



Sen. Robert Peters

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10200HB2784sam002

LRB102 14976 RLC 26881 a

1 AMENDMENT TO HOUSE BILL 2784

2 AMENDMENT NO. _____. Amend House Bill 2784, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 1, on page 2, by replacing lines 11 through 21 with the
5 following:

6 "Section 10. Applicability; home rule. This Act applies to
7 every unit of local government that provides or coordinates
8 ambulance or similar emergency medical response or
9 transportation services for individuals with emergency medical
10 needs. A home rule unit may not respond to or provide services
11 for a mental or behavioral health emergency, or create a
12 transportation plan or other regulation, relating to the
13 provision of mental or behavioral health services in a manner
14 inconsistent with this Act. This Act is a limitation under
15 subsection (i) of Section 6 of Article VII of the Illinois
16 Constitution on the concurrent exercise by home rule units of
17 powers and functions exercised by the State."; and

1 on page 2, line 22, by replacing "Section 10" with "Section
2 15"; and

3 on page 4, line 4, by replacing "Section 15" with "Section 20";
4 and

5 on page 4, line 5, by replacing "9-1-1 call center" with "9-1-1
6 PSAP"; and

7 on page 4, line 20, by replacing "Section 20" with "Section
8 25"; and

9 on page 5, line 24, by replacing ";" with "; and"; and

10 on page 6, line 8, by replacing ";" with "."; and

11 on page 6, by replacing lines 9 through 14 with the following:

12 "(b) Prioritize requests for emergency assistance. 9-1-1
13 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and
14 the mobile mental and behavioral health service established by
15 the Division of Mental Health must provide guidance for
16 prioritizing calls for assistance and maximum response time in
17 relation to the type of emergency reported.

18 (c) Provide appropriate response times. From the time of
19 first notification, 9-1-1 PSAPs, emergency services dispatched

1 through 9-1-1 PSAPs, and the mobile mental and behavioral
2 health service established by the Division of Mental Health
3 must provide the response within response time appropriate to
4 the care requirements of the individual with an emergency.";
5 and

6 on page 6, line 15, by replacing "(b)" with "(d) Require
7 appropriate responder training."; and

8 on page 6, line 24, by replacing "(c)" with "(e) Require
9 minimum team staffing."; and

10 on page 7, line 4, by replacing "(d)" with "(f) Require
11 training from individuals with lived experience."; and

12 on page 7, line 6, by replacing "(e)" with "(g) Adopt
13 guidelines directing referral to restrictive care settings.";
14 and

15 on page 7, line 9, by replacing "(f)" with "(h) Specify
16 regional best practices."; and

17 on page 7, line 19, by replacing "(g)" with "(i) Adopt system
18 for directing care in advance of an emergency."; and

19 on page 8, line 4, by replacing "(h)" with "(j) Train

1 dispatching staff."; and

2 on page 8, lines 6 and 7, by "dispatching emergency mental
3 health responders under this Act" with "coordinating with
4 9-8-8"; and

5 on page 8, line 8, by replacing "(i)" with "(k) Establish
6 protocol for emergency responder coordination."; and

7 on page 8, line 12, by replacing "(j)" with "(l) Integrate law
8 enforcement."; and

9 by replacing line 21 on page 8 through line 10 on page 11 with
10 the following:

11 "Section 30. State prohibitions. 9-1-1 PSAPs, emergency
12 services dispatched through 9-1-1 PSAPs, and the mobile mental
13 and behavioral health service established by the Division of
14 Mental Health must coordinate their services so that, based on
15 the information provided to them, the following State
16 prohibitions are avoided:

17 (a) Law enforcement responsibility for providing mental
18 and behavioral health care. In any area where responders are
19 available for dispatch, law enforcement shall not be
20 dispatched to respond to an individual requiring mental or
21 behavioral health care unless that individual is (i) involved

1 in a suspected violation of the criminal laws of this State, or
2 (ii) presents a threat of physical injury to self or others.
3 Responders are not considered available for dispatch under
4 this Section if 9-8-8 reports that it cannot dispatch
5 appropriate service within the maximum response times
6 established by each Regional Advisory Committee under Section
7 45.

8 (1) Standing on its own or in combination with each
9 other, the fact that an individual is experiencing a
10 mental or behavioral health emergency, or has a mental
11 health, behavioral health, or other diagnosis, is not
12 sufficient to justify an assessment that the individual is
13 a threat of physical injury to self or others, or requires
14 a law enforcement response to a request for emergency
15 response or medical transportation.

16 (2) If, based on its assessment of the threat to
17 public safety, law enforcement would not accompany medical
18 transportation responding to a physical health emergency,
19 unless requested by responders, law enforcement may not
20 accompany emergency response or medical transportation
21 personnel responding to a mental or behavioral health
22 emergency that presents an equivalent level of threat to
23 self or public safety.

24 (3) Without regard to an assessment of threat to self
25 or threat to public safety, law enforcement may station
26 personnel so that they can rapidly respond to requests for

1 assistance from responders if law enforcement does not
2 interfere with the provision of emergency response or
3 transportation services. To the extent practical, not
4 interfering with services includes remaining sufficiently
5 distant from or out of sight of the individual receiving
6 care so that law enforcement presence is unlikely to
7 escalate the emergency.

8 (b) Responder involvement in involuntary commitment. In
9 order to maintain the appropriate care relationship,
10 responders shall not in any way assist in the involuntary
11 commitment of an individual beyond (i) reporting to their
12 dispatching entity or to law enforcement that they believe the
13 situation requires assistance the responders are not permitted
14 to provide under this Section; (ii) providing witness
15 statements; and (iii) fulfilling reporting requirements the
16 responders may have under their professional ethical
17 obligations or laws of this state. This prohibition shall not
18 interfere with any responder's ability to provide physical or
19 mental health care.

20 (c) Use of law enforcement for transportation. In any area
21 where responders are available for dispatch, unless requested
22 by responders, law enforcement shall not be used to provide
23 transportation to access mental or behavioral health care, or
24 travel between mental or behavioral health care providers,
25 except where no alternative is available.

26 (d) Reduction of educational institution obligations. The

1 services coordinated under this Act may not be used to replace
2 any service an educational institution is required to provide
3 to a student. It shall not substitute for appropriate special
4 education and related services that schools are required to
5 provide by any law."; and

6 on page 11, line 11, by replacing "Section 30" with "Section
7 35"; and

8 on page 12, line 2, by replacing "Section 35" with "Section
9 40"; and

10 on page 14, line 4, by inserting "(e)" before "The"; and

11 on page 14, line 7, by replacing "Section 40" with "Section
12 45"; and

13 on page 15, by replacing line 10 with the following:

14 "served.

15 (c) Subject to the oversight of the Department of Human";

16 and

17 on page 15, line 18, by replacing "Section 45" with "Section
18 50"; and

19 on page 16, line 22, by replacing "Section 50" with "Section

1 55"; and

2 on page 17, line 2, by replacing "Section 55" with "Section
3 60"; and

4 on page 17, line 11, by replacing "Section 60" with "Section
5 65".