



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2811

Introduced 2/16/2023, by Rep. Gregg Johnson

SYNOPSIS AS INTRODUCED:

20 ILCS 301/5-28 new
305 ILCS 5/5-47 new

Amends the Substance Use Disorder Act. Requires the Department of Human Services to establish a Behavioral Health Receiving Center Grant Pilot Program to award a grant to one or more counties to develop and implement a behavioral health receiving center. Requires the Department to issue a request for proposals no later than July 1, 2023 and to award all grants before December 31, 2023. Prohibits the use of the grant to purchase land for the behavioral health receiving center. Provides that the purpose of the behavioral health receiving center project is to increase access to mental health crisis services for individuals who are experiencing a mental health crisis; and to reduce the number of individuals who are incarcerated or in a hospital emergency room while experiencing a mental health crisis. Requires a grant application to contain certain information including the population to which the behavioral health receiving center will serve, the type of mental health services that will be provided, and the cost of the proposed project. Requires the Department to report to certain House and Senate committees before June 30, 2024 regarding each county awarded a grant and the details of each project. Requires the Department to report to the committees before June 30, 2026 regarding certain data and recommendations for the future use of mental health crisis services in behavioral health receiving centers. Amends the Medical Assistance Article of the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to apply, no later than July 1, 2023, for a federal waiver or Title XIX State Plan amendment to provide reimbursement through a bundled daily rate for crisis management services that are delivered to an individual during the individual's stay at a behavioral health receiving center. Effective immediately.

LRB103 27126 KTG 53495 b

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 Substance Use Disorder Act is amended by
5 adding Section 5-28 as follows:

6 (20 ILCS 301/5-28 new)

7 Sec. 5-28. Behavioral Health Receiving Center Grant
8 Program.

9 (a) Definitions. As used in this Section:

10 "Behavioral health receiving center" means a 23-hour
11 non-secure program or facility that is responsible for, and
12 provides mental health crisis services to, an individual
13 experiencing a mental health crisis.

14 "Project" means a behavioral health receiving center
15 project described in subsection (b).

16 (b) The Department shall establish a Behavioral Health
17 Receiving Center Grant Pilot Program in accordance with this
18 Section. The pilot program shall operate for a 5-year period.
19 No later than July 1, 2023 the Department shall issue a request
20 for proposals to award a grant to one or more counties to
21 develop and implement a behavioral health receiving center
22 project. A grant awarded under this Section may not be used to
23 purchase land for the behavioral health receiving center. The

1 Department shall award all grants under this Section before
2 December 31, 2023.

3 (c) The purpose of a project is to:

4 (1) increase access to mental health crisis services
5 for individuals in the State who are experiencing a mental
6 health crisis; and

7 (2) reduce the number of individuals in the State who
8 are incarcerated or in a hospital emergency room while
9 experiencing a mental health crisis.

10 (d) An application for a grant under this Section shall:

11 (1) identify the population to which the behavioral
12 health receiving center will provide mental health crisis
13 services;

14 (2) identify the type of mental health crisis services
15 the behavioral health receiving center will provide;

16 (3) explain how the population described in paragraph
17 (1) will benefit from the provision of mental health
18 crisis services;

19 (4) provide details regarding:

20 (A) how the proposed project plans to provide
21 mental health crisis services;

22 (B) how the proposed project will ensure that
23 consideration is given to the capacity of the
24 behavioral health receiving center;

25 (C) how the proposed project will ensure timely
26 and effective provision of mental health crisis

1 services;

2 (D) the cost of the proposed project;

3 (E) any existing or planned contracts or
4 partnerships between the applicant and other
5 individuals or entities to develop and implement the
6 proposed project;

7 (F) any plan to use funding sources in addition to
8 a grant under this Section for the proposed project;

9 (G) the sustainability of the proposed project;

10 and

11 (H) the methods the proposed project will use to:

12 (i) protect the privacy of each individual who
13 receives mental health crisis services from the
14 behavioral health receiving center;

15 (ii) collect non-identifying data relating to
16 the proposed project; and

17 (iii) provide transparency on the costs and
18 operation of the proposed project; and

19 (5) provide other information requested by the
20 Department to ensure that the proposed project satisfies
21 the criteria described in subsection (f).

22 (f) In evaluating an application for the grant, the
23 Department shall consider:

24 (1) the extent to which the proposed project will
25 fulfill the purposes described in subsection (c);

26 (2) the extent to which the population described in

1 paragraph (1) of subsection (d) is likely to benefit from
2 the proposed project;

3 (3) the cost of the proposed project;

4 (4) the extent to which any existing or planned
5 contracts or partnerships between the applicant and other
6 individuals or entities to develop and implement the
7 project, or additional funding sources available to the
8 applicant for the proposed project, are likely to benefit
9 the proposed project; and

10 (5) the viability and innovation of the proposed
11 project.

12 (g) Before June 30, 2024, the Department shall report to
13 the Mental Health and Addiction Committee of the House and the
14 Behavioral and Mental Health Committee of the Senate
15 regarding:

16 (1) each county awarded a grant under this Section;

17 and

18 (2) the details of each project.

19 (h) Before June 30, 2026, the Department shall report to
20 the Mental Health and Addiction Committee of the House and the
21 Behavioral and Mental Health Committee of the Senate, or
22 successor committees, regarding:

23 (1) data gathered in relation to each project;

24 (2) knowledge gained relating to the provision of
25 mental health crisis services in a behavioral health
26 receiving center;

1 (3) recommendations for the future use of mental
2 health crisis services in behavioral health receiving
3 centers; and

4 (4) obstacles encountered in the provision of mental
5 health crisis services in a behavioral health receiving
6 center.

7 Section 10. The Illinois Public Aid Code is amended by
8 adding Section 5-47 as follows:

9 (305 ILCS 5/5-47 new)

10 Sec. 5-47. Reimbursement for crisis management services
11 provided in a behavioral health receiving center; integration
12 of payment for physical health services.

13 (a) As used in this Section:

14 "Behavioral health receiving center" has the meaning
15 ascribed to that term in Section 5-28 of the Substance Use
16 Disorder Act.

17 "Crisis management services" means behavioral health
18 services provided to an individual who is experiencing a
19 mental health crisis.

20 "Managed care organization" has the meaning ascribed to
21 that term in Section 5-30.1.

22 (b) No later than July 1, 2023, the Department shall apply
23 for a waiver or Title XIX State Plan amendment with the federal
24 Centers for Medicare and Medicaid Services to offer a program

1 that provides reimbursement through a bundled daily rate for
2 crisis management services that are delivered to an individual
3 during the individual's stay at a behavioral health receiving
4 center.

5 (c) If the waiver or Title XIX State Plan amendment
6 described in subsection (b) is approved, the Department shall:

7 (1) implement the program described in subsection (b);

8 and

9 (2) require a managed care organization that contracts
10 with the Department for behavioral health services or
11 integrated health services to provide coverage for crisis
12 management services that are delivered to an individual
13 during the individual's stay at a behavioral health
14 receiving center.

15 (d) The Department may elect to integrate payment for
16 physical health services provided in a behavioral health
17 receiving center. In determining whether to integrate payment
18 under this subsection, the Department shall consult with
19 managed care organizations and counties in the State.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.