



Sen. Michael W. Halpin

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10400SB0188sam001

LRB104 03517 KTG 23452 a

1 AMENDMENT TO SENATE BILL 188

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 188 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Out-of-State Person Subject to Involuntary  
5 Admission on an Inpatient Basis Mental Health Treatment Act is  
6 amended by changing Sections 5, 10, 15, 40, and 45 as follows:

7 (405 ILCS 110/5)

8 (Section scheduled to be repealed on January 1, 2026)

9 Sec. 5. Definitions. As used in this Act:

10 "Department" means the Department of Human Services.

11 "Eastern Iowa Mental Health Region" means the Iowa  
12 counties of Cedar, Clinton, Jackson, Muscatine, and Scott.

13 "Person subject to involuntary admission on an inpatient  
14 basis", "mental health facility", and "recipient" have the  
15 meanings ascribed to them in the Mental Health and  
16 Developmental Disabilities Code.

1           "Program service ~~Pilot project~~ area" means the Eastern  
2 Iowa Mental Health Region and Rock Island County, Illinois.

3           "Receiving agency" means a mental health facility located  
4 in Rock Island, Illinois which accepts and provides treatment  
5 to a person from the sending state.

6           "Receiving state" means Illinois.

7           "Sending state" means Iowa.

8 (Source: P.A. 100-12, eff. 7-1-17.)

9 (405 ILCS 110/10)

10 (Section scheduled to be repealed on January 1, 2026)

11           Sec. 10. Mental health program; ~~Pilot project~~ reciprocal  
12 agreement. The mental health pilot project created under  
13 Public Act 100-12 shall be a permanent program. Under the  
14 program, ~~On or before January 1, 2018, there is created a~~  
15 ~~2 year mental health pilot project for which~~ the receiving  
16 agency may accept the admission of an Iowa resident from the  
17 Eastern Iowa Mental Health Region who is a person subject to  
18 involuntary admission on an inpatient basis under an order  
19 issued by an Iowa court for treatment at a receiving agency in  
20 this State for which the Iowa court shall have jurisdiction  
21 over the recipient while committed to a receiving agency in  
22 this State as provided under Section 331.910 of the Iowa Code.  
23 The program ~~pilot project~~ shall also provide that a resident  
24 of Rock Island County, Illinois who is a person subject to  
25 involuntary admission on an inpatient basis under an order

1 issued by a court of this State for treatment at a receiving  
2 agency in this State may receive inpatient treatment in the  
3 sending state. The sending state or receiving agency shall  
4 provide mental health services to the recipient for the  
5 duration of the court order and shall return the recipient to  
6 his or her state of legal residence upon discharge. If a  
7 recipient has to enter a State-operated facility, the  
8 recipient must be returned to his or her state of legal  
9 residence.

10 (Source: P.A. 100-12, eff. 7-1-17.)

11 (405 ILCS 110/15)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 15. Reciprocal agreement. For the purpose of the  
14 program ~~pilot project~~, the reciprocal agreement is limited to  
15 court orders issued by the courts in the Eastern Iowa Mental  
16 Health Region and in Rock Island County, Illinois. Court  
17 orders valid under the law of the sending state are granted  
18 recognition and reciprocity in the receiving state's  
19 respective program service ~~pilot project~~ area to the extent  
20 that the court orders relate to commitment for inpatient  
21 treatment of a mental illness. The court orders are not  
22 subject to legal challenge in the courts of the receiving  
23 state. Persons who are detained, committed or placed under the  
24 law of a sending state and who are transferred to a receiving  
25 state under this Section continue to be in the legal custody of

1 the authority responsible for them under the law of the  
2 sending state. Except in emergencies, those persons may not be  
3 transferred, removed, or furloughed from a facility of the  
4 receiving agency without the specific approval of the  
5 authority responsible for them under the law of the sending  
6 state. The receiving facility, whether public or private, must  
7 agree to the transfer from the sending state before a transfer  
8 takes place. Specifically excluded from the program ~~this pilot~~  
9 ~~project~~ are those persons who are involved in criminal  
10 proceedings.

11 (Source: P.A. 100-12, eff. 7-1-17.)

12 (405 ILCS 110/40)

13 (Section scheduled to be repealed on January 1, 2026)

14 Sec. 40. Report to the Department. Beginning January 1,  
15 2026, and every January 1 thereafter through January 1, 2030,  
16 the receiving agency shall annually collect for the Department  
17 demographic information on the number of persons served under  
18 the program during the prior calendar year, lengths of stay,  
19 cost data, and any specific problems or concerns that were  
20 raised during their stay. The receiving agency shall also  
21 collect information about the number of Illinois residents who  
22 were served during the same period and whether any Illinois  
23 residents were denied services due to the program. The  
24 receiving agency shall also notify other providers, hospitals,  
25 courts, law enforcement organizations, and advocacy

1 organizations in the program service area of its data  
2 collection for the Department and ask them to supply any  
3 comments to the Department about the program. Beginning August  
4 1, 2026 and each calendar year thereafter through August 1,  
5 2030, the receiving agency shall submit the collected data and  
6 comments in a written report to the Department. The receiving  
7 agency shall submit to the Department demographic information  
8 on the number of persons served in this pilot project, lengths  
9 of stay, cost data, and any specific problems or concerns that  
10 were raised during their stay. The agency shall also provide  
11 information about the number of Illinois residents who were  
12 served during the same period and whether any Illinois  
13 residents were denied services due to this pilot project. The  
14 receiving agency shall also notify other providers, hospitals,  
15 courts, law enforcement organizations, and advocacy  
16 organizations in the pilot project area on or before July 1,  
17 2019 of the report to the Department on the pilot project and  
18 ask them to supply any comments to the Department. The  
19 receiving agency shall provide the information on or before  
20 August 1, 2019.

21 (Source: P.A. 100-12, eff. 7-1-17.)

22 (405 ILCS 110/45)

23 (Section scheduled to be repealed on January 1, 2026)

24 Sec. 45. Repeal. This Act is repealed on January 1, 2031  
25 2026.

1 (Source: P.A. 103-1059, eff. 12-20-24.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.".