



Sen. Laura Fine

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10200SB3617sam004

LRB102 22973 KTG 36666 a

1 AMENDMENT TO SENATE BILL 3617

2 AMENDMENT NO. _____. Amend Senate Bill 3617, AS AMENDED,
3 by replacing Sections 3-1, 3-5, 3-10, 3-15, 3-25, and 3-30
4 with the following:

5 "Section 3-5. The Department of Healthcare and Family
6 Services Law of the Civil Administrative Code of Illinois is
7 amended by adding Section 2205-40 as follows:

8 (20 ILCS 2205/2205-40 new)

9 Sec. 2205-40. Department transparency. To ensure
10 transparency and a clear line of communication between the
11 Department of Healthcare and Family Services and mental health
12 and substance use disorder prevention, treatment, and recovery
13 providers and agencies, the Department shall, to the full
14 extent permitted by law, take all necessary action to ensure
15 that any proposed modifications, additions, deletions, or
16 amendments to the Illinois Public Aid Code related to mental

1 health and substance use disorder prevention, treatment, and
2 recovery, or related rules including, but not limited to, 59
3 Ill. Adm. Code 132, 77 Ill. Adm. Code 2060, 77 Ill. Adm. Code
4 2090, and 89 Ill. Adm. Code 140, are communicated in a
5 meaningful manner, by way of substantive meetings,
6 communications, and discussion with the statewide trade
7 associations representing substance use disorder and mental
8 health prevention, treatment, and recovery providers and
9 agencies (the "interested parties").

10 The Department shall provide information to and gather
11 input from the interested parties on all such proposed actions
12 impacting substance use disorder or mental health treatment,
13 recovery, or prevention, including, but not limited to,
14 policies, rules, and laws relating to rate setting,
15 certification requirements, utilization review standards,
16 billing and reimbursement requirements, and other obligations.
17 The Department shall engage in good faith dialogue with the
18 interested parties to address issues and problems with laws
19 and rules applicable to mental health and substance use
20 disorders and not disregard such issues and concerns except
21 after establishing a clearly articulated rationale to be
22 shared with the interested parties.

23 The Department shall, to the full extent permitted under
24 federal and State law, provide the interested parties with
25 full and fair notice, information, and opportunity to comment
26 prior to final action upon any amendment to the mental health

1 and substance use disorder provisions of the Illinois Public
2 Aid Code or related rules. All actions shall be in accordance
3 with the Illinois Administrative Procedure Act. This Section
4 shall not be construed to modify or grant preferences to the
5 interested parties over any other party or the public with
6 respect to the Department's administrative or legislative
7 activities. For proposed amendments to the Illinois Public Aid
8 Code only, the Department shall meet with the interested
9 parties after the relevant mental health and substance use
10 disorder bills filed with the General Assembly have been voted
11 upon by either the Senate or the House of Representatives and
12 are in the process of crossing over being taken up by the House
13 of Representatives or Senate as the case may be.

14 In addition to the foregoing, the Department of Healthcare
15 and Family Services shall provide written or electronic notice
16 to the interested parties to the full extent permitted under
17 federal law for any State Plan amendment or waiver related to
18 substance use disorders or mental health submitted to the
19 federal Centers for Medicare and Medicaid Services."