

AN ACT concerning civil liability.

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

Section 5. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Section 9.2 as follows:

(740 ILCS 110/9.2)

Sec. 9.2. Interagency disclosure of recipient information. For the purposes of continuity of care, the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), community agencies funded by the Department of Human Services in that capacity, prisons operated by the Department of Corrections, mental health facilities operated by a county, and jails operated by any county of this State may disclose a recipient's record or communications, without consent, to each other, but only for the purpose of admission, treatment, planning, or discharge. Entities shall not redisclose any personally identifiable information, unless necessary for admission, treatment, planning, or discharge of the identified recipient to another setting. No records or communications may be disclosed to a county jail or State prison pursuant to this Section unless the Department has entered into a written agreement with the county jail or State prison requiring that the county jail or State prison adopt written policies and procedures designed to ensure that the records and communications are disclosed only to those persons employed by or under contract to the county jail or State prison who are involved in the provision of mental health services to inmates and that the records and communications are protected from further disclosure.

(Source: P.A. 91-536, eff. 1-1-00.)

Section 99. Effective date. This Act takes effect upon

Public Act 094-0182

HB0808 Enrolled

LRB094 03614 LCB 33619 b

becoming law.