



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5594

Introduced 2/13/2026, by Rep. Suzanne M. Ness

#### SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-752  
405 ILCS 5/3-753

Amends the Mental Health and Developmental Disabilities Code. In provisions concerning petitions for involuntary admissions on an outpatient basis, adds a nurse practitioner to the list of examiners who may certify that an individual is subject to involuntary admission on an outpatient basis. Adds provisions that a certificate must contain the clinical observations of the examining psychiatrist or nurse practitioner when applicable. Reduces the number of certificates (from 2 to one) needed for a court to set a hearing without additional examination of the individual.

LRB104 19572 KTG 33020 b

1 AN ACT concerning mental 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 changing Sections 3-752 and  
6 3-753 as follows:

7 (405 ILCS 5/3-752)

8 Sec. 3-752. Certificate.

9 (a) The petition may be accompanied by the certificate of  
10 a physician, qualified examiner, psychiatrist, advanced  
11 practice psychiatric nurse, nurse practitioner, or clinical  
12 psychologist which certifies that the respondent is subject to  
13 involuntary admission on an outpatient basis. The certificate  
14 shall indicate that the physician, qualified examiner,  
15 psychiatrist, advanced practice psychiatric nurse, nurse  
16 practitioner, or clinical psychologist personally examined the  
17 respondent not more than 72 hours prior to the completion of  
18 the certificate. It shall also contain the physician's,  
19 qualified examiner's, psychiatrist's, advanced practice  
20 psychiatric nurse's, nurse practitioner's, or clinical  
21 psychologist's clinical observations, other factual  
22 information relied upon in reaching a diagnosis, and a  
23 statement as to whether the respondent was advised of his or

1 her rights under Section 3-208.

2 (b) Upon receipt of the petition either with or without a  
3 certificate, if the court finds the documents are in order, it  
4 may make such orders pursuant to Section 3-753 as are  
5 necessary to provide for examination of the respondent. If the  
6 petition is not accompanied by a certificate ~~2-certificates~~  
7 executed pursuant to Section 3-753, the court may order the  
8 respondent to present himself or herself for examination at a  
9 time and place designated by the court. If the petition is  
10 accompanied by a certificate ~~2-certificates~~ executed pursuant  
11 to Section 3-753 and the court finds the documents are in  
12 order, the court shall set the matter for hearing.

13 (Source: P.A. 101-587, eff. 1-1-20.)

14 (405 ILCS 5/3-753)

15 Sec. 3-753. Examination. If no certificate was filed, the  
16 respondent shall be examined separately by a physician,  
17 clinical psychologist, advanced practice psychiatric nurse,  
18 nurse practitioner, or qualified examiner and by a  
19 psychiatrist. If a certificate executed by a psychiatrist was  
20 filed, the respondent shall be examined by a physician,  
21 clinical psychologist, qualified examiner, advanced practice  
22 psychiatric nurse, nurse practitioner, or psychiatrist. If a  
23 certificate executed by a qualified examiner, clinical  
24 psychologist, advanced practice psychiatric nurse, nurse  
25 practitioner, or a physician who is not a psychiatrist was

1 filed, the respondent shall be examined by a psychiatrist. The  
2 examining physician, clinical psychologist, qualified  
3 examiner, advanced practice psychiatric nurse, nurse  
4 practitioner, or psychiatrist may interview by telephone or in  
5 person any witnesses or other persons listed in the petition  
6 for involuntary admission. If, as a result of an examination,  
7 a certificate is executed, the certificate shall be promptly  
8 filed with the court. If a certificate is executed, the  
9 examining physician, clinical psychologist, qualified  
10 examiner, advanced practice psychiatric nurse, nurse  
11 practitioner, or psychiatrist may also submit for filing with  
12 the court a report in which his or her findings are described  
13 in detail, and may rely upon such findings for his opinion that  
14 the respondent is subject to involuntary admission. Copies of  
15 the certificates shall be made available to the attorneys for  
16 the parties upon request prior to the hearing.

17 (Source: P.A. 101-587, eff. 1-1-20.)