

1 AN ACT concerning State government.

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

4 Section 5. The Alcoholism and Other Drug Abuse and
5 Dependency Act is amended by adding Section 5-10 and by adding
6 Section 20-30 as follows:

7 (20 ILCS 301/5-10)

8 Sec. 5-10. Functions of the Department.

9 (a) In addition to the powers, duties and functions vested
10 in the Department by this Act, or by other laws of this State,
11 the Department shall carry out the following activities:

12 (1) Design, coordinate and fund a comprehensive and
13 coordinated community-based and culturally and
14 gender-appropriate array of services throughout the State
15 for the prevention, intervention, treatment and
16 rehabilitation of alcohol and other drug abuse and
17 dependency that is accessible and addresses the needs of
18 at-risk or addicted individuals and their families.

19 (2) Act as the exclusive State agency to accept,
20 receive and expend, pursuant to appropriation, any public
21 or private monies, grants or services, including those
22 received from the federal government or from other State
23 agencies, for the purpose of providing an array of services

1 for the prevention, intervention, treatment and
2 rehabilitation of alcoholism or other drug abuse or
3 dependency. Monies received by the Department shall be
4 deposited into appropriate funds as may be created by State
5 law or administrative action.

6 (2.5) In partnership with the Department of Healthcare
7 and Family Services, act as one of the principal State
8 agencies for the sole purpose of calculating the
9 maintenance of effort requirement under Section 1930 of
10 Title XIX, Part B, Subpart II of the Public Health Service
11 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR
12 96.134).

13 (3) Coordinate a statewide strategy among State
14 agencies for the prevention, intervention, treatment and
15 rehabilitation of alcohol and other drug abuse and
16 dependency. This strategy shall include the development of
17 an annual comprehensive State plan for the provision of an
18 array of services for education, prevention, intervention,
19 treatment, relapse prevention and other services and
20 activities to alleviate alcoholism and other drug abuse and
21 dependency. The plan shall be based on local
22 community-based needs and upon data including, but not
23 limited to, that which defines the prevalence of and costs
24 associated with the abuse of and dependency upon alcohol
25 and other drugs. This comprehensive State plan shall
26 include identification of problems, needs, priorities,

1 services and other pertinent information, including the
2 needs of minorities and other specific populations in the
3 State, and shall describe how the identified problems and
4 needs will be addressed. For purposes of this paragraph,
5 the term "minorities and other specific populations" may
6 include, but shall not be limited to, groups such as women,
7 children, intravenous drug users, persons with AIDS or who
8 are HIV infected, African-Americans, Puerto Ricans,
9 Hispanics, Asian Americans, the elderly, persons in the
10 criminal justice system, persons who are clients of
11 services provided by other State agencies, persons with
12 disabilities and such other specific populations as the
13 Department may from time to time identify. In developing
14 the plan, the Department shall seek input from providers,
15 parent groups, associations and interested citizens.

16 Beginning with State fiscal year 1996, the annual
17 comprehensive State plan developed under this Section
18 shall include an explanation of the rationale to be used in
19 ensuring that funding shall be based upon local community
20 needs, including, but not limited to, the incidence and
21 prevalence of, and costs associated with, the abuse of and
22 dependency upon alcohol and other drugs, as well as upon
23 demonstrated program performance.

24 The annual comprehensive State plan developed under
25 this Section shall contain a report detailing the
26 activities of and progress made by the programs for the

1 care and treatment of addicted pregnant women, addicted
2 mothers and their children established under subsection
3 (j) of Section 35-5 of this Act.

4 Each State agency which provides or funds alcohol or
5 drug prevention, intervention and treatment services shall
6 annually prepare an agency plan for providing such
7 services, and these shall be used by the Department in
8 preparing the annual comprehensive statewide plan. Each
9 agency's annual plan for alcohol and drug abuse services
10 shall contain a report on the activities and progress of
11 such services in the prior year. The Department may provide
12 technical assistance to other State agencies, as required,
13 in the development of their agency plans.

14 (4) Lead, foster and develop cooperation, coordination
15 and agreements among federal and State governmental
16 agencies and local providers that provide assistance,
17 services, funding or other functions, peripheral or
18 direct, in the prevention, intervention, treatment or
19 rehabilitation of alcoholism and other drug abuse and
20 dependency. This shall include, but shall not be limited
21 to, the following:

22 (A) Cooperate with and assist the Department of
23 Corrections and the Department on Aging in
24 establishing and conducting programs relating to
25 alcoholism and other drug abuse and dependency among
26 those populations which they respectively serve.

1 (B) Cooperate with and assist the Illinois
2 Department of Public Health in the establishment,
3 funding and support of programs and services for the
4 promotion of maternal and child health and the
5 prevention and treatment of infectious diseases,
6 including but not limited to HIV infection, especially
7 with respect to those persons who may abuse drugs by
8 intravenous injection, or may have been sexual
9 partners of drug abusers, or may have abused substances
10 so that their immune systems are impaired, causing them
11 to be at high risk.

12 (C) Supply to the Department of Public Health and
13 prenatal care providers a list of all alcohol and other
14 drug abuse service providers for addicted pregnant
15 women in this State.

16 (D) Assist in the placement of child abuse or
17 neglect perpetrators (identified by the Illinois
18 Department of Children and Family Services) who have
19 been determined to be in need of alcohol or other drug
20 abuse services pursuant to Section 8.2 of the Abused
21 and Neglected Child Reporting Act.

22 (E) Cooperate with and assist the Illinois
23 Department of Children and Family Services in carrying
24 out its mandates to:

25 (i) identify alcohol and other drug abuse
26 issues among its clients and their families; and

1 (ii) develop programs and services to deal
2 with such problems.

3 These programs and services may include, but shall not
4 be limited to, programs to prevent the abuse of alcohol
5 or other drugs by DCFS clients and their families,
6 rehabilitation services, identifying child care needs
7 within the array of alcohol and other drug abuse
8 services, and assistance with other issues as
9 required.

10 (F) Cooperate with and assist the Illinois
11 Criminal Justice Information Authority with respect to
12 statistical and other information concerning drug
13 abuse incidence and prevalence.

14 (G) Cooperate with and assist the State
15 Superintendent of Education, boards of education,
16 schools, police departments, the Illinois Department
17 of State Police, courts and other public and private
18 agencies and individuals in establishing prevention
19 programs statewide and preparing curriculum materials
20 for use at all levels of education. An agreement shall
21 be entered into with the State Superintendent of
22 Education to assist in the establishment of such
23 programs.

24 (H) Cooperate with and assist the Illinois
25 Department of Healthcare and Family Services in the
26 development and provision of services offered to

1 recipients of public assistance for the treatment and
2 prevention of alcoholism and other drug abuse and
3 dependency.

4 (I) Provide training recommendations to other
5 State agencies funding alcohol or other drug abuse
6 prevention, intervention, treatment or rehabilitation
7 services.

8 (5) From monies appropriated to the Department from the
9 Drunk and Drugged Driving Prevention Fund, make grants to
10 reimburse DUI evaluation and remedial education programs
11 licensed by the Department for the costs of providing
12 indigent persons with free or reduced-cost services
13 relating to a charge of driving under the influence of
14 alcohol or other drugs.

15 (6) Promulgate regulations to provide appropriate
16 standards for publicly and privately funded programs as
17 well as for levels of payment to government funded programs
18 which provide an array of services for prevention,
19 intervention, treatment and rehabilitation for alcoholism
20 and other drug abuse or dependency.

21 (7) In consultation with local service providers,
22 specify a uniform statistical methodology for use by
23 agencies, organizations, individuals and the Department
24 for collection and dissemination of statistical
25 information regarding services related to alcoholism and
26 other drug use and abuse. This shall include prevention

1 services delivered, the number of persons treated,
2 frequency of admission and readmission, and duration of
3 treatment.

4 (8) Receive data and assistance from federal, State and
5 local governmental agencies, and obtain copies of
6 identification and arrest data from all federal, State and
7 local law enforcement agencies for use in carrying out the
8 purposes and functions of the Department.

9 (9) Designate and license providers to conduct
10 screening, assessment, referral and tracking of clients
11 identified by the criminal justice system as having
12 indications of alcoholism or other drug abuse or dependency
13 and being eligible to make an election for treatment under
14 Section 40-5 of this Act, and assist in the placement of
15 individuals who are under court order to participate in
16 treatment.

17 (10) Designate medical examination and other programs
18 for determining alcoholism and other drug abuse and
19 dependency.

20 (11) Encourage service providers who receive financial
21 assistance in any form from the State to assess and collect
22 fees for services rendered.

23 (12) Make grants with funds appropriated from the Drug
24 Treatment Fund in accordance with Section 7 of the
25 Controlled Substance and Cannabis Nuisance Act, or in
26 accordance with Section 80 of the Methamphetamine Control

1 and Community Protection Act, or in accordance with
2 subsections (h) and (i) of Section 411.2 of the Illinois
3 Controlled Substances Act.

4 (13) Encourage all health and disability insurance
5 programs to include alcoholism and other drug abuse and
6 dependency as a covered illness.

7 (14) Make such agreements, grants-in-aid and
8 purchase-care arrangements with any other department,
9 authority or commission of this State, or any other state
10 or the federal government or with any public or private
11 agency, including the disbursement of funds and furnishing
12 of staff, to effectuate the purposes of this Act.

13 (15) Conduct a public information campaign to inform
14 the State's Hispanic residents regarding the prevention
15 and treatment of alcoholism.

16 (b) In addition to the powers, duties and functions vested
17 in it by this Act, or by other laws of this State, the
18 Department may undertake, but shall not be limited to, the
19 following activities:

20 (1) Require all programs funded by the Department to
21 include an education component to inform participants
22 regarding the causes and means of transmission and methods
23 of reducing the risk of acquiring or transmitting HIV
24 infection, and to include funding for such education
25 component in its support of the program.

26 (2) Review all State agency applications for federal

1 funds which include provisions relating to the prevention,
2 early intervention and treatment of alcoholism and other
3 drug abuse and dependency in order to ensure consistency
4 with the comprehensive statewide plan developed pursuant
5 to this Act.

6 (3) Prepare, publish, evaluate, disseminate and serve
7 as a central repository for educational materials dealing
8 with the nature and effects of alcoholism and other drug
9 abuse and dependency. Such materials may deal with the
10 educational needs of the citizens of Illinois, and may
11 include at least pamphlets which describe the causes and
12 effects of fetal alcohol syndrome, which the Department may
13 distribute free of charge to each county clerk in
14 sufficient quantities that the county clerk may provide a
15 pamphlet to the recipients of all marriage licenses issued
16 in the county.

17 (4) Develop and coordinate, with regional and local
18 agencies, education and training programs for persons
19 engaged in providing the array of services for persons
20 having alcoholism or other drug abuse and dependency
21 problems, which programs may include specific HIV
22 education and training for program personnel.

23 (5) Cooperate with and assist in the development of
24 education, prevention and treatment programs for employees
25 of State and local governments and businesses in the State.

26 (6) Utilize the support and assistance of interested

1 persons in the community, including recovering addicts and
2 alcoholics, to assist individuals and communities in
3 understanding the dynamics of addiction, and to encourage
4 individuals with alcohol or other drug abuse or dependency
5 problems to voluntarily undergo treatment.

6 (7) Promote, conduct, assist or sponsor basic
7 clinical, epidemiological and statistical research into
8 alcoholism and other drug abuse and dependency, and
9 research into the prevention of those problems either
10 solely or in conjunction with any public or private agency.

11 (8) Cooperate with public and private agencies,
12 organizations and individuals in the development of
13 programs, and to provide technical assistance and
14 consultation services for this purpose.

15 (9) Publish or provide for the publishing of a manual
16 to assist medical and social service providers in
17 identifying alcoholism and other drug abuse and dependency
18 and coordinating the multidisciplinary delivery of
19 services to addicted pregnant women, addicted mothers and
20 their children. The manual may be used only to provide
21 information and may not be used by the Department to
22 establish practice standards. The Department may not
23 require recipients to use specific providers nor may they
24 require providers to refer recipients to specific
25 providers. The manual may include, but need not be limited
26 to, the following:

1 (A) Information concerning risk assessments of
2 women seeking prenatal, natal, and postnatal medical
3 care.

4 (B) Information concerning risk assessments of
5 infants who may be substance-affected.

6 (C) Protocols that have been adopted by the
7 Illinois Department of Children and Family Services
8 for the reporting and investigation of allegations of
9 child abuse or neglect under the Abused and Neglected
10 Child Reporting Act.

11 (D) Summary of procedures utilized in juvenile
12 court in cases of children alleged or found to be
13 abused or neglected as a result of being born to
14 addicted women.

15 (E) Information concerning referral of addicted
16 pregnant women, addicted mothers and their children by
17 medical, social service, and substance abuse treatment
18 providers, by the Departments of Children and Family
19 Services, Public Aid, Public Health, and Human
20 Services.

21 (F) Effects of substance abuse on infants and
22 guidelines on the symptoms, care, and comfort of
23 drug-withdrawing infants.

24 (G) Responsibilities of the Illinois Department of
25 Public Health to maintain statistics on the number of
26 children in Illinois addicted at birth.

1 (10) To the extent permitted by federal law or
2 regulation, establish and maintain a clearinghouse and
3 central repository for the development and maintenance of a
4 centralized data collection and dissemination system and a
5 management information system for all alcoholism and other
6 drug abuse prevention, early intervention and treatment
7 services.

8 (11) Fund, promote or assist programs, services,
9 demonstrations or research dealing with addictive or
10 habituating behaviors detrimental to the health of
11 Illinois citizens.

12 (12) With monies appropriated from the Group Home Loan
13 Revolving Fund, make loans, directly or through
14 subcontract, to assist in underwriting the costs of housing
15 in which individuals recovering from alcohol or other drug
16 abuse or dependency may reside in groups of not less than 6
17 persons, pursuant to Section 50-40 of this Act.

18 (13) Promulgate such regulations as may be necessary
19 for the administration of grants or to otherwise carry out
20 the purposes and enforce the provisions of this Act.

21 (14) Fund programs to help parents be effective in
22 preventing substance abuse by building an awareness of
23 drugs and alcohol and the family's role in preventing abuse
24 through adjusting expectations, developing new skills, and
25 setting positive family goals. The programs shall include,
26 but not be limited to, the following subjects: healthy

1 family communication; establishing rules and limits; how
2 to reduce family conflict; how to build self-esteem,
3 competency, and responsibility in children; how to improve
4 motivation and achievement; effective discipline; problem
5 solving techniques; and how to talk about drugs and
6 alcohol. The programs shall be open to all parents.

7 (Source: P.A. 94-556, eff. 9-11-05; 95-331, eff. 8-21-07.)

8 (20 ILCS 301/20-30 new)

9 Sec. 20-30. Opioid prevention and abuse; public awareness
10 website. The Department shall create and maintain a website to
11 educate the public on heroin and prescription opioid abuse. At
12 a minimum, the website shall include:

13 (1) information on the warning signs of heroin and
14 prescription opioid addiction;

15 (2) helpful hints for parents on how to discuss the
16 dangers of heroin and prescription opioid addiction with
17 their children;

18 (3) information on available treatment options and
19 services;

20 (4) a listing of the toll-free number established by
21 the Department to provide information and referral
22 services for persons with questions concerning substance
23 abuse and treatment; and

24 (5) links to flyers and resources for download.

25 The Department shall adopt any rules necessary to implement

1 the provisions of this Section.