**Section 150.100 Reporting**

a) Inpatient mental health facilities are required to report to DHS all persons who are prohibited from obtaining a FOID Card under Section 8(e), (f), (g), (r), (s) and/or (t) of the FOID Act.

1) Those provisions cover the following situations:

A) a person who has been a patient of a mental health facility within the past 5 years (see Section 8(e) of the FOID Act);

B) a person who had been a patient in a mental health facility more than 5 years ago who has not received the certification required under Section 8(u) of the FOID Act (see Section 8(e) of the FOID Act);

C) a person who is a clear and present danger to himself or herself, any other person or persons, or the community (see Section 8(f) of the FOID Act);

D) a person who is intellectually disabled (see Section 8(g) of the FOID Act);

E) a person who has been adjudicated as a mentally disabled person (see Section 8(r) of the FOID Act);

F) a person who has been found to be developmentally disabled (see Section 8(s) of the FOID Act); or

G) a person involuntarily admitted into a mental health facility (see Section 8(t) of the FOID Act).

2) It should be noted that outpatient mental health facilities that provide only outpatient services must report events that would quality under Section 8(f), (g), (r), (s) and/or (t) of the FOID Act.

b) Mental health facilities are required to report within 7 calendar days after a person is admitted as an inpatient or as a resident and within 7 calendar days after a person is discharged from inpatient or residential care.

1) The following are several examples relating to inpatient settings that clairify when an inpatient setting is required to report to DHS:

A) The person is admitted to the hospital and to the psychiatric or behavioral health unit of the hospital for evaluation and treatment of a mental illness. The person would be reported as an admission.

B) The person is admitted to the hospital and to the psychiatric or behavioral health unit of the hospital for evaluation and treatment of a mental illness and an alcohol or substance abuse issue. The person would be reported as an admission.

C) The person with mental illness is admitted to the hospital and to a non-psychiatric or behavioral health unit (e.g., intensive care unit, rehabilitation unit, etc.) of the hospital for evaluation and treatment of an injury or illness. The hospital transfers the person to the psychiatric or behavioral health unit. The person would be reported as an admission.

D) The person with mental illness comes to the emergency department of a hospital for the mental illness and is transferred to another hospital for admission to its psychiatric or behavioral unit. The person would not be reported by the sending hospital but is required to be reported by the receiving hospital as an admission.

2) The following are several examples relating to inpatient settings that clarify when an inpatient setting is not required to report to DHS:

A) The person is admitted to the hospital and to the behavioral health unit of the hospital for evaluation and treatment of only an alcohol or substance abuse issue. The person would not be reported as an admission.

B) The person is admitted to the hospital and to the psychiatric or behavioral health unit of the hospital for evaluation and treatment of a mental illness. Upon evaluation, the person is determined to only have an alcohol or substance abuse issue. The person would not be reported as an admission.

C) The person with mental illness is admitted to the hospital and to a non-psychiatric, non-behavioral health unit (e.g., intensive care unit, rehabilitation unit, etc.) for evaluation and treatment of an injury or illness. The hospital provides maintenance medication for the mental illness, but the person is not admitted to the psychiatric or behavioral health unit. The person would not be reported as an admission.

D) The person with mental illness comes to the emergency department of a hospital for an injury or illness, is treated and released. The person would not be reported as an admission.

E) The person with mental illness comes to the emergency department of a hospital for an injury or illness, is admitted to the hospital (non-psychiatric unit) for the injury or illness. The person would not be reported as an admission.

F) The person with mental illness comes to the emergency department of a hospital for an injury or illness and is moved to an observation area for 48 hours. The person is treated and released. The person would not be reported as an admission.

G) The person with mental illness comes to the emergency department of a hospital for mental illness and is given a prescription for medication and a referral, but not admitted to the hospital. The person would not be reported as an admission.

3) The following are several examples relating to residential settings that clarify when a residential setting is required to report to DHS:

A) The person with mental illness is admitted to a nursing home and is placed on a specialized behavioral health unit. The person would be reported as an admission.

B) The person with mental illness is provided outpatient treatment while living in a supervised transitional residential program. The supervised transitional residential program would report the person as an admission. The outpatient program would not report the person.

C) The person with mental illness resides in a Specialized Mental Health Rehabilitation Facility. The facility would report the person as an admission.

4) The following are several examples relating to residential settings that clarify when a residential setting is not required to report to DHS:

A) The person with mental illness is admitted for outpatient treatment at a community mental health agency or a clinic setting while living in his or her own home or apartment. The person would not be reported.

B) The person with mental illness is admitted to a nursing home for rehabilitation and/or physical therapy and is not placed in a specialized behavioral health unit. The person would not be reported as an admission.

5) An adjudication as a mentally disabled person or an involuntary admission is required to be reported within 7 calendar days after the event or knowledge of that event. This may occur during the course of a patient's admission, resulting in a report of the admission, a report of the adjudication as a mentally disabled person, and a report upon discharge. It is possible that for a single admission there could be several reporting events.

6) When a person is determined to be a clear and present danger, he/she must be reported within 24 hours. If a person is determined to be a clear and present danger during his/her admission to a mental health facility, both a report of an admission and a report of a clear and present danger must be made.

7) When a person has been determined to be developmentally disabled, that event is required to be reported within 24 hours. This may occur during the course of a patient's admission, resulting in a report of the admission, a report of the determination that a person is developmentally disabled, and a report upon discharge.

8) To assist in meeting the reporting timeframes, DHS shall establish a web-based reporting platform. DHS shall update its records and information and shall notify ISP. Information disclosed under this Section shall remain privileged and confidential, and shall not be re-disclosed, except as required under Section 3.1(e) of the FOID Act, nor used for any other purpose. The method of providing this information shall guarantee that the information is not released beyond that necessary for the purpose of this Section.

9) The identity of the mental health facility reporting under this Section shall not be disclosed to the person who is the subject of the report.