



Rep. Kimberly du Buclet

Filed: 3/7/2012

09700HB5586ham001

LRB097 18283 AJ0 67265 a

1 AMENDMENT TO HOUSE BILL 5586

2 AMENDMENT NO. _____. Amend House Bill 5586 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Mental Health and Developmental
5 Disabilities Administrative Act is amended by adding Section
6 54.1 as follows:

7 (20 ILCS 1705/54.1 new)

8 Sec. 54.1. Maintenance of services when State-operated
9 mental health facilities are closed or downsized.

10 (a) Whenever, as the result of the closing or the reduction
11 in the number of units or available beds of any mental health
12 facility operated by the Department of Human Services, the
13 State determines to enter into a contract with any mental
14 health facility to provide hospitalization to persons who would
15 otherwise be served by the State-operated mental health
16 facility, the State shall include in that contract a

1 requirement that the facility provide the following rights,
2 procedures, and services in relation to those persons:

3 (1) the right to challenge a denial of admission as
4 provided in Sections 3-207 and 3-405 of the Mental Health
5 and Developmental Disabilities Code;

6 (2) the right to challenge a discharge as provided in
7 Sections 3-207 and 3-405 of the Mental Health and
8 Developmental Disabilities Code;

9 (3) the right to writing materials, postage, and
10 telephone usage funds in reasonable amounts as provided in
11 subsection (a) of Section 2-103 of the Mental Health and
12 Developmental Disabilities Code;

13 (4) compliance with the requirements of subsection (h)
14 of Section 2-107 of the Mental Health and Developmental
15 Disabilities Code; and

16 (5) compliance with reporting requirements of Section
17 2-107.3 of the Mental Health and Developmental
18 Disabilities Code.

19 (b) The rate or amount paid under any contract subject to
20 this Section shall include funds sufficient to reimburse the
21 mental health facility for any reasonable costs associated with
22 the provisions of subsection (a).

23 (c) The State shall include in any contract subject to this
24 Section specific funds to cover the reasonable costs of any
25 person required to testify pursuant to Section 3-807 of the
26 Mental Health and Developmental Disabilities Code and the

1 reasonable costs of transporting any person subject to a
2 hearing under Article VIII of Chapter III of the Mental Health
3 and Developmental Disabilities Code from the mental health
4 facility to the place of the hearing.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".