



Rep. Esther Golar

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1 AMENDMENT TO HOUSE BILL 3893

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3893, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Alcoholism and Other Drug Abuse and  
6 Dependency Act is amended by changing Section 1-10 as follows:

7 (20 ILCS 301/1-10)

8 Sec. 1-10. Definitions. As used in this Act, unless the  
9 context clearly indicates otherwise, the following words and  
10 terms have the following meanings:

11 "Act" means the Alcoholism and Other Drug Abuse and  
12 Dependency Act.

13 "Addict" means a person who exhibits the disease known as  
14 "addiction".

15 "Addiction" means a disease process characterized by the  
16 continued use of a specific psycho-active substance despite

1 physical, psychological or social harm. The term also describes  
2 the advanced stages of chemical dependency.

3 "Administrator" means a person responsible for  
4 administration of a program.

5 "Alcoholic" means a person who exhibits the disease known  
6 as "alcoholism".

7 "Alcoholism" means a chronic and progressive disease or  
8 illness characterized by preoccupation with and loss of control  
9 over the consumption of alcohol, and the use of alcohol despite  
10 adverse consequences. Typically, combinations of the following  
11 tendencies are also present: periodic or chronic intoxication;  
12 physical disability; impaired emotional, occupational or  
13 social adjustment; tendency toward relapse; a detrimental  
14 effect on the individual, his family and society; psychological  
15 dependence; and physical dependence. Alcoholism is also known  
16 as addiction to alcohol. Alcoholism is described and further  
17 categorized in clinical detail in the DSM and the ICD.

18 "Array of services" means assistance to individuals,  
19 families and communities in response to alcohol or other drug  
20 abuse or dependency. The array of services includes, but is not  
21 limited to: prevention assistance for communities and schools;  
22 case finding, assessment and intervention to help individuals  
23 stop abusing alcohol or other drugs; a uniform screening,  
24 assessment, and evaluation process for substance use disorders  
25 and mental disorders; case management; detoxification to aid  
26 individuals in physically withdrawing from alcohol or other

1 drugs; short-term and long-term treatment and support services  
2 to help individuals and family members begin the process of  
3 recovery; prescription and dispensing of the drug methadone or  
4 other medications as an adjunct to treatment; relapse  
5 prevention services; education and counseling for children or  
6 other co-dependents of alcoholics or other drug abusers or  
7 addicts.

8 "Case management" means those services which will assist  
9 individuals in gaining access to needed social, educational,  
10 medical, treatment and other services.

11 "Children of alcoholics or drug addicts or abusers of  
12 alcohol and other drugs" means the minor or adult children of  
13 individuals who have abused or been dependent upon alcohol or  
14 other drugs. These children may or may not become dependent  
15 upon alcohol or other drugs themselves; however, they are  
16 physically, psychologically, and behaviorally at high risk of  
17 developing the illness. Children of alcoholics and other drug  
18 abusers experience emotional and other problems, and benefit  
19 from prevention and treatment services provided by funded and  
20 non-funded agencies licensed by the Department.

21 "Co-dependents" means individuals who are involved in the  
22 lives of and are affected by people who are dependent upon  
23 alcohol and other drugs. Co-dependents compulsively engage in  
24 behaviors that cause them to suffer adverse physical,  
25 emotional, familial, social, behavioral, vocational, and legal  
26 consequences as they attempt to cope with the alcohol or drug

1 dependent person. People who become co-dependents include  
2 spouses, parents, siblings, and friends of alcohol or drug  
3 dependent people. Co-dependents benefit from prevention and  
4 treatment services provided by agencies licensed by the  
5 Department.

6 "Controlled substance" means any substance or immediate  
7 precursor which is enumerated in the schedules of Article II of  
8 the Illinois Controlled Substances Act or the Cannabis Control  
9 Act.

10 "Crime of violence" means any of the following crimes:  
11 murder, voluntary manslaughter, criminal sexual assault,  
12 aggravated criminal sexual assault, predatory criminal sexual  
13 assault of a child, armed robbery, robbery, arson, kidnapping,  
14 aggravated battery, aggravated arson, or any other felony which  
15 involves the use or threat of physical force or violence  
16 against another individual.

17 "Department" means the Illinois Department of Human  
18 Services as successor to the former Department of Alcoholism  
19 and Substance Abuse.

20 "Designated program" means a program designated by the  
21 Department to provide services described in subsection (c) or  
22 (d) of Section 15-10 of this Act. A designated program's  
23 primary function is screening, assessing, referring and  
24 tracking clients identified by the criminal justice system, and  
25 the program agrees to apply statewide the standards, uniform  
26 criteria and procedures established by the Department pursuant

1 to such designation.

2 "Detoxification" means the process of allowing an  
3 individual to safely withdraw from a drug in a controlled  
4 environment.

5 "DSM" means the most current edition of the Diagnostic and  
6 Statistical Manual of Mental Disorders.

7 "D.U.I." means driving under the influence of alcohol or  
8 other substances which may cause impairment of driving ability.

9 "Facility" means the building or premises which are used  
10 for the provision of licensable program services, including  
11 support services, as set forth by rule.

12 "ICD" means the most current edition of the International  
13 Classification of Diseases.

14 "Incapacitated" means that a person is unconscious or  
15 otherwise exhibits, by overt behavior or by extreme physical  
16 debilitation, an inability to care for his own needs or to  
17 recognize the obvious danger of his situation or to make  
18 rational decisions with respect to his need for treatment.

19 "Intermediary person" means a person with expertise  
20 relative to addiction, alcoholism, and the abuse of alcohol or  
21 other drugs who may be called on to assist the police in  
22 carrying out enforcement or other activities with respect to  
23 persons who abuse or are dependent on alcohol or other drugs.

24 "Intervention" means readily accessible activities which  
25 assist individuals and their partners or family members in  
26 coping with the immediate problems of alcohol and other drug

1 abuse or dependency, and in reducing their alcohol and other  
2 drug use. Intervention can facilitate emotional and social  
3 stability, and involves referring people for further treatment  
4 as needed.

5 "Intoxicated person" means a person whose mental or  
6 physical functioning is substantially impaired as a result of  
7 the current effects of alcohol or other drugs within the body.

8 "Local advisory council" means an alcohol and substance  
9 abuse body established in a county, township or community area,  
10 which represents public and private entities having an interest  
11 in the prevention and treatment of alcoholism or other drug  
12 abuse.

13 "Off-site services" means licensable program services or  
14 activities which are conducted at a location separate from the  
15 primary service location of the provider, and which services  
16 are operated by a program or entity licensed under this Act.

17 "Person" means any individual, firm, group, association,  
18 partnership, corporation, trust, government or governmental  
19 subdivision or agency.

20 "Prevention" means an interactive process of individuals,  
21 families, schools, religious organizations, communities and  
22 regional, state and national organizations to reduce  
23 alcoholism, prevent the use of illegal drugs and the abuse of  
24 legal drugs by persons of all ages, prevent the use of alcohol  
25 by minors, build the capacities of individuals and systems, and  
26 promote healthy environments, lifestyles and behaviors.

1           "Program" means a licensable or fundable activity or  
2 service, or a coordinated range of such activities or services,  
3 as the Department may establish by rule.

4           "Recovery" means the long-term, often life-long, process  
5 in which an addicted person changes the way in which he makes  
6 decisions and establishes personal and life priorities. The  
7 evolution of this decision-making and priority-setting process  
8 is generally manifested by an obvious improvement in the  
9 individual's life and lifestyle and by his overcoming the abuse  
10 of or dependence on alcohol or other drugs. Recovery is also  
11 generally manifested by prolonged periods of abstinence from  
12 addictive chemicals which are not medically supervised.  
13 Recovery is the goal of treatment.

14           "Rehabilitation" means a process whereby those clinical  
15 services necessary and appropriate for improving an  
16 individual's life and lifestyle and for overcoming his or her  
17 abuse of or dependency upon alcohol or other drugs, or both,  
18 are delivered in an appropriate setting and manner as defined  
19 in rules established by the Department.

20           "Relapse" means a process which is manifested by a  
21 progressive pattern of behavior that reactivates the symptoms  
22 of a disease or creates debilitating conditions in an  
23 individual who has experienced remission from addiction or  
24 alcoholism.

25           "Secretary" means the Secretary of Human Services or his or  
26 her designee.

1 "Substance abuse" or "abuse" means a pattern of use of  
2 alcohol or other drugs with the potential of leading to  
3 immediate functional problems or to alcoholism or other drug  
4 dependency, or to the use of alcohol and/or other drugs solely  
5 for purposes of intoxication. The term also means the use of  
6 illegal drugs by persons of any age, and the use of alcohol by  
7 persons under the age of 21.

8 "Treatment" means the broad range of emergency,  
9 outpatient, intermediate and residential services and care  
10 (including assessment, diagnosis, medical, psychiatric,  
11 psychological and social services, care and counseling, and  
12 aftercare) which may be extended to individuals who abuse or  
13 are dependent on alcohol or other drugs or families of those  
14 persons.

15 (Source: P.A. 89-202, eff. 7-21-95; 89-428, eff. 12-13-95;  
16 89-462, eff. 5-29-96; 89-507, eff. 7-1-97; 90-14, eff. 7-1-97;  
17 90-135, eff. 7-22-97.)

18 Section 10. The Community Services Act is amended by  
19 changing Section 2 as follows:

20 (405 ILCS 30/2) (from Ch. 91 1/2, par. 902)

21 Sec. 2. Community Services System. Services should be  
22 planned, developed, delivered and evaluated as part of a  
23 comprehensive and coordinated system. The Department of Human  
24 Services shall encourage the establishment of services in each



1 area of the State which cover the services categories described  
2 below. What specific services are provided under each service  
3 category shall be based on local needs; special attention shall  
4 be given to unserved and underserved populations, including  
5 children and youth, racial and ethnic minorities, and the  
6 elderly. The service categories shall include:

7 (a) Prevention: services designed primarily to reduce the  
8 incidence and ameliorate the severity of developmental  
9 disabilities, mental illness and alcohol and drug dependence;

10 (b) Client Assessment and Diagnosis: services designed to  
11 identify persons with developmental disabilities, mental  
12 illness and alcohol and drug dependency; to determine the  
13 extent of the disability and the level of functioning; to  
14 ensure the individual's need for treatment of mental disorders  
15 or substance use disorders is determined using a uniform  
16 screening, assessment, and evaluation process; information  
17 obtained through client evaluation can be used in individual  
18 treatment and habilitation plans; to assure appropriate  
19 placement and to assist in program evaluation;

20 (c) Case Coordination: services to provide information and  
21 assistance to disabled persons to insure that they obtain  
22 needed services provided by the private and public sectors;  
23 case coordination services should be available to individuals  
24 whose functioning level or history of institutional recidivism  
25 or long-term care indicate that such assistance is required for  
26 successful community living;

1 (d) Crisis and Emergency: services to assist individuals  
2 and their families through crisis periods, to stabilize  
3 individuals under stress and to prevent unnecessary  
4 institutionalization;

5 (e) Treatment, Habilitation and Support: services designed  
6 to help individuals develop skills which promote independence  
7 and improved levels of social and vocational functioning and  
8 personal growth; and to provide non-treatment support services  
9 which are necessary for successful community living;

10 (f) Community Residential Alternatives to Institutional  
11 Settings: services to provide living arrangements for persons  
12 unable to live independently; the level of supervision,  
13 services provided and length of stay at community residential  
14 alternatives will vary by the type of program and the needs and  
15 functioning level of the residents; other services may be  
16 provided in a community residential alternative which promote  
17 the acquisition of independent living skills and integration  
18 with the community.

19 (Source: P.A. 89-507, eff. 7-1-97.)

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