



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5403

Introduced 1/31/2022, by Rep. Deanne M. Mazzochi

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-46 new

Amends the Medicaid Assistance Article of the Illinois Public Aid Code. Contains legislative findings concerning the necessity of implementing the Illinois Behavioral Health Transformation Section 1115 demonstration approved May 7, 2018 by the federal Centers for Medicare and Medicaid Services to ensure a truly integrated physical and behavioral health system, centered on Medicaid members, their families, and their communities. Provides that no later than 60 days after the Department of Healthcare and Family Services receives federal approval of any waiver application it submitted to the federal Centers for Medicare and Medicaid Services to effectuate the purposes of the medical assistance program, the Department shall adopt rules to implement the approved waiver. Requires the Department to adopt, within 60 days after the effective date of the amendatory Act, rules to implement the Illinois Behavioral Health Transformation Section 1115 demonstration. Provides that upon expiration of the 60-day rulemaking period, providers of behavioral health services, including providers and facilities that are operated by a county, municipality, township, or unit of local government, shall be eligible for reimbursement from the Department of Human Services for services that are a part of an approved treatment regimen and provided under the Illinois Behavioral Health Transformation Section 1115 demonstration. Provides that eligibility for services provided under the Illinois Behavioral Health Transformation Section 1115 demonstration shall cover up to one year of treatment or until self-sufficiency can be demonstrated. Effective immediately.

LRB102 25973 KTG 35372 b

A BILL FOR

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 10. The Illinois Public Aid Code is amended by
5 adding Section 5-46 as follows:

6 (305 ILCS 5/5-46 new)

7 Sec. 5-46. Approved federal waivers; Department rules for
8 implementation.

9 (a) Legislative findings. Illinois is one of the largest
10 funders of health and human services in the country. With
11 \$32,000,000,000 spent across its health and human services
12 agencies, amounting to more than 40% of its total budget, the
13 State is deeply invested in the health and well-being of its
14 residents and Medicaid members. It is urgent that Illinois
15 puts a focus on prevention by paying for value and outcomes.
16 Building a behavioral health strategy will address the opioid
17 pandemic, reduce violent crime and violent encounters with the
18 police, and have a large financial payoff as Medicaid members
19 with behavioral health needs represent approximately
20 one-quarter of the total Illinois Medicaid members.

21 In May of 2018, a Behavioral Health Transformation Section
22 1115 demonstration was approved by the federal Centers for
23 Medicare and Medicaid Services. The waiver demonstration

1 proposed 6 main goals:

2 (1) Rebalance the behavioral health ecosystem,
3 reducing overreliance on institutional care and shifting
4 to community-based care.

5 (2) Promote integrated delivery of behavioral and
6 physical health care for behavioral health members with
7 high needs.

8 (3) Promote integration of behavioral health and
9 primary care for behavioral health members with lower
10 needs.

11 (4) Support development of robust and sustainable
12 behavioral health services that provide both core and
13 preventative care to ensure that behavioral health members
14 receive the full complement of high-quality treatment they
15 need.

16 (5) Invest in support services to address the larger
17 needs of behavioral health members, such as housing and
18 employment services.

19 (6) Create an enabling environment to more behavioral
20 health providers toward outcomes and value-based payments.

21 The General Assembly finds that the implementation of the
22 approved waiver is necessary for a truly integrated physical
23 and behavioral health system, centered on behavioral health
24 members, their families, and their communities.

25 (b) No later than 60 days after the Department receives
26 federal approval of any waiver application it submitted to the

1 federal Centers for Medicare and Medicaid Services to
2 effectuate the purposes of this Article, the Department shall
3 adopt rules to implement the approved waiver.

4 (c) Within 60 days after the effective date of this
5 amendatory Act of the 102nd General Assembly, the Department
6 must adopt rules to implement the Illinois Behavioral Health
7 Transformation Section 1115 demonstration approved May 7, 2018
8 by the federal Centers for Medicare and Medicaid Services.
9 Upon expiration of the 60-day rulemaking period, licensed
10 providers of behavioral health services, including providers
11 and facilities that are operated by a county, municipality,
12 township, or unit of local government, shall be eligible for
13 reimbursement from the Department of Human Services for
14 services that are a part of an approved treatment regimen and
15 provided under the Illinois Behavioral Health Transformation
16 Section 1115 demonstration. Eligibility for services provided
17 under the Illinois Behavioral Health Transformation Section
18 1115 demonstration shall cover up to one year of treatment or
19 until self-sufficiency can be demonstrated.

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