

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 toward improving access in Illinois'
9 underserved and 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. The
3 Department, through administrative rule, shall describe the
4 standards and process of designating an essential community
5 behavioral health care provider, establishing the community to
6 be served, other criteria for selection, and grounds for
7 termination.

8 (c) An organization designated as an essential community
9 behavioral health care provider under subsection (b) and all
10 members of the care treatment and service staff of the
11 essential community behavioral health care provider shall
12 agree to serve enrollees of all health insurers or health care
13 service contractors operating in the area that the designated
14 essential community behavioral health care provider serves.
15 Health insurers shall include State programs funded under Title
16 XIX and Title XXI of the federal Social Security Act, including
17 the State's Medicaid program and the Covering ALL KIDS Health
18 Insurance Program; other programs funded by the Department of
19 Healthcare and Family Services for non-public employees; and
20 programs for both the insured and uninsured funded by the
21 Department of Human Services.

22 (d) An essential community behavioral health care provider
23 shall be compensated on a fee-for-service basis within a global
24 budget or within a risk-based incentive contract in accordance
25 with the contracts and standards of the respective payors.
26 Staff members and other health care providers in the service

1 area of the designated essential community behavioral health
2 care provider shall not be restricted from providing care,
3 treatment, or services through affiliation with any other
4 health insurer or health care service contractor.

5 (e) A designation of a community behavioral health care
6 provider as an essential community behavioral health care
7 provider shall end 5 years after the date the designation is
8 granted. The Department, however, may terminate the
9 designation for cause before the end of the 5-year period if
10 the essential community behavioral health care provider fails
11 to comply with the eligibility standards set forth in
12 subsection (b).

13 A designated essential community behavioral health care
14 provider may reapply for designation 6 months prior to the
15 designation ending and shall provide documented evidence that
16 the provider continues to meet all criteria for designation.

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

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