist. 5. The facility shall provide for or arrange for required fingerprint-based checks to be taken on the premises of the facility. If a fingerprint-based check is required, the facility shall arrange for it to be conducted in a manner that is respectful of the resident’s dignity and that minimizes emotional or physical hardships to the resident. (Section 2-201.5(b) of the Act) If a facility is unable to conduct a fingerprint-based background check in compliance with this Section, then it shall provide conclusive evidence of the resident’s immobility or risk nullification of the waiver issued pursuant to Section 2-201.5 of the Act. 6. If the results of a resident’s criminal history background check reveal that the resident is an identified offender as defined in Section 1-114.01 of the Act, the facility shall immediately fax the resident’s name and criminal history to the Department pursuant to the requirements of Section 2-201.6 of the Act and Section 300.625 of this Part. 7. This facility shall take necessary steps to ensure the safety of residents while the results of a name-based background check or a fingerprint-based background check are pending; while the results of a request for waiver of a fingerprint-based check are pending; and/or while the Criminal History Analysis Report is pending. | | | | | |
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