1 AN ACT concerning health.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

- 4 Section 1. Short title. This Act may be cited as the First
- 5 Responder Mental Health Grant Program Act.
- 6 Section 5. Legislative intent.
- 7 (a) The General Assembly recognizes the difficult nature
- 8 of the job of first responder, including trauma endured by
- 9 first responders in the performance of their duties.
- 10 (b) It is the intent of the General Assembly to ensure that
- 11 first responders, including police, firefighters, emergency
- 12 medical technicians, and public safety telecommunicators
- 13 across this State have full access to supportive and
- 14 responsive behavioral health services and treatment.
- 15 (c) The General Assembly recognizes that these services
- 16 should be responsive to the individual's needs and must be
- 17 kept confidential.
- 18 (d) The General Assembly recognizes that the
- 19 administration and provision of these services both recognize
- 20 and reduce the historical barrier of stigma and a lack of
- 21 confidentiality that first responders face when attempting to
- 22 access behavioral health services and treatment.

- 1 Section 10. Definitions. In this Act:
- 2 "Behavioral health" means mental health, health relating
- 3 to substance use, or both.
- 4 "Behavioral health care" means services, treatment,
- 5 medication, and other measures to overcome, mitigate, or
- 6 prevent a behavioral health issue. These services, treatment,
- 7 medication, and other measures qualify as "behavioral health
- 8 care" even if there is no formal diagnosis of a specific
- 9 condition.
- "Department" means the Department of Human Services.
- "First responder" means a law enforcement officer,
- 12 firefighter, emergency medical services personnel as defined
- in Section 3.5 of the Emergency Medical Services (EMS) Systems
- 14 Act, or public safety telecommunicator as defined in Section 2
- of the Emergency Telephone Systems Act.
- "Record" means any record kept by a therapist or by an
- 17 agency in the course of providing behavioral health care to a
- 18 first responder concerning the first responder and the
- 19 services provided. "Record" includes the personal notes of the
- therapist or agency. "Record" includes all records maintained
- 21 by a court that have been created in connection with, in
- 22 preparation for, or as a result of the filing of any petition
- or certificate under Chapter II, Chapter III, or Chapter IV of
- 24 the Mental Health and Developmental Disabilities Code and
- 25 includes the petitions, certificates, dispositional reports,
- treatment plans, and reports of diagnostic evaluations and of

- 1 hearings under Article VIII of Chapter III or under Article V
- of Chapter IV of that Code. "Record" does not include
- 3 information that has been de-identified in accordance with
- 4 HIPAA, as specified in 45 CFR 164.514. "Record" does not
- 5 include a reference to the receipt of behavioral health care
- 6 noted during a patient history and physical or other summary
- 7 of care.
- 8 Section 15. First Responder Behavioral Health Grant
- 9 Program.
- 10 (a) Subject to appropriation, there is created within the
- 11 Department of Human Services a First Responder Behavioral
- 12 Health Grant Program to provide grants to the following
- 13 recipients:
- 14 (1) units of local government;
- 15 (2) law enforcement agencies;
- 16 (3) fire protection districts;
- 17 (4) school districts;
- 18 (5) public or private hospitals; or
- 19 (6) ambulance services that employ first responders.
- 20 (b) The First Responder Behavioral Health Grant Fund is
- 21 hereby created as a special fund in the State treasury. Moneys
- in the First Responder Behavioral Health Grant Fund shall be
- 23 used by the Secretary of Human Services to make grants to
- eligible recipients as provided in subsection (a).
- 25 (c) Recipients eligible for grants under this Section

- shall use the grants for expenses related to behavioral health
- 2 care services for first responders, including, but not limited
- 3 to, telehealth services. An employer may not reduce behavioral
- 4 health care provided through a first responder's employee
- 5 benefit package as a result of the receipt of grant funds under
- 6 this Act.
- 7 (d) All records, notes, and conclusions by a treatment
- 8 provider providing behavioral health care to first responders
- 9 whose employers receive grants under this Act shall not be
- 10 shared with the employer unless otherwise mandated by law.
- 11 (e) Applicants seeking grants under this Act shall apply
- 12 to the Department in a form and manner prescribed by the
- 13 Department.
- 14 (f) The Department may adopt any rules necessary to
- implement this Act.
- 16 Section 900. The State Finance Act is amended by adding
- 17 Section 5.970 as follows:
- 18 (30 ILCS 105/5.970 new)
- 19 Sec. 5.970. The First Responder Behavioral Health Grant
- Fund.