



Sen. Laura Fine

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10200SB3911sam001

LRB102 22271 KTG 36667 a

1 AMENDMENT TO SENATE BILL 3911

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3911 by replacing  
3 everything after the enacting clause with the following:

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

7 (20 ILCS 2205/2205-40 new)

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

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

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

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

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

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