



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1152

Introduced 02/08/11, by Rep. John E. Bradley

SYNOPSIS AS INTRODUCED:

20 ILCS 1705/71a new

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that the Department of Human Services shall strive to guarantee that persons, including children, suffering from mental illness, substance abuse, and other behavioral disorders have access to locally accessible behavioral health care providers who have the ability to treat the person's conditions in a cost effective, outcome-based manner. Requires the Department to designate as essential community behavioral health care providers organizations that meet certain qualifications; promote the co-location of primary and behavioral health care services centers; and work towards reducing Illinois' underserved and health professional shortage areas. Contains provisions concerning fee-for-service compensation; term limits for essential community behavioral health care providers; and other matters. Effective immediately.

LRB097 05474 KTG 45533 b

FISCAL NOTE ACT
MAY APPLY

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 Mental Health and Developmental
5 Disabilities Administrative Act is amended by adding Section
6 71a as follows:

7 (20 ILCS 1705/71a new)

8 Sec. 71a. Community Behavioral Health Care.

9 (a) The Department shall strive to guarantee that persons,
10 including children, suffering from mental illness, substance
11 abuse, and other behavioral disorders have access to locally
12 accessible behavioral health care providers who have the
13 ability to treat the person's conditions in a cost effective,
14 outcome-based manner. To ensure continuity and quality of care
15 that is integrated with the person's overall medical care, the
16 Department shall:

17 (1) Designate as essential community behavioral health
18 care providers organizations that meet the qualifications
19 set forth in subsection (b) of this Section.

20 (2) Promote the co-location of primary and behavioral
21 health care services centers.

22 (3) Promote access to necessary behavioral health care
23 services in the State's Health Insurance Exchange

1 policies.

2 (4) Promote continuity of care for persons moving
3 between Medicaid, SCHIP, and programs administered by the
4 Department that provide behavioral health care services.

5 (5) Promote continuity of care for persons not yet
6 eligible for Medicaid or who are without insurance coverage
7 for their conditions.

8 (6) Work towards reducing Illinois' underserved and
9 health professional shortage areas.

10 (b) The Department shall designate certain community
11 behavioral health care providers as essential community
12 behavioral health care providers. To qualify for the
13 designation an organization must be a not-for-profit
14 organization under the Internal Revenue Code or a governmental
15 entity that:

16 (1) Demonstrates a commitment to serving low-income
17 and underserved populations.

18 (2) Provides outcome-based community behavioral health
19 care treatment or services.

20 (3) Does not restrict access or services because of a
21 client's financial limitation.

22 (4) Is a community behavioral health care provider
23 certified by the Department, or a licensed community
24 behavioral health care provider holding a purchase of care
25 contract with the State under the State's Medicaid program.

26 An organization that is licensed or certified by the

1 Department may apply to the Department for designation as an
2 essential community behavioral health care provider.

3 (c) An organization designated as an essential community
4 behavioral health care provider under subsection (b) and all
5 members of the care treatment and service staff of the
6 essential community behavioral health care provider shall
7 agree to serve enrollees of all health insurers or health care
8 service contractors operating in the area that the designated
9 essential community behavioral health care provider serves.

10 Health insurers shall include State programs funded under Title
11 XIX and Title XXI of the federal Social Security Act, including
12 the State's Medicaid program and the Covering ALL KIDS Health
13 Insurance Program; other programs funded by the Department of
14 Healthcare and Family Services for non-public employees; and
15 programs for both the insured and uninsured funded by the
16 Department of Human Services.

17 (d) An essential community behavioral health care provider
18 shall be entitled to compensation on a fee-for-service basis
19 within a global budget or within a risk-based incentive
20 contract. Staff members and other health care providers in the
21 service area of the designated essential community behavioral
22 health care provider shall not be restricted from providing
23 care, treatment, or services through affiliation with any other
24 health insurer or health care service contractor.

25 (e) A designation of a community behavioral health care
26 provider as an essential community behavioral health care

1 provider shall end 5 years after the date the designation is
2 granted. The Department, however, may terminate the
3 designation for cause before the end of the 5-year period if
4 the essential community behavioral health care provider fails
5 to comply with the eligibility standards set forth in
6 subsection (b).

7 A designated essential community behavioral health care
8 provider may reapply for designation 6 months prior to the
9 designation ending and shall provide documented evidence that
10 the provider continues to meet all criteria for designation.

11 If the essential community behavioral health care provider
12 continues to meet all criteria for designation, the Department
13 shall continue the designation for an additional 5-year period.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.