



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3138

Introduced 2/2/2026, by Sen. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

405 ILCS 49/5

Amends the Children's Mental Health Act. In provisions concerning the Children's Mental Health Partnership, makes changes to the Partnership's list of duties to include (i) reviewing or facilitating needs assessments (rather than conducting research assessments) to better understand the challenges and gaps of programs, services, and policies related to children's mental health; (ii) monitoring policy development related to children's mental health in Illinois at the local, State, and federal level; and (iii) regularly reviewing aggregate and de-identified data on the need for children's behavioral health services in Illinois that is collected by the Behavioral Health Care and Ongoing Navigation (BEACON) portal to ensure that system transformation can continue to be driven by data. Provides that the Partnership's membership shall include public members who reflect a diversity of sexual orientation; and that all Partnership members shall serve without compensation and with no entitlement to reimbursement for expenses incurred in the performance of their duties. Removes a provision permitting the Partnership to convene study groups. Expands the membership of the adjunct council to include up to 10 youth aged 16 to 25 (rather than up to 6 youth aged 14 to 25) and up to 4 (rather than a minimum of 4) representatives of 4 different community-based organizations that focus on youth mental health. Makes other changes.

LRB104 20025 KTG 33476 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 Children's Mental Health Act is amended by  
5 changing Section 5 as follows:

6 (405 ILCS 49/5)

7 Sec. 5. Children's Mental Health Partnership; Children's  
8 Mental Health Plan.

9 (a) The Children's Mental Health Partnership (hereafter  
10 referred to as "the Partnership") created under Public Act  
11 93-495 and continued under Public Act 102-899 shall advise  
12 State agencies and the Children's Behavioral Health  
13 Transformation Initiative on designing and implementing  
14 short-term and long-term strategies to provide comprehensive  
15 and coordinated services for children from birth to age 25 and  
16 their families with the goal of addressing children's mental  
17 health needs across a full continuum of care, including social  
18 determinants of health, prevention, early identification, and  
19 treatment. The recommended strategies shall build upon the  
20 recommendations in the Children's Mental Health Plan of 2022  
21 and may include, but are not limited to, recommendations  
22 regarding the following:

23 (1) Increasing public awareness on issues connected to

1 children's mental health and wellness to decrease stigma,  
2 promote acceptance, and strengthen the ability of  
3 children, families, and communities to access supports.

4 (2) Coordination of programs, services, and policies  
5 across child-serving State agencies to best monitor and  
6 assess spending, as well as foster innovation of adaptive  
7 or new practices.

8 (3) Funding and resources for children's mental health  
9 prevention, early identification, and treatment across  
10 child-serving State agencies.

11 (4) Review ~~Facilitation~~ of research on best practices  
12 and model programs and dissemination of this information  
13 to State policymakers, practitioners, and the general  
14 public.

15 (5) Monitoring programs, services, and policies  
16 addressing children's mental health and wellness.

17 (6) Growing, retaining, diversifying, and supporting  
18 the child-serving workforce, with special emphasis on  
19 professional development around child and family mental  
20 health and wellness services.

21 (7) Supporting the design, implementation, and  
22 evaluation of a quality-driven children's mental health  
23 system of care across all child services that prevents  
24 mental health concerns and mitigates trauma.

25 (8) Improving the system to more effectively meet the  
26 emergency and residential placement needs for all children

1 with severe mental and behavioral challenges.

2 (b) The Partnership shall have the responsibility of  
3 developing and updating the Children's Mental Health Plan and  
4 advising the relevant State agencies on implementation of the  
5 Plan. The Children's Mental Health Partnership shall be  
6 comprised of the following members:

7 (1) The Governor or the Governor's ~~his or her~~  
8 designee.

9 (2) The Attorney General or the Attorney General's ~~his~~  
10 ~~or her~~ designee.

11 (3) The Secretary of the Department of Human Services  
12 or the Secretary's ~~his or her~~ designee.

13 (4) The State Superintendent of Education or the State  
14 Superintendent's ~~his or her~~ designee.

15 (5) The Director of the Department of Children and  
16 Family Services or the Director's ~~his or her~~ designee.

17 (6) The Director of the Department of Healthcare and  
18 Family Services or the Director's ~~his or her~~ designee.

19 (7) The Director of the Department of Public Health or  
20 the Director's ~~his or her~~ designee.

21 (8) The Director of the Department of Juvenile Justice  
22 or the Director's ~~his or her~~ designee.

23 (9) The Secretary of Early Childhood or the  
24 Secretary's ~~his or her~~ designee.

25 (10) The Director of the Criminal Justice Information  
26 Authority or the Director's ~~his or her~~ designee.

1 (11) One member of the General Assembly appointed by  
2 the Speaker of the House.

3 (12) One member of the General Assembly appointed by  
4 the President of the Senate.

5 (13) One member of the General Assembly appointed by  
6 the Minority Leader of the Senate.

7 (14) One member of the General Assembly appointed by  
8 the Minority Leader of the House.

9 (15) Up to 25 representatives from the public  
10 reflecting a diversity of age, sexual orientation, gender  
11 identity, race, ethnicity, socioeconomic status, and  
12 geographic location, to be appointed by the Governor.  
13 Those public members appointed under this paragraph must  
14 include, but are not limited to:

15 (A) a family member or individual with lived  
16 experience in the children's mental health system;

17 (B) a child advocate;

18 (C) a community mental health expert,  
19 practitioner, or provider;

20 (D) a representative of a statewide association  
21 representing a majority of hospitals in the State;

22 (E) an early childhood expert or practitioner;

23 (F) a representative from the K-12 school system;

24 (G) a representative from the health care sector;

25 (H) a substance use prevention expert or  
26 practitioner, or a representative of a statewide

1 association representing community-based mental health  
2 substance use disorder treatment providers in the  
3 State;

4 (I) a violence prevention expert or practitioner;

5 (J) a representative from the juvenile justice  
6 system;

7 (K) a school social worker; and

8 (L) a representative of a statewide organization  
9 representing pediatricians.

10 (16) Two co-chairs appointed by the Governor, one  
11 being a representative from the public and one being the  
12 Director of the Department of Public Health or the  
13 Director's designee.

14 The public co-chair is included among the 25 public  
15 representatives appointed under paragraph (15), and the  
16 Director of Public Health (or the Director's designee) serving  
17 as co-chair is the same individual listed under paragraph (7).

18 The members appointed by the Governor shall be appointed  
19 for 4-year terms ~~4 years~~ with the ~~one~~ opportunity for  
20 reappointment, ~~except as otherwise provided for in this~~  
21 ~~subsection. Members who were appointed by the Governor and are~~  
22 ~~-serving on January 1, 2023 (the effective date of Public Act~~  
23 ~~102-899) shall maintain their appointment until the term of~~  
24 ~~their appointment has expired. For new appointments made~~  
25 ~~pursuant to Public Act 102-899, members shall be appointed for~~  
26 ~~one year, 2 year, or 4 year terms, as determined by the~~

1 ~~Governor, with no more than 9 of the Governor's new or existing~~  
2 ~~appointees serving the same term. Those new appointments~~  
3 ~~serving a one year or 2-year term may be appointed to 2~~  
4 ~~additional 4-year terms. If a vacancy occurs in the~~  
5 ~~Partnership membership, the vacancy shall be filled in the~~  
6 ~~same manner as the original appointment for the remainder of~~  
7 ~~the term.~~

8 ~~The Partnership shall be convened no later than January~~  
9 ~~31, 2023 to discuss the changes in Public Act 102-899.~~

10 The members of the Partnership shall serve without  
11 compensation ~~but may be entitled to reimbursement for all~~  
12 ~~necessary expenses incurred in the performance of their~~  
13 ~~official duties as members of the Partnership from funds~~  
14 ~~appropriated for that purpose.~~

15 The Partnership may convene and appoint special committees  
16 ~~or study groups~~ to operate under the direction of the  
17 Partnership. ~~Persons appointed to such special committees or~~  
18 ~~study groups shall only receive reimbursement for reasonable~~  
19 ~~expenses.~~

20 (b-5) The Partnership shall include an adjunct council  
21 comprised of up to 10 ~~no more than 6~~ youth aged 16 ~~14~~ to 25 and  
22 up to 4 representatives of 4 different community-based  
23 organizations that focus on youth mental health. Of the  
24 community-based organizations that focus on youth mental  
25 health, one of the community-based organizations shall be led  
26 by an LGBTQ-identified person, one of the community-based

1 organizations shall be led by a person of color, and one of the  
2 community-based organizations shall be led by a woman. Of the  
3 representatives appointed to the council from the  
4 community-based organizations, at least one representative  
5 shall be LGBTQ-identified, at least one representative shall  
6 be a person of color, and at least one representative shall be  
7 a woman. The council members shall be appointed by the Chair of  
8 the Partnership and shall reflect the racial, gender identity,  
9 sexual orientation, ability, socioeconomic, ethnic, and  
10 geographic diversity of the State, including rural, suburban,  
11 and urban appointees. The council shall make recommendations  
12 to the Partnership regarding youth mental health, including,  
13 but not limited to, identifying barriers to youth feeling  
14 supported by and empowered by the system of mental health and  
15 treatment providers, barriers perceived by youth in accessing  
16 mental health services, gaps in the mental health system,  
17 available resources in schools, including youth's perceptions  
18 and experiences with outreach personnel, agency websites, and  
19 informational materials, methods to destigmatize mental health  
20 services, and how to improve State policy concerning student  
21 mental health. The mental health system may include services  
22 for substance use disorders and addiction. The council shall  
23 meet at least 4 times annually.

24 (c) (Blank).

25 (d) The Illinois Children's Mental Health Partnership has  
26 the following powers and duties:

1           (1) Reviewing or facilitating needs ~~Conducting~~  
2 ~~research~~ assessments to better understand the challenges  
3 ~~determine the needs~~ and gaps of programs, services, and  
4 policies related to ~~that touch~~ children's mental health.

5           (2) Monitoring policy development related to  
6 children's mental health in Illinois at the local, State,  
7 and federal level, especially regarding interagency  
8 collaboration, varying modes of mental health services  
9 delivery, and considering ~~Developing policy statements for~~  
10 ~~interagency cooperation to cover all aspects of mental~~  
11 ~~health delivery, including~~ social determinants of health,  
12 prevention, early identification, and treatment.

13           (3) Raising awareness about ~~Recommending policies and~~  
14 ~~providing information on~~ effective programs for delivery  
15 of mental health services.

16           (4) Promoting ~~Using funding from federal, State, or~~  
17 ~~philanthropic partners, to fund pilot programs or research~~  
18 ~~activities to~~ resource innovative practices by  
19 organizational partners that will address children's  
20 mental health. However, the Partnership may not provide  
21 direct services.

22           (4.1) Working ~~The Partnership shall work~~ with  
23 community networks and the Children's Behavioral Health  
24 Transformation Initiative team to implement a community  
25 needs assessment, that will raise awareness of gaps in  
26 existing community-based services for youth.

1 (5) Submitting an annual report, on or before December  
2 15 ~~30~~ of each year, to the Governor and the General  
3 Assembly on the progress of the Plan, any recommendations  
4 regarding State policies, laws, or rules necessary to  
5 fulfill the purposes of the Act, and any additional  
6 recommendations regarding mental or behavioral health that  
7 the Partnership deems necessary.

8 (6) (Blank).

9 (7) Regularly reviewing aggregate and de-identified  
10 data on the need for children's behavioral health services  
11 in Illinois that is collected by the Behavioral Health  
12 Care and Ongoing Navigation (BEACON) portal to ensure that  
13 system transformation can continue to be driven by data.

14 The Partnership may designate a fiscal and administrative  
15 agent that can accept funds to carry out its duties as outlined  
16 in this Section.

17 The Department of Public Health shall provide technical  
18 and administrative support for the Partnership.

19 (e) (Blank). ~~The Partnership may accept monetary gifts or~~  
20 ~~grants from the federal government or any agency thereof, from~~  
21 ~~any charitable foundation or professional association, or from~~  
22 ~~any reputable source for implementation of any program~~  
23 ~~necessary or desirable to carry out the powers and duties as~~  
24 ~~defined under this Section.~~

25 (f) On or before January 1, 2027, the Partnership shall  
26 submit recommendations to the Governor and General Assembly

1 that includes recommended updates to the Act to reflect the  
2 current mental health landscape in this State.

3 (Source: P.A. 103-154, eff. 6-30-23; 103-594, eff. 6-25-24;  
4 103-885, eff. 8-9-24; 104-417, eff. 8-15-25.)