



Disability Services Committee

Filed: 5/6/2009

FISCAL NOTE ACT
MAY APPLY

09600SB0209ham001

LRB096 03119 DRJ 26044 a

1 AMENDMENT TO SENATE BILL 209

2 AMENDMENT NO. _____. Amend Senate Bill 209 by replacing
3 lines 4 through 23 on page 1 and lines 1 through 12 on page 2
4 with the following:

5 "Section 5. The Mental Health and Developmental
6 Disabilities Code is amended by changing Section 3-400 as
7 follows:

8 (405 ILCS 5/3-400) (from Ch. 91 1/2, par. 3-400)

9 Sec. 3-400. Voluntary admission to mental health facility.

10 (a) Any person 16 or older, including a person adjudicated
11 a disabled person, may be admitted to a mental health facility
12 as a voluntary recipient for treatment of a mental illness upon
13 the filing of an application with the facility director of the
14 facility if the facility director determines and documents in
15 the recipient's medical record that the person (1) is
16 clinically suitable for admission as a voluntary recipient and

1 (2) has the capacity to consent to voluntary admission.

2 (b) For purposes of consenting to voluntary admission, a
3 person has the capacity to consent to voluntary admission if,
4 in the professional judgment of the facility director or his or
5 her designee, the person is able to understand that:

6 (1) He or she is being admitted to a mental health
7 facility.

8 (2) He or she may request discharge at any time. The
9 request must be in writing, and discharge is not automatic.

10 (3) Within 5 business days after receipt of the written
11 request for discharge, the facility must either discharge
12 the person or initiate commitment proceedings. ~~deems such~~
13 person clinically suitable for admission as a voluntary
14 recipient.

15 (Source: P.A. 91-726, eff. 6-2-00.)".