

# SB3172



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3172

Introduced 1/12/2022, by Sen. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

20 ILCS 540/15

Amends the Custody Relinquishment Prevention Act. Requires the Department of Children and Family Services, the Department of Human Services, the Department of Healthcare and Family Services, the Illinois State Board of Education, the Department of Juvenile Justice, and the Department of Public Health to enter into a 10-year extension of the interagency agreement required by Public Act 98-808. Effective immediately.

LRB102 22975 KTG 32129 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 5. The Custody Relinquishment Prevention Act is  
5 amended by changing Section 15 as follows:

6 (20 ILCS 540/15)

7 Sec. 15. Interagency agreement.

8 (a) In order to intercept and divert children and youth at  
9 risk of custody relinquishment to the Department of Children  
10 and Family Services, within 180 days after the effective date  
11 of this Act, the Department of Children of Family Services,  
12 the Department of Human Services, the Department of Healthcare  
13 and Family Services, the Illinois State Board of Education,  
14 the Department of Juvenile Justice, and the Department of  
15 Public Health shall enter into an interagency agreement for  
16 the purpose of preventing children and youth who are not  
17 otherwise abused or neglected from entering the custody or  
18 guardianship of the Department of Children and Family Services  
19 solely for purposes of receiving services for a serious mental  
20 illness or serious emotional disturbance.

21 The intergovernmental agreement shall require the agencies  
22 listed in this Section to establish an interagency clinical  
23 team to review cases of children and youth who are at risk of

1 relinquishment who are at a hospital or other similar  
2 treatment facility, and to connect the child or youth and his  
3 or her family with the appropriate services, treatment, and  
4 support to stabilize the child or youth's serious mental  
5 illness or serious emotional disturbance and prevent custody  
6 relinquishment to the Department of Children and Family  
7 Services.

8 The interagency agreement, among other things, shall  
9 address all of the following:

10 (1) Requiring families with private health insurance  
11 to exhaust their private insurance coverage.

12 (2) Establishing cost sharing for services received  
13 for families whose income exceeds the federal poverty  
14 level that would qualify them for Medicaid, based on the  
15 family's ability to pay.

16 (3) For children or youth who are not otherwise  
17 Medicaid eligible, performing a crisis stabilization  
18 assessment and developing a care plan for the child or  
19 youth and the family with the goal of determining what  
20 services are necessary to (i) stabilize the child or youth  
21 and (ii) prevent custody relinquishment to the Department  
22 of Children and Family Services when there is no abuse or  
23 neglect.

24 (4) Set criteria for short-term crisis stabilization  
25 services, including intensive community-based services or  
26 a short-term residential placement, as the child or

1 youth's treatment plan is being developed.

2 (b) The Department of Children and Family Services, the  
3 Department of Human Services, the Department of Healthcare and  
4 Family Services, the Illinois State Board of Education, the  
5 Department of Juvenile Justice, and the Department of Public  
6 Health shall enter into a 10-year extension of the interagency  
7 agreement required by Public Act 98-808.

8 (Source: P.A. 98-808, eff. 1-1-15.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.