



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5264

Introduced 1/31/2022, by Rep. Denyse Wang Stoneback

SYNOPSIS AS INTRODUCED:

5 ILCS 140/7

from Ch. 116, par. 207

20 ILCS 1705/76.2 new

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that subject to appropriation, beginning with the 2023-2024 academic year, the Department of Human Services shall establish and administer the Mental Health Clinician Tuition Assistance and Student Loan Forgiveness Program for the purpose of recruiting and retaining high-performing individuals who are employed as mental health clinicians committed to providing direct care services to Medicaid patients for a contracted or subcontracted provider of the Department or another State agency. Provides that under the program, the Department shall provide financial assistance to individuals who (1) are students at a participating university and have declared an intent to seek and maintain employment for 5 years as mental health clinicians providing direct care services to Medicaid patients; or (2) are graduates of a participating university who work as mental health clinicians providing direct care to Medicaid patients and will commit to work for 5 years as mental health clinicians providing direct care to Medicaid patients. Provides that the Department shall award an undergraduate forgivable loan in an amount that is sufficient to cover the cost of tuition, university fees, and books each year for a maximum of 2 academic years to a student if certain criteria are met. Provides that the Department shall award financial assistance for repayment of a higher education student loan each year for a maximum of 2 years to a graduate of a participating university who works as a mental health clinician if certain criteria are met. Contains provisions concerning the application process; promotion of the program by participating universities; the repayment of financial assistance when a recipient fails to comply with employment requirements; reporting requirements; and other matters. Effective immediately.

LRB102 26064 KTG 35521 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 1. The Freedom of Information Act is amended by
5 changing Section 7 as follows:

6 (5 ILCS 140/7) (from Ch. 116, par. 207)

7 Sec. 7. Exemptions.

8 (1) When a request is made to inspect or copy a public
9 record that contains information that is exempt from
10 disclosure under this Section, but also contains information
11 that is not exempt from disclosure, the public body may elect
12 to redact the information that is exempt. The public body
13 shall make the remaining information available for inspection
14 and copying. Subject to this requirement, the following shall
15 be exempt from inspection and copying:

16 (a) Information specifically prohibited from
17 disclosure by federal or State law or rules and
18 regulations implementing federal or State law.

19 (b) Private information, unless disclosure is required
20 by another provision of this Act, a State or federal law or
21 a court order.

22 (b-5) Files, documents, and other data or databases
23 maintained by one or more law enforcement agencies and

1 specifically designed to provide information to one or
2 more law enforcement agencies regarding the physical or
3 mental status of one or more individual subjects.

4 (c) Personal information contained within public
5 records, the disclosure of which would constitute a
6 clearly unwarranted invasion of personal privacy, unless
7 the disclosure is consented to in writing by the
8 individual subjects of the information. "Unwarranted
9 invasion of personal privacy" means the disclosure of
10 information that is highly personal or objectionable to a
11 reasonable person and in which the subject's right to
12 privacy outweighs any legitimate public interest in
13 obtaining the information. The disclosure of information
14 that bears on the public duties of public employees and
15 officials shall not be considered an invasion of personal
16 privacy.

17 (d) Records in the possession of any public body
18 created in the course of administrative enforcement
19 proceedings, and any law enforcement or correctional
20 agency for law enforcement purposes, but only to the
21 extent that disclosure would:

22 (i) interfere with pending or actually and
23 reasonably contemplated law enforcement proceedings
24 conducted by any law enforcement or correctional
25 agency that is the recipient of the request;

26 (ii) interfere with active administrative

1 enforcement proceedings conducted by the public body
2 that is the recipient of the request;

3 (iii) create a substantial likelihood that a
4 person will be deprived of a fair trial or an impartial
5 hearing;

6 (iv) unavoidably disclose the identity of a
7 confidential source, confidential information
8 furnished only by the confidential source, or persons
9 who file complaints with or provide information to
10 administrative, investigative, law enforcement, or
11 penal agencies; except that the identities of
12 witnesses to traffic accidents, traffic accident
13 reports, and rescue reports shall be provided by
14 agencies of local government, except when disclosure
15 would interfere with an active criminal investigation
16 conducted by the agency that is the recipient of the
17 request;

18 (v) disclose unique or specialized investigative
19 techniques other than those generally used and known
20 or disclose internal documents of correctional
21 agencies related to detection, observation or
22 investigation of incidents of crime or misconduct, and
23 disclosure would result in demonstrable harm to the
24 agency or public body that is the recipient of the
25 request;

26 (vi) endanger the life or physical safety of law

1 enforcement personnel or any other person; or

2 (vii) obstruct an ongoing criminal investigation
3 by the agency that is the recipient of the request.

4 (d-5) A law enforcement record created for law
5 enforcement purposes and contained in a shared electronic
6 record management system if the law enforcement agency
7 that is the recipient of the request did not create the
8 record, did not participate in or have a role in any of the
9 events which are the subject of the record, and only has
10 access to the record through the shared electronic record
11 management system.

12 (d-6) Records contained in the Officer Professional
13 Conduct Database under Section 9.2 ~~9.4~~ of the Illinois
14 Police Training Act, except to the extent authorized under
15 that Section. This includes the documents supplied to the
16 Illinois Law Enforcement Training Standards Board from the
17 Illinois State Police and Illinois State Police Merit
18 Board.

19 (e) Records that relate to or affect the security of
20 correctional institutions and detention facilities.

21 (e-5) Records requested by persons committed to the
22 Department of Corrections, Department of Human Services
23 Division of Mental Health, or a county jail if those
24 materials are available in the library of the correctional
25 institution or facility or jail where the inmate is
26 confined.

1 (e-6) Records requested by persons committed to the
2 Department of Corrections, Department of Human Services
3 Division of Mental Health, or a county jail if those
4 materials include records from staff members' personnel
5 files, staff rosters, or other staffing assignment
6 information.

7 (e-7) Records requested by persons committed to the
8 Department of Corrections or Department of Human Services
9 Division of Mental Health if those materials are available
10 through an administrative request to the Department of
11 Corrections or Department of Human Services Division of
12 Mental Health.

13 (e-8) Records requested by a person committed to the
14 Department of Corrections, Department of Human Services
15 Division of Mental Health, or a county jail, the
16 disclosure of which would result in the risk of harm to any
17 person or the risk of an escape from a jail or correctional
18 institution or facility.

19 (e-9) Records requested by a person in a county jail
20 or committed to the Department of Corrections or
21 Department of Human Services Division of Mental Health,
22 containing personal information pertaining to the person's
23 victim or the victim's family, including, but not limited
24 to, a victim's home address, home telephone number, work
25 or school address, work telephone number, social security
26 number, or any other identifying information, except as

1 may be relevant to a requester's current or potential case
2 or claim.

3 (e-10) Law enforcement records of other persons
4 requested by a person committed to the Department of
5 Corrections, Department of Human Services Division of
6 Mental Health, or a county jail, including, but not
7 limited to, arrest and booking records, mug shots, and
8 crime scene photographs, except as these records may be
9 relevant to the requester's current or potential case or
10 claim.

11 (f) Preliminary drafts, notes, recommendations,
12 memoranda and other records in which opinions are
13 expressed, or policies or actions are formulated, except
14 that a specific record or relevant portion of a record
15 shall not be exempt when the record is publicly cited and
16 identified by the head of the public body. The exemption
17 provided in this paragraph (f) extends to all those
18 records of officers and agencies of the General Assembly
19 that pertain to the preparation of legislative documents.

20 (g) Trade secrets and commercial or financial
21 information obtained from a person or business where the
22 trade secrets or commercial or financial information are
23 furnished under a claim that they are proprietary,
24 privileged, or confidential, and that disclosure of the
25 trade secrets or commercial or financial information would
26 cause competitive harm to the person or business, and only

1 insofar as the claim directly applies to the records
2 requested.

3 The information included under this exemption includes
4 all trade secrets and commercial or financial information
5 obtained by a public body, including a public pension
6 fund, from a private equity fund or a privately held
7 company within the investment portfolio of a private
8 equity fund as a result of either investing or evaluating
9 a potential investment of public funds in a private equity
10 fund. The exemption contained in this item does not apply
11 to the aggregate financial performance information of a
12 private equity fund, nor to the identity of the fund's
13 managers or general partners. The exemption contained in
14 this item does not apply to the identity of a privately
15 held company within the investment portfolio of a private
16 equity fund, unless the disclosure of the identity of a
17 privately held company may cause competitive harm.

18 Nothing contained in this paragraph (g) shall be
19 construed to prevent a person or business from consenting
20 to disclosure.

21 (h) Proposals and bids for any contract, grant, or
22 agreement, including information which if it were
23 disclosed would frustrate procurement or give an advantage
24 to any person proposing to enter into a contractor
25 agreement with the body, until an award or final selection
26 is made. Information prepared by or for the body in

1 preparation of a bid solicitation shall be exempt until an
2 award or final selection is made.

3 (i) Valuable formulae, computer geographic systems,
4 designs, drawings and research data obtained or produced
5 by any public body when disclosure could reasonably be
6 expected to produce private gain or public loss. The
7 exemption for "computer geographic systems" provided in
8 this paragraph (i) does not extend to requests made by
9 news media as defined in Section 2 of this Act when the
10 requested information is not otherwise exempt and the only
11 purpose of the request is to access and disseminate
12 information regarding the health, safety, welfare, or
13 legal rights of the general public.

14 (j) The following information pertaining to
15 educational matters:

16 (i) test questions, scoring keys and other
17 examination data used to administer an academic
18 examination;

19 (ii) information received by a primary or
20 secondary school, college, or university under its
21 procedures for the evaluation of faculty members by
22 their academic peers;

23 (iii) information concerning a school or
24 university's adjudication of student disciplinary
25 cases, but only to the extent that disclosure would
26 unavoidably reveal the identity of the student; and

1 (iv) course materials or research materials used
2 by faculty members.

3 (k) Architects' plans, engineers' technical
4 submissions, and other construction related technical
5 documents for projects not constructed or developed in
6 whole or in part with public funds and the same for
7 projects constructed or developed with public funds,
8 including, but not limited to, power generating and
9 distribution stations and other transmission and
10 distribution facilities, water treatment facilities,
11 airport facilities, sport stadiums, convention centers,
12 and all government owned, operated, or occupied buildings,
13 but only to the extent that disclosure would compromise
14 security.

15 (l) Minutes of meetings of public bodies closed to the
16 public as provided in the Open Meetings Act until the
17 public body makes the minutes available to the public
18 under Section 2.06 of the Open Meetings Act.

19 (m) Communications between a public body and an
20 attorney or auditor representing the public body that
21 would not be subject to discovery in litigation, and
22 materials prepared or compiled by or for a public body in
23 anticipation of a criminal, civil, or administrative
24 proceeding upon the request of an attorney advising the
25 public body, and materials prepared or compiled with
26 respect to internal audits of public bodies.

1 (n) Records relating to a public body's adjudication
2 of employee grievances or disciplinary cases; however,
3 this exemption shall not extend to the final outcome of
4 cases in which discipline is imposed.

5 (o) Administrative or technical information associated
6 with automated data processing operations, including, but
7 not limited to, software, operating protocols, computer
8 program abstracts, file layouts, source listings, object
9 modules, load modules, user guides, documentation
10 pertaining to all logical and physical design of
11 computerized systems, employee manuals, and any other
12 information that, if disclosed, would jeopardize the
13 security of the system or its data or the security of
14 materials exempt under this Section.

15 (p) Records relating to collective negotiating matters
16 between public bodies and their employees or
17 representatives, except that any final contract or
18 agreement shall be subject to inspection and copying.

19 (q) Test questions, scoring keys, and other
20 examination data used to determine the qualifications of
21 an applicant for a license or employment.

22 (r) The records, documents, and information relating
23 to real estate purchase negotiations until those
24 negotiations have been completed or otherwise terminated.
25 With regard to a parcel involved in a pending or actually
26 and reasonably contemplated eminent domain proceeding

1 under the Eminent Domain Act, records, documents, and
2 information relating to that parcel shall be exempt except
3 as may be allowed under discovery rules adopted by the
4 Illinois Supreme Court. The records, documents, and
5 information relating to a real estate sale shall be exempt
6 until a sale is consummated.

7 (s) Any and all proprietary information and records
8 related to the operation of an intergovernmental risk
9 management association or self-insurance pool or jointly
10 self-administered health and accident cooperative or pool.
11 Insurance or self insurance (including any
12 intergovernmental risk management association or self
13 insurance pool) claims, loss or risk management
14 information, records, data, advice or communications.

15 (t) Information contained in or related to
16 examination, operating, or condition reports prepared by,
17 on behalf of, or for the use of a public body responsible
18 for the regulation or supervision of financial
19 institutions, insurance companies, or pharmacy benefit
20 managers, unless disclosure is otherwise required by State
21 law.

22 (u) Information that would disclose or might lead to
23 the disclosure of secret or confidential information,
24 codes, algorithms, programs, or private keys intended to
25 be used to create electronic signatures under the Uniform
26 Electronic Transactions Act.

1 (v) Vulnerability assessments, security measures, and
2 response policies or plans that are designed to identify,
3 prevent, or respond to potential attacks upon a
4 community's population or systems, facilities, or
5 installations, the destruction or contamination of which
6 would constitute a clear and present danger to the health
7 or safety of the community, but only to the extent that
8 disclosure could reasonably be expected to jeopardize the
9 effectiveness of the measures or the safety of the
10 personnel who implement them or the public. Information
11 exempt under this item may include such things as details
12 pertaining to the mobilization or deployment of personnel
13 or equipment, to the operation of communication systems or
14 protocols, or to tactical operations.

15 (w) (Blank).

16 (x) Maps and other records regarding the location or
17 security of generation, transmission, distribution,
18 storage, gathering, treatment, or switching facilities
19 owned by a utility, by a power generator, or by the
20 Illinois Power Agency.

21 (y) Information contained in or related to proposals,
22 bids, or negotiations related to electric power
23 procurement under Section 1-75 of the Illinois Power
24 Agency Act and Section 16-111.5 of the Public Utilities
25 Act that is determined to be confidential and proprietary
26 by the Illinois Power Agency or by the Illinois Commerce

1 Commission.

2 (z) Information about students exempted from
3 disclosure under Sections 10-20.38 or 34-18.29 of the
4 School Code, and information about undergraduate students
5 enrolled at an institution of higher education exempted
6 from disclosure under Section 25 of the Illinois Credit
7 Card Marketing Act of 2009.

8 (aa) Information the disclosure of which is exempted
9 under the Viatical Settlements Act of 2009.

10 (bb) Records and information provided to a mortality
11 review team and records maintained by a mortality review
12 team appointed under the Department of Juvenile Justice
13 Mortality Review Team Act.

14 (cc) Information regarding interments, entombments, or
15 inurnments of human remains that are submitted to the
16 Cemetery Oversight Database under the Cemetery Care Act or
17 the Cemetery Oversight Act, whichever is applicable.

18 (dd) Correspondence and records (i) that may not be
19 disclosed under Section 11-9 of the Illinois Public Aid
20 Code or (ii) that pertain to appeals under Section 11-8 of
21 the Illinois Public Aid Code.

22 (ee) The names, addresses, or other personal
23 information of persons who are minors and are also
24 participants and registrants in programs of park
25 districts, forest preserve districts, conservation
26 districts, recreation agencies, and special recreation

1 associations.

2 (ff) The names, addresses, or other personal
3 information of participants and registrants in programs of
4 park districts, forest preserve districts, conservation
5 districts, recreation agencies, and special recreation
6 associations where such programs are targeted primarily to
7 minors.

8 (gg) Confidential information described in Section
9 1-100 of the Illinois Independent Tax Tribunal Act of
10 2012.

11 (hh) The report submitted to the State Board of
12 Education by the School Security and Standards Task Force
13 under item (8) of subsection (d) of Section 2-3.160 of the
14 School Code and any information contained in that report.

15 (ii) Records requested by persons committed to or
16 detained by the Department of Human Services under the
17 Sexually Violent Persons Commitment Act or committed to
18 the Department of Corrections under the Sexually Dangerous
19 Persons Act if those materials: (i) are available in the
20 library of the facility where the individual is confined;
21 (ii) include records from staff members' personnel files,
22 staff rosters, or other staffing assignment information;
23 or (iii) are available through an administrative request
24 to the Department of Human Services or the Department of
25 Corrections.

26 (jj) Confidential information described in Section

1 5-535 of the Civil Administrative Code of Illinois.

2 (kk) The public body's credit card numbers, debit card
3 numbers, bank account numbers, Federal Employer
4 Identification Number, security code numbers, passwords,
5 and similar account information, the disclosure of which
6 could result in identity theft or impression or defrauding
7 of a governmental entity or a person.

8 (ll) Records concerning the work of the threat
9 assessment team of a school district.

10 (mm) Confidential information described in Section (o)
11 of Section 76.2 of the Mental Health and Developmental
12 Disabilities Administrative Act.

13 (1.5) Any information exempt from disclosure under the
14 Judicial Privacy Act shall be redacted from public records
15 prior to disclosure under this Act.

16 (2) A public record that is not in the possession of a
17 public body but is in the possession of a party with whom the
18 agency has contracted to perform a governmental function on
19 behalf of the public body, and that directly relates to the
20 governmental function and is not otherwise exempt under this
21 Act, shall be considered a public record of the public body,
22 for purposes of this Act.

23 (3) This Section does not authorize withholding of
24 information or limit the availability of records to the
25 public, except as stated in this Section or otherwise provided
26 in this Act.

1 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
2 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
3 6-25-21; 102-558, eff. 8-20-21; revised 11-22-21.)

4 Section 5. The Mental Health and Developmental
5 Disabilities Administrative Act is amended by adding Section
6 76.2 as follows:

7 (20 ILCS 1705/76.2 new)

8 Sec. 76.2. Mental Health Clinicians Tuition Assistance and
9 Student Loan Forgiveness Program.

10 (a) Purpose. The purpose of this Section is to improve
11 mental health services for Illinois residents by expanding the
12 community of mental health clinicians who directly provide
13 services and care to Medicaid patients.

14 (b) Definitions. As used in this Section:

15 "Eligible applicant" means a student who is enrolled in a
16 program of study at a participating university and who meets
17 all of the qualifications and requirements under this Section
18 or a person who works as a mental health clinician who meets
19 all the qualifications and requirements under this Section.

20 "Mental health clinician" means:

21 (1) any person licensed to provide substance use
22 treatment or services in accordance with Section 15-10 of
23 the Substance Use Disorder Act who provides direct care
24 services to Medicaid patients for a contracted or

1 subcontracted provider of the Department or another State
2 agency;

3 (2) any licensed advanced practice psychiatric nurse,
4 licensed clinical professional counselor, licensed
5 clinical psychologist, licensed psychiatrist, licensed
6 physician, licensed clinical social worker, qualified
7 intellectual disabilities professional, or qualified
8 examiner as those terms are defined in the Mental Health
9 and Developmental Disabilities Code who provides direct
10 care services to Medicaid patients for a contracted or
11 subcontracted provider of the Department or another State
12 agency;

13 (3) any psychotherapist who provides direct care
14 services to Medicaid patients for a contracted or
15 subcontracted provider of the Department or another State
16 agency;

17 (4) any other person whose employment is devoted to
18 providing mental health or substance use treatment or
19 services and who provides direct care services to Medicaid
20 patients for a contracted or subcontracted provider of the
21 Department or another State agency.

22 "Mental health clinician" excludes any professional listed
23 under paragraphs (1) through (4) who only has supervisory
24 responsibilities.

25 "Participating university" means a public university in
26 this State that is a party to an intergovernmental agreement

1 entered into with the Department in order to participate in
2 the program established under this Section.

3 "Tuition, university fees, and books" includes the
4 customary charge for instruction and books or course material
5 and the additional fixed fees charged for specified purposes
6 that are required generally of students who are not program
7 applicants under this Section for each academic year for which
8 a program applicant under this Section actually enrolls, but
9 does not include room and board, transportation fees, fees
10 payable only once, breakage fees, and other contingent
11 deposits that are refundable in whole or in part. The
12 Department may adopt, by rule not inconsistent with this
13 Section, detailed provisions concerning the computation of
14 tuition, university fees, and books.

15 (c) Subject to appropriation, beginning with the 2023-2024
16 academic year, the Department shall establish and administer
17 the Mental Health Clinician Tuition Assistance and Student
18 Loan Forgiveness Program for the purpose of recruiting and
19 retaining high-performing individuals who are employed as
20 mental health clinicians committed to providing direct care
21 services to Medicaid patients for a contracted or
22 subcontracted provider of the Department or another State
23 agency. The Department shall enter intergovernmental
24 agreements with public universities in this State to
25 participate in the program. Under the program, the Department
26 shall provide financial assistance to an individual who:

1 (1) is a student at a participating university and has
2 declared an intent to seek and maintain employment for 5
3 years as a mental health clinician providing direct care
4 services to Medicaid patients for a contracted or
5 subcontracted provider of the Department or another State
6 agency; or

7 (2) is a graduate of a participating university who
8 works as a mental health clinician providing direct care
9 to Medicaid patients and will commit to work for 5 years as
10 a mental health clinician providing direct care to
11 Medicaid patients for a contracted or subcontracted
12 provider of the Department or another State agency.

13 (d) The Department shall award an undergraduate forgivable
14 loan in an amount that is sufficient to cover the cost of
15 tuition, university fees, and books each year for a maximum of
16 2 academic years to a student under paragraph (1) of
17 subsection (c) if the participating university finds that the
18 applicant meets all of the following criteria:

19 (1) The applicant is a resident of this State and a
20 citizen or eligible noncitizen of the United States.

21 (2) The applicant has committed to providing 5 years
22 of direct care services to Medicaid patients as a mental
23 health clinician for a contracted or subcontracted
24 provider of the Department or another State agency.

25 (3) The applicant has attained at least a junior
26 standing at the participating university.

1 (4) The applicant is a student in good standing and
2 meets the minimum requirements established by the
3 participating university, including maintaining a
4 satisfactory grade point average.

5 (e) The Department shall award financial assistance for
6 repayment of a higher education student loan each year for a
7 maximum of 2 years to a graduate of a participating university
8 under paragraph (2) of subsection (c) if the applicant meets
9 all of the following criteria:

10 (1) The applicant is a resident of this State and a
11 citizen or eligible noncitizen of the United States.

12 (2) The applicant has worked as a mental health
13 clinician providing direct care services to Medicaid
14 patients for a contracted or subcontracted provider of the
15 Department or another State agency.

16 (3) The applicant has either (i) worked less than 5
17 years and has committed to working 5 years as a mental
18 health clinician providing direct care services to
19 Medicaid patients for a contracted or subcontracted
20 provider of the Department or another State agency, or
21 (ii) worked 5 years as a mental health clinician providing
22 direct care services to Medicaid patients for a contracted
23 or subcontracted provider of the Department or another
24 State agency.

25 (f) Each participating university shall determine renewal
26 criteria for assistance consistent with the requirements of

1 this Section.

2 (g) For applicants who meet the criteria under subsection
3 (e), all applications for financial assistance shall be made
4 to the Department. The form of application and the information
5 required to be set forth in the application shall be
6 determined by the Department, and the Department shall require
7 applicants to submit with their application such supporting
8 documents as the Department deems necessary.

9 (h) Each participating university shall post on its
10 Internet website the criteria and eligibility requirements to
11 receive financial assistance under this Section and must
12 identify that such financial assistance is for a maximum of 2
13 academic years, with the total amount of financial assistance
14 awarded to an eligible applicant not to exceed the cost of
15 tuition, university fees, and books or a higher education
16 student loan. This information must also be reported to the
17 Department and the Board of Higher Education, and the
18 Department and the Board shall post the information on their
19 respective Internet websites.

20 (i) Prior to receiving financial assistance for any
21 academic year, an eligible applicant under this Section shall
22 be required by the participating university to sign an
23 agreement with the Department under which the eligible
24 applicant pledges that, within 6 months from the date of the
25 eligible applicant's graduation from the participating
26 university for which financial assistance was paid by the

1 Department, the eligible applicant must search for, apply to,
2 and accept full-time employment as a mental health clinician
3 providing direct care services to Medicaid patients for a
4 contracted or subcontracted provider of the Department or
5 another State agency. The recipient of financial assistance
6 must, for at least 5 years, maintain such employment.

7 (j) If the recipient of financial assistance under this
8 Section fails to search for, apply to, and accept full-time
9 employment as required under subsection (i) within 6 months
10 following his or her graduation from a participating
11 university, the Department shall require the recipient to
12 begin to repay the total amount of any financial assistance
13 received within 90 calendar days after the end of the 6-month
14 period or as agreed to by the Department. The repayment amount
15 shall be prorated according to the fraction of the employment
16 obligation not completed, at a rate of interest equal to 5%,
17 and, if applicable, reasonable attorney's and collection fees.
18 All repayments collected under this Section shall be forwarded
19 to the State Comptroller for deposit into the fund from which
20 the financial assistance was paid.

21 (k) A student recipient of financial assistance under this
22 Section must immediately notify the participating university
23 and the Department of any changes to the recipient's
24 enrollment status or if the recipient withdraws from the
25 academic program for which the recipient was awarded financial
26 assistance in accordance with this Section.

1 (l) If a recipient's qualified employment is terminated
2 for any reason other than for cause, within 90 calendar days
3 from the recipient's termination of full-time employment, the
4 recipient must search for, apply to, and accept new,
5 qualified, full-time employment as a mental health clinician
6 providing direct care services to Medicaid patients for a
7 contracted or subcontracted provider of the Department or
8 another State agency, otherwise the recipient must repay the
9 awarded financial assistance to the Department.

10 (m) If a recipient's qualified employment is terminated
11 for cause prior to the completion of the program's 5-year
12 employment requirement, the recipient shall repay the total
13 amount of financial assistance received under the program
14 within 90 calendar days from termination or as agreed to by the
15 Department. The amount of repayment owed by the recipient
16 shall be prorated based on the amount of the employment
17 requirement that has been satisfied.

18 (n) On or before October 1, 2024 and each October 1
19 thereafter for the duration of the Mental Health Clinician
20 Tuition Assistance and Student Loan Forgiveness Program, the
21 Department shall provide a report and evaluation of the
22 results of the program at each participating university to the
23 General Assembly and the Governor. Each participating
24 university shall track a student's eligibility under the
25 program, the completion of educational requirements, the costs
26 of each student's tuition, university fees, and books, and the

1 application of the recipient's loan amount during the
2 recipient's enrollment at the participating university. The
3 report shall also track a graduate applicant's eligibility
4 under the program. The report shall also include the location
5 in this State where each recipient was hired and shall
6 identify the State contracted or subcontracted provider that
7 hired the recipient, the duration of the recipient's
8 employment with the State contracted or subcontracted
9 provider, and the termination date of the recipient's
10 employment.

11 (o) The sharing and reporting of student data under
12 subsection (n) shall be in accordance with the federal Family
13 Educational Rights and Privacy Act of 1974 and the Illinois
14 School Student Records Act. All parties under this Section
15 must preserve the confidentiality of information as required
16 by law. The names of financial assistance recipients under
17 this Section are not subject to disclosure under the Freedom
18 of Information Act.

19 (p) The Department shall adopt rules to implement this
20 Section and may adopt rules relating to its collection
21 activities for the repayment of any financial assistance
22 provided under this Section.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.