

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 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.

10 "Department" means the Department of Human Services.

11 "First responder" means a law enforcement officer,
12 firefighter, emergency medical services personnel as defined
13 in Section 3.5 of the Emergency Medical Services (EMS) Systems
14 Act, or public safety telecommunicator as defined in Section 2
15 of the Emergency Telephone Systems Act.

16 "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
20 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
23 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,
26 treatment plans, and reports of diagnostic evaluations and of

1 hearings under Article VIII of Chapter III or under Article V
2 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
22 in the First Responder Behavioral Health Grant Fund shall be
23 used by the Secretary of Human Services to make grants to
24 eligible recipients as provided in subsection (a).

25 (c) Recipients eligible for grants under this Section

1 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
15 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
20 Fund.