



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3369

Introduced 2/22/2021, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

New Act

Creates the Universal Child Mental Health Screening Act. Requires universal mental health screening services to be administered to all children as early as possible, but no later than a child's first year in any secondary public or private education program or residential facility for children with disabilities, and periodically thereafter. Requires the Department of Public Health and the State Board of Education to jointly develop rules governing standards, procedures, techniques, and criteria for conducting and administering mental health screenings and to set standards for the training and qualifications of personnel to provide the services. Contains additional requirements for the Department in administering the program of mental health screening services. Provides that no child shall be required to submit to any test required by the Act if a parent or a guardian of the child objects on constitutional grounds and submits a written statement to the agency administering the mental health screening services. Creates the Children's Mental Health Services Advisory Committee to advise the Department in the implementation and administration of the mental health services program and in the development of rules pertaining to that program. Provides that, subject to appropriation, the State Board of Education shall reimburse school districts for any costs associated with providing mental health screenings as required by the Act. Effective immediately.

LRB102 00021 CPF 10022 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 1. Short title. This Act may be cited as the
5 Universal Child Mental Health Screening Act.

6 Section 5. Definitions. In this Act:

7 "Committee" means the Children's Mental Health Services
8 Advisory Committee created under Section 30.

9 "Department" means the Department of Public Health.

10 "Director" means the Director of Public Health.

11 "Mental health screening services" means the
12 identification, testing, evaluation, and initiation of mental
13 health follow-up services as defined in the rules of the
14 Department and the State Board of Education, as required by
15 Section 15.

16 Section 10. Universal mental health screening services.
17 Universal mental health screening services shall be
18 administered to all children as early as possible, but no
19 later than a child's first year in any secondary public or
20 private education program or residential facility for children
21 with disabilities, and periodically thereafter, to identify
22 those children with mental health conditions so that the

1 conditions can be managed or treated.

2 Section 15. Rules. The Department and the State Board of
3 Education shall jointly adopt rules governing standards,
4 procedures, techniques, and criteria for conducting and
5 administering mental health screenings and shall set standards
6 for the training and qualifications of personnel to provide
7 the services.

8 Section 20. Additional requirements. In administering the
9 program of mental health screening services, the Department
10 shall not replace any qualified existing service and shall:

11 (1) Provide consulting services to local health
12 departments, school districts, or other community agencies
13 who establish or supplement programs for mental health
14 services.

15 (2) Delegate responsibility to other State agencies,
16 local health departments, school districts, or other
17 community agencies to develop and maintain periodic mental
18 health screening services.

19 (3) Provide direct services through contractual
20 arrangement for the development and maintenance of
21 periodic mental health screening services.

22 (4) Accept reports of mental health evaluations from
23 qualified medical or other professional specialists
24 employed by parents or guardians for mental health

1 evaluations when the reports are submitted to the
2 Department.

3 (5) Review the rules adopted under Section 15 no less
4 than once a year and make changes if deemed necessary.

5 Section 25. Objections. No child shall be required to
6 submit to any test required by this Act if a parent or a
7 guardian of the child objects on constitutional grounds and
8 submits a written statement of the objection to the agency
9 administering the mental health screening services.

10 Section 30. Children's Mental Health Services Advisory
11 Committee.

12 (a) The Children's Mental Health Services Advisory
13 Committee is created. The Director shall appoint members to
14 the Committee, not to exceed 10 individuals. In making
15 appointments to the Committee, the Director shall appoint
16 individuals with knowledge of or experience in the problems of
17 children with mental health conditions.

18 (b) The Committee shall advise the Department in the
19 implementation and administration of the mental health
20 services program and in the development of rules pertaining to
21 that program. The Committee shall select a chairperson from
22 its membership and shall meet at least once each calendar
23 year.

24 (c) The members of the Committee shall receive no

1 compensation for their services. However, the nongovernmental
2 members shall be reimbursed for actual expenses incurred in
3 the performance of their duties in accordance with the State
4 of Illinois' travel regulations.

5 Section 35. Reimbursement. Subject to appropriation, the
6 State Board of Education shall reimburse school districts for
7 any costs associated with providing mental health screenings
8 required by this Act.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.