



Rep. La Shawn K. Ford

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10200HB0110ham002

LRB102 04289 KTG 36520 a

1 AMENDMENT TO HOUSE BILL 110

2 AMENDMENT NO. _____. Amend House Bill 110, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Substance Use Disorder Act is amended by
6 adding Section 5-26 as follows:

7 (20 ILCS 301/5-26 new)

8 Sec. 5-26. Safe consumption and overdose prevention
9 services.

10 (a) Definitions. As used in this Section:

11 "Department" means the Department of Human Services.

12 "Entity" means any community-based organization that
13 provides educational, health, harm reduction, housing, or
14 social services and any hospital, medical clinic or office,
15 health center, nursing care facility, mental health facility,
16 or other similar entity that provides medical care.

1 "Participant" means an individual who seeks to utilize,
2 utilizes, or has used a pilot program established under this
3 Section.

4 "Pilot program" means a safer consumption and overdose
5 services pilot program established under this Section.

6 (b) Pilot program approval.

7 (1) Notwithstanding the Illinois Controlled Substances
8 Act, the Drug Paraphernalia Control Act, or any other
9 provision of law to the contrary, the Department may
10 approve an entity to operate a pilot program in one or more
11 jurisdictions upon satisfaction of the requirements set
12 forth under paragraph (4). The Department shall establish
13 standards for pilot program approval and training and
14 shall adopt any rules that are necessary to license and
15 monitor the pilot program.

16 (2) The Department shall establish a new intervention
17 license category entitled Harm Reduction Services and
18 shall approve or deny an application for a Harm Reduction
19 Services license in accordance with Section 15-10 of this
20 Act and as established by rule.

21 (3) An entity may make an application for a Harm
22 Reduction Services license at any time, regardless of
23 previous applications.

24 (4) The Department may approve a pilot program under
25 this Section upon submission of an application, on a form
26 prescribed by the Department, demonstrating that the

1 entity shall, at a minimum:

2 (A) provide a hygienic space where participants
3 may consume their pre-obtained drugs;

4 (B) provide adequate staffing by health care
5 professionals or other trained staff;

6 (C) provide sterile injection supplies, collect
7 used hypodermic needles and syringes, provide secure
8 hypodermic needle and syringe disposal services, and
9 may provide other drug using supplies that reduce
10 harm;

11 (D) provide education on safe consumption
12 practices, proper disposal of hypodermic needles and
13 syringes, and overdose prevention, including written
14 information in, at a minimum, the 4 most commonly
15 spoken languages in the State as determined by the
16 Department;

17 (E) administer first aid, if needed, and monitor
18 participants for potential overdose;

19 (F) provide referrals to substance use disorder
20 treatment, recovery support services, medical,
21 services that address social determinants of health,
22 and employment and training services;

23 (G) educate participants on the risks of
24 contracting infectious diseases and provide sexual
25 health resources and supplies, including, but not
26 limited to, condoms for male and female sex organs;

1 (H) provide participants access to naloxone;

2 (I) provide reasonable and adequate security for
3 the pilot program site and equipment;

4 (J) ensure confidentiality of pilot program
5 participants by using an anonymous unique identifier;

6 (K) train staff members to deliver services
7 offered by the pilot program or attend training
8 provided by the Department, if required;

9 (L) establish operating procedures for the pilot
10 program and eligibility criteria for pilot program
11 participants, if not predetermined by the Department;

12 (M) be designated as or collaborate with an
13 authorized needle and hypodermic syringe access
14 program under the Overdose Prevention and Harm
15 Reduction Act; and

16 (N) operate the pilot program for no more than 3
17 years.

18 (c) Reporting. An entity operating a pilot program under
19 this Section shall provide a report to the Department, within
20 the time frame specified by the Department, that shall
21 include:

22 (1) the number of pilot program participants;

23 (2) aggregate information regarding the
24 characteristics of pilot program participants;

25 (3) the number of hypodermic needles, syringes, and
26 harm reduction supplies distributed for use on-site;

1 (4) the number of overdoses experienced and the number
2 of overdoses reversed on-site;

3 (5) the number of individuals directly and formally
4 referred to other services and the type of service;

5 (6) the number of significant incidents, as defined by
6 the Department, during the specified time frame; and

7 (7) the number of ancillary services provided to
8 family members and the public, including, but not limited
9 to, socials service referrals and educational services.

10 (d) Immunity provided. Notwithstanding the Illinois
11 Controlled Substances Act, the Drug Paraphernalia Control Act,
12 or any other provision of law to the contrary, the following
13 persons shall not be arrested, charged, or prosecuted for any
14 criminal offense or be subject to any civil or administrative
15 penalty, including seizure or forfeiture of assets or real
16 property or disciplinary action by a professional licensing
17 board, or be denied any right or privilege, solely for
18 participation or involvement in a pilot program approved by
19 the Department under this Section:

20 (1) a pilot program participant;

21 (2) a staff member or administrator of a pilot
22 program, including a health care professional, manager,
23 employee, or volunteer; and

24 (3) a property owner who owns real property at which a
25 pilot program is located and operates."