

**SB0025**



**101ST GENERAL ASSEMBLY**

**State of Illinois**

**2019 and 2020**

**SB0025**

Introduced 1/9/2019, by Sen. Julie A. Morrison

**SYNOPSIS AS INTRODUCED:**

405 ILCS 5/3-610

from Ch. 91 1/2, par. 3-610

Amends the Mental Health and Developmental Disabilities Code. Provides that as soon as possible but not later than 24 hours, excluding Saturdays, Sundays and holidays, after emergency admission of a respondent to a mental health facility on an inpatient basis, the respondent shall be personally examined (rather than examined) by a psychiatrist. Provides that for the purpose of this provision, a personal examination includes an examination performed in real time (synchronous examination) via an Interactive Telecommunication System as defined in the Illinois Administrative Code.

LRB101 00199 RLC 45201 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning health.

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 Code is amended by changing Section 3-610 as  
6 follows:

7 (405 ILCS 5/3-610) (from Ch. 91 1/2, par. 3-610)

8 Sec. 3-610. As soon as possible but not later than 24  
9 hours, excluding Saturdays, Sundays and holidays, after  
10 admission of a respondent pursuant to this Article, the  
11 respondent shall be personally examined by a psychiatrist. The  
12 psychiatrist may be a member of the staff of the facility but  
13 shall not be the person who executed the first certificate. If  
14 a certificate has already been completed by a psychiatrist  
15 following the respondent's admission, the respondent shall be  
16 examined by another psychiatrist or by a physician, clinical  
17 psychologist, or qualified examiner. If, as a result of this  
18 second examination, a certificate is executed, the certificate  
19 shall be promptly filed with the court. If the certificate  
20 states that the respondent is subject to involuntary admission  
21 but not in need of immediate hospitalization, the respondent  
22 may remain in his or her place of residence pending a hearing  
23 on the petition unless he or she voluntarily agrees to

1 inpatient treatment. If the respondent is not examined or if  
2 the psychiatrist, physician, clinical psychologist, or  
3 qualified examiner does not execute a certificate pursuant to  
4 Section 3-602, the respondent shall be released forthwith. For  
5 the purpose of this Section, a personal examination includes an  
6 examination performed in real time (synchronous examination)  
7 via an Interactive Telecommunication System as defined in 89  
8 Ill. Adm. Code 140.403(a)(5).

9 (Source: P.A. 96-1399, eff. 7-29-10; 96-1453, eff. 8-20-10.)