



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0759

Introduced 2/1/2005, by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

20 ILCS 505/5.25 new

Amends the Children and Family Services Act. Provides that every child with a diagnosis of a mental illness who is placed under the Act shall receive mental health services. Requires DCFS, in cooperation with DHS, to file a proposed rule by January 1, 2006, regarding the mental health services to be provided to these children. Requires DCFS to assess each mental health community network in the State to determine what needs exist in each network for the required mental health services. Requires DCFS, by January 1, 2007, to submit a report describing the assessment of the mental health community networks and a plan to address the identified needs to the Governor and the General Assembly.

LRB094 07435 AJO 37597 b

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Children and Family Services Act is amended
5 by adding Section 5.25 as follows:

6 (20 ILCS 505/5.25 new)

7 Sec. 5.25. Mental health services.

8 (a) Every child placed under this Act with a diagnosis of
9 mental illness shall receive necessary mental health services,
10 including but not limited to medical management, individual and
11 group therapy, psychosocial rehabilitation, vocational
12 services, and hospitalization. Services shall be appropriate
13 to meet the needs of the individual child; may be provided by a
14 program, a facility, a home, or an outside mental health
15 services provider; and may be provided to the child at the site
16 of the program, facility, or home or at an otherwise
17 appropriate location. A program, facility, or home shall assist
18 in arranging for a child to receive mental health services from
19 an outside provider when those services are necessary in
20 meeting the child's needs and the child wishes to receive them.

21 (b) As used in this Section, "mental illness" means a
22 mental or emotional disorder verified by a diagnosis contained
23 in the Diagnostic and Statistical Manual of Mental Disorders,
24 Third Edition-Revised (or any subsequent edition), or
25 International Classification of Diseases, Ninth Revision,
26 Clinical Modification (or any subsequent revision) that
27 substantially impairs the individual's cognitive, emotional,
28 or behavioral functioning; excluding (i) V codes, (ii) organic
29 disorders such as dementia and those associated with known or
30 unknown physical conditions such as hallucinosis, amnestic
31 disorder, and delirium, (iii) psychoactive substance induced
32 organic disorders, (iv) mental retardation, and (v)

1 psychoactive substance use disorder. Not excluded, however, is
2 a dual diagnosis of mental illness and mental retardation or of
3 mental illness and psychoactive substance use disorder.

4 (c) No later than January 1, 2006, in cooperation with the
5 Illinois Department of Human Services, the Department of
6 Children and Family Services shall file a proposed rule or a
7 proposed amendment to an existing rule regarding the provision
8 of mental health services to children who have a serious mental
9 illness. The proposal shall address, but is not limited to, the
10 implementation of the following: assessment, care planning,
11 treatment, and discharge planning for those who are under the
12 supervision or admitted to a child welfare agency, secure child
13 care facility, foster family home, group home, or child care
14 institution licensed or funded by the Department.

15 (d) The Department shall also prepare an assessment of each
16 mental health community service network in the State. This
17 assessment shall evaluate the resources needed in each network
18 to provide appropriate mental health services for all children
19 within the network's service area who have mental illness. The
20 assessments shall include, at a minimum, an analysis of the
21 current availability and needs in each of the following areas:
22 (i) mental health treatment, (ii) qualified mental health
23 professionals, (iii) case managers, (iv) programs for
24 psychosocial rehabilitation, (v) housing and supportive
25 services, (vi) vocational assistance, and (vii) programs for
26 substance abuse.

27 By January 1, 2007, the Department shall complete all
28 required individual and network assessments and shall submit a
29 written report to the Governor and the General Assembly that
30 describes the results of the assessment and contains a specific
31 plan to address the identified needs for mental health
32 services.