



# Community Behavioral Healthcare Association



## Spring 2019 Legislative Roundup

Bills that affect consumer, communities and providers regarding mental health and alcohol / substance abuse care, legalities, and administration.

From the Second Session of the 100th General Assembly:

- With notations:
  - Designating “Tier One” or “Tier Two” legislation for Mental Health or Substance Use Disorders stakeholders.
  - Identifying special service area or substantive issue for the legislation of interest for Mental Health or Substance Use Disorder stakeholders.

Provided as a membership service.

Dear CBHA Members,

The Illinois General Assembly adjourned sine die for the Spring Session. It took a couple of extra days, but the General Assembly wrapped up on June 2 following the approval of many items on Governor Pritzker's agenda.

Legislators successfully negotiated a balanced Fiscal Year 2020 budget that received bipartisan support, approved a ballot referendum to allow voters to decide if the state should keep the current flat tax or change to a graduated income tax, legalized recreational cannabis use, increased the minimum wage, overhauled the state's Medicaid managed care program and approved a major expansion to gaming in the state.

I am pleased to provide you with our summary report from the current legislative session; a member service begun in 2004 and continuing through the most recent legislative session, the 101st General Assembly Spring session of 2019.

This report lists bills passed by both chambers, bills signed by the Governor into law that impacts the community behavioral healthcare system, including bills that are "effective immediately" so we wanted to advise you of their passage. CBHA staff reviewed the legislation and offer descriptions and summaries of the bills.

We trust you will find this service an important tool in your administrative work plan.

Sincerely,

Marvin Lindsey, CEO

# **Tier I and Tier II Bills**

## **The need to prioritize and organize**

During a legislative session CBHA reviews thousands of bills. This review process leads to the association tracking and acting on hundreds of bills. As bills are reviewed, staff makes a recommendation to our team of member reviewers as to whether a bill is a priority bill. The final determination of whether legislation is a Tier One or Two is part of the CBHA team review process.

### **Tier I (One) Legislation**

Tier One priority bills are legislation that are of significant importance to consumers and/or our field. CBHA will be “working Tier One bills” in order to help the legislation pass, be amended, or not advance. Working the bill consists of communications, meetings, testimony, fact sheets, coalition building, more meetings, communications and coalition building. Communications about Tier One bills are expedited to legislators, coalitions and members. Action of these bills often continues through the “Veto Session” and rule making process.

### **Tier II (Two) Legislation**

Tier Two bills consist of legislation of interest to consumers and/or our field. We want to monitor Tier Two bills and stay abreast of their status. We register our position on Tier Two legislation during the legislative process and occasionally offer amendments and communicate with legislators, members and coalitions about these bills as necessary.

## **Category of Bills**

In addition to Tier level, all bills have also been identified with notations identifying special service area and substantive issues for each bill. The categories include:

- Substance Use
- Budget/Finance/Cash Flow
- Child/Adolescent/Juvenile Justice
- Healthcare
- Medicaid/Managed Care
- Mental Health
- Special Interest

# Bills – Numerical Order

## **HB5 - MATERNAL CARE**

**Sponsors:** Rep. Mary Flowers – Jaqueline Collins

**Status:** Public Act . . . . . [101-0447](#)

**Tier:** II

**Category:** Mental Health/Substance Use

**Summary:** IDHS shall ensure access to substance use disorder services statewide for pregnant and postpartum women, and ensure that programs are gender-responsive, are trauma-informed, serve women and young children, and prioritize justice-involved pregnant and postpartum women. Effective upon becoming law.

## **HB831 - CHILD ABUSE REPORTS-DPH-DHFS**

**Sponsors:** Rep. Stephanie A. Kifowit – Senator Linda Holmes

**Status:** Public Act . . . . . [101-0043](#)

**Tier:** II

**Category:** Child/Adolescent

**Summary:** Strengthens reporting of child abuse or neglect among state agencies, by requiring DCFS to share reports and final findings with the Department of Public Health and Department of Healthcare and Family Services.

## **HB907 – IDPH-MENTAL HEALTH RESOURCES**

**Sponsors:** Rep. John Connor – Senator Laura Murphy

**Status:** Public Act . . . . . [101-0045](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Directs DHS to create and maintain an online database and resource page on its website. Provides that the page shall contain mental health resources specifically geared towards school counselors, parents, and teachers with the goal of connecting those people with mental health resources related to bullying and school shootings and encouraging information sharing among educational administrators, school security personnel, and school resource officers.

## **HB1438 - CANNABIS-TECH**

**Sponsors:** Rep. Kelly Cassidy – Senator Heather Steans

**Status:** Public Act . . . . . [101-0027](#)

**Tier:** II

**Category:** Special Interest

**Summary:** Legalized recreational marijuana use and sale in the state for adults. Effective 6/25/19.

**HB1551/SB191 – JUV CT-FAMILY SUPPORT PROGRAM**

**Sponsors:** Rep. Sara Feigenholtz – Senator Julie Morrison

**Status:** Public Act . . . . . [101-0237](#)

**Tier:** II

**Category:** Child/Juvenile

**Summary:** Improves the safety and well-being of children in the state’s care and strengthens accountability; provides that child placed under guardianship of DCFS remains eligible for ICG grant.

**HB2045 - CD CORR-CO PAYMENTS**

**Sponsors:** Rep. Carol Ammons – Senator Elgie Sims

**Status:** Public Act . . . . . [101-0086](#)

**Tier:** II

**Category:** Special Interest

**Summary:** Repeals the statutory language compelling IDOC to collect a \$5 co-pay from inmates who request medical services.

**HB2142 - MHDD CD-COUNSELING SESSIONS**

**Sponsors:** Rep. Will Davis – Senator Julie Morrison

**Status:** Public Act . . . . . [101-0059](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Increases the length and number of mental health counseling sessions for adults under guardianship. Provides that until the consent of the adult's guardian has been obtained, counseling or psychotherapy provided to an adult under guardianship shall be limited to not more than 12 (rather than 5) sessions, a session lasting not more than 60 (rather than 45) minutes. Effective immediately.

**HB2152 - MENTAL HEALTH ACTION ON CAMPUS**

**Sponsors:** Rep. Emanuel Chris Welch – Senator Pat McGuire

**Status:** Public Act . . . . . [101-0251](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Creates the Mental Health Early Action on Campus Act. Provides that to raise mental health awareness on college campuses, each public college or university in this State must complete specified tasks.

**HB2154 – Children and Young Adult Mental Health Crisis Act**

**Sponsors:** Rep. Sara Feigenholtz – Senator Heather Steans

**Status:** Public Act . . . . . [101-0461](#)

**Tier:** I

**Category:** Child/Adolescent

**Summary:** Restructures the Individual Care Grant/Family Support Program (ICG/FSP) for children/young adults with mental health high needs (regardless of type of insurance coverage)

to streamline eligibility, promote family engagement, and enable early treatment. Requires insurance coverage of evidence-based early treatment models for psychosis and other serious mental health conditions for youth under age 30 to parallel coverage through the public sector. Provides for more robust treatment options under Medicaid for prevention/early treatment.

**HB2160 - DRUGS-PRIOR AUTHORIZATION FORM**

**Sponsors:** Rep. Deb Conroy – Senator Julie Morrison

**Status:** Public Act . . . . . [101-0463](#)

**Tier:** I

**Category:** Medicaid

**Summary:** Creates a task force to develop a one-page uniform prior authorization (PA) form for prescribers (Medicaid and commercial insurers).

**HB2247 - MHDDSA-FAMILY COUNSELING**

**Sponsors:** Rep. Camille Y. Lilly – Senator Julie Morrison

**Status:** Public Act . . . . . [101-0061](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Allows the Department of Human Services’ Division of Mental Health to create community-based pilot programs for persons with or at risk for a mental health diagnosis that is sensitive to the needs of local communities.

**HB2259 - DHFS-MCO PREFERRED DRUG LISTS**

**Sponsors:** Rep. Sara Feigenholtz – Senator Julie Morrison

**Status:** Public Act . . . . . [101-0062](#)

**Tier:** II

**Category:** Medicaid

**Summary:** Increases transparency in the decision-making process of the Medicaid Drug and Therapeutics Board, which with the Department of Healthcare and Family Services determines the fee-for-service medication formulary in the Illinois Medicaid program. Creates standardized format for Medicaid preferred drug lists. Expands the Illinois Drug and Therapeutics Advisory Board to include clinicians who specialize in the prevention and treatment of HIV and chronic diseases that require significant pharmaceutical treatments.

**HB2766 - SUICIDE-FIRST RESPONDERS**

**Sponsors:** Rep. Frances Ann Hurley – Senator Terry Link

**Status:** Public Act . . . . . [101-0375](#)

**Tier:** II

**Category:** Special Interest

**Summary:** Provides that any emergency services or public safety employee may refer any fellow first responder for mental health services through an employee assistance or peer counseling program. If such a program is not available through the employee’s agency, the legislation authorizes that help may be sought from any available mental health assistance program. The bill mandates that any oral or written information communicated during these

mental health sessions would be strictly confidential and could not be used in any judicial hearing, arbitration, or other adjudicatory proceeding.

**HB2767 - POLICE TRAINING-MENTAL HEALTH**

**Sponsors:** Rep. Frances Ann Hurley – Senator Bill Cunningham

**Status:** Public Act . . . . . [101-0215](#)

**Tier:** II

**Category:** Special Interest

**Summary:** Requires the Illinois Law Enforcement Training and Standards Board to develop a course addressing the issues of officer wellness and suicide prevention. The course would be included in the training requirements police officers must complete before graduating the police academy and would also need to be completed every three years after graduation. The training would be required to include recognizing signs of work-related cumulative stress, issues that may lead to suicide and solutions for intervention with peer support resources.

**HB3404 - HIGHER ED-MENTAL HEALTH INFO**

**Sponsors:** Rep. Karina Villa – Senator Bill Cunningham

**Status:** Public Act . . . . . [101-0217](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Provides that, for the 2020-2021 academic year and for each academic year thereafter, a university or community college district must make available to its students information on all mental health and suicide prevention resources available at the university or community college.

## Senate Bills

**SB1165 - BEHAVIORAL HEALTH TASK FORCE \*CBHA-initiated**

**Sponsors:** Senator Heather Steans – Rep. Robyn Gabel

**Status:** Public Act . . . . . [101-0202](#)

**Tier:** I

**Category:** Mental Health/Substance Use

**Summary:** Extends the deadline to December 31, 2019, for the Task Force to submit its findings and recommendations to the General Assembly on the creation of the Illinois Behavioral Health Workforce Education Center.

**SB1321 – Medicaid Omnibus**

**Sponsors:** Senator Heather Steans – Rep. Greg Harris

**Status:** Public Act . . . . . [101-0209](#)

**Tier:** I

**Category:** Medicaid / Managed Care

**Summary:** The reform package includes a number of provisions to improve health care programs in the state, including Medicaid managed care program. It also aims to improve the

medical redetermination process, which reviews eligibility for the state’s nearly 3 million Medicaid beneficiaries. Effective 8/5/19.

**SB1425 - IDPH-SUICIDE PREVENTION**

**Sponsors:** Senator Heather Steans – Rep. Anne Stava-Murray

**Status:** Public Act . . . . . [101-0331](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Strengthens suicide prevention efforts by the IDPH Office of Suicide Prevention and Illinois Suicide Prevention Alliance, such as coordinating suicide prevention, intervention, and postvention programs, services, and efforts statewide, and requires yearly reporting on program effectiveness to the governor and General Assembly.

**SB1449 - INS CD-MENTAL HEALTH PARITY**

**Sponsors:** Senator Julie Morrison – Rep. Jonathan Carroll

**Status:** Public Act . . . . . [101-0332](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Provides that the Department of Insurance shall form a task force to review the plans and policies for individual and group short-term and long-term disability income insurance issued and offered to individuals and employers in this State to examine the use of such insurance for behavioral health conditions.

**SB1715 - PHARMACY PRACTICE-INJECTIONS**

**Sponsors:** Senator Michael Hastings – Rep. Sara Feigenholtz

**Status:** Public Act . . . . . [101-0349](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Allows pharmacists, in addition to physicians, would be able to administer long-term mental health treatments via injection efficiently and safely, as long as a prescription from a physician is present. Effective immediately.

**SB1731 - SCH CD-MENTAL HEALTH AWARENESS**

**Sponsors:** Senator David Koehler - Rep. Maurice A. West

**Status:** Public Act . . . . . [101-0350](#)

**Tier:** II

**Category:** Mental Health

**Summary:** Provides that if licensed school personnel or an administrator obtains mental health first aid training outside of an in-service training program, he or she may present a certificate of successful completion of the training to the school district to satisfy the training requirements.

**SB1744 - CD CORR-MEDICAID SCREENING**

**Sponsors:** Senator Christopher Belt – Rep. LaToya Greenwood

**Status:** Public Act . . . . . [101-0351](#)

**Tier: II**

**Category: Medicaid**

**Summary:** Requires the Department of Corrections (DOC) to screen inmates for Medicaid eligibility before being released. Officials of the correctional institution or facility will have a committed person assigned to assist eligible inmates in completing a Medicaid application to ensure they begin receiving benefits immediately upon release.

**SB1778 – ANCRA-MANDATED REPORTERS**

**Sponsors: Senator Julie A. Morrison – Rep. Sara Feigenholtz**

**Status:** Public Act . . . . . [101-0564](#)

**Tier: I**

**Category: Child/Adolescent**

**Summary:** Reorganizes the list of individuals required to immediately report suspected child abuse or neglect to DCFS. Also requires most mandated reporters to complete training within three months of a new position and at least every three years thereafter. DCFS is required under the proposal to provide a free web-based training system for reporters.

**SB1828 - NEEDLE AND HYPODERMIC ACCESS**

**Sponsors: Senator Melinda Bush – Rep. Deb Conroy**

**Status:** Public Act . . . . . [101-0356](#)

**Tier: II**

**Category: Substance Use**

**Summary:** Creates the Needle and Hypodermic Syringe Access Program Act. Legalizes syringe exchange programs statewide and would be run by the Illinois Department of Public Health. The law details requirements for establishing and running syringe exchanges and provides criminal immunity to individuals. It also provides additional support to overdose prevention programs by directing the state to promote best practices and provide training programs.

**SB1888 - SOCIAL WORKER AUTHORIZED EXAM**

**Sponsors: Senator Ann Gillespie – Rep. Grant Wehrli**

**Status:** Public Act . . . . . [101-0568](#)

**Tier: II**

**Category: Special Interest**

**Summary:** Provides that applicants for a license as a licensed social worker enrolled in an approved program for a master's degree in social work may sit for the authorized examination for licensed social workers in the final semester of the program without prior approval of the Department of Financial and Professional Regulation.

**SB1965 - HEALTH CARE WORKER BACKGROUND**

**Sponsors:** Senator Elgie Sims – Rep. Justin Slaughter

**Status:** Public Act . . . . . [101-0176](#)

**Tier:** II

**Category:** Special Interest

**Summary:** Amends the Health Care Worker Background Check Act, streamlining the hiring and occupational licensing processes for individuals with arrest or conviction records. The law also permits organizations supporting ex-offenders to initiate fingerprint-based criminal history record checks for individuals with a disqualifying conviction. Effective immediately.

**SB2085 - INS CD-COLLABORATIVE CARE**

**Sponsors:** Senator Laura Fine – Rep. Deb Conroy

**Status:** Public Act . . . . . [101-0574](#)

**Tier:** II

**Category:** Medicaid

**Summary:** Authorizes the psychiatric Collaborative Care Model (CoCM), an evidence-based integrated care model, in the Illinois Insurance Code.