



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5511

by Rep. Deb Conroy

SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-757 new

Amends the Mental Health and Developmental Disabilities Code. Provides that upon a petition filed by a family or household member, peace officer, or the court on its own motion and after a hearing, the court may order a person, who is a person subject to involuntary admission on an outpatient basis and for whom involuntary admission is based on the person exhibiting signs of addiction, to an outpatient treatment program that is a designated program licensed under the Alcoholism and Other Drug Abuse and Dependency Act in the county of the person's residence or in the nearest county of his or her residence, if a designated program is not available in his or her county of residence. Notwithstanding any other provision of the Code to the contrary, if taking medication is included in the person's plan of outpatient treatment, and the person's compliance with taking the medication is of concern to the physician prescribing the medication, the physician may order that the medication be administered by a periodic depot dosage in accordance with rules adopted by the Department of Human Services. In the event of noncompliance of the person with taking the depot dosage of the medication, the physician shall inform: (1) the court, which may impose any sanctions which may have been waived as a result of the person's participation in outpatient treatment; and (2) the designated program for an assessment to determine what mental health services are appropriate to treat the person's addiction and where those services may be provided. Provides that the person shall be afforded the protections and procedures provided for in the Code. Provides that the period of involuntary admission based on addiction shall not exceed 90 days unless the person is subject to involuntary admission based on other factors described in the Code.

LRB100 19519 RLC 34786 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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

4 Section 5. The Mental Health and Developmental
5 Disabilities Code is amended by adding Section 3-757 as
6 follows:

7 (405 ILCS 5/3-757 new)

8 Sec. 3-757. Outpatient treatment; emergency petition;
9 addiction; court order.

10 (a) In this Section:

11 "Addict" means a person who exhibits the disease known
12 as "addiction".

13 "Addiction" means a disease process characterized by
14 the continued use of a specific psycho-active substance
15 despite physical, psychological, or social harm. The term
16 also describes the advanced stages of chemical dependency.

17 "Depot dosage" means a form of medication that can be
18 stored in a person's body for several days or weeks.

19 "Designated program" has the meaning ascribed to it in
20 Section 1-10 of the Alcoholism and Other Drug Abuse and
21 Dependency Act.

22 "Family or household member" has the meaning ascribed
23 to it in Section 103 of the Illinois Domestic Violence Act

1 of 1986.

2 (b) Upon a petition filed by a family or household member,
3 peace officer, or the court on its own motion and after a
4 hearing under this Article, the court may order a person, who
5 is a person subject to involuntary admission on an outpatient
6 basis and for whom involuntary admission is based on the person
7 exhibiting signs of addiction, to an outpatient treatment
8 program that is a designated program licensed under the
9 Alcoholism and Other Drug Abuse and Dependency Act in the
10 county of the person's residence or in the nearest county of
11 his or her residence, if a designated program is not available
12 in his or her county of residence. Notwithstanding any other
13 provision of this Code to the contrary, if taking medication is
14 included in the person's plan of outpatient treatment, and the
15 person's compliance with taking the medication is of concern to
16 the physician prescribing the medication, the physician may
17 order that the medication be administered by a periodic depot
18 dosage in accordance with rules adopted by the Department. In
19 the event of noncompliance of the person with taking the depot
20 dosage of the medication, the physician shall inform:

21 (1) the court, which may impose any sanctions which may
22 have been waived as a result of the person's participation in
23 outpatient treatment; and

24 (2) the designated program for an assessment to determine
25 what mental health services are appropriate to treat the
26 person's addiction and where those services may be provided.

1 The person shall be afforded the protections and procedures
2 provided for in Article I of Chapter II of this Code.

3 (c) The period of involuntary admission based on addiction
4 shall not exceed 90 days unless the person is subject to
5 involuntary admission based on other factors described in this
6 Code.