



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB4498**

Introduced 1/31/2024, by Rep. Debbie Meyers-Martin

#### SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-403

from Ch. 91 1/2, par. 3-403

Amends the Mental Health and Developmental Disabilities Code. Provides that a voluntary recipient admitted to a mental health facility who gives a written notice to the treatment staff that the recipient wishes to be discharged from the facility may be involuntarily held at the facility if within 5 days after giving the notice, a copy of the notice and a petition and the 2 certificates executed by a physician, qualified examiner, psychiatrist, advanced practice psychiatric nurse, or clinical psychologist which states that the recipient is subject to involuntary admission on an inpatient basis and requires immediate hospitalization are filed with the court (rather than only the petition and 2 certificates).

LRB103 37144 RLC 67263 b

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 3-403 as  
6 follows:

7 (405 ILCS 5/3-403) (from Ch. 91 1/2, par. 3-403)

8 Sec. 3-403. A voluntary recipient shall be allowed to be  
9 discharged from the facility at the earliest appropriate time,  
10 not to exceed 5 days, excluding Saturdays, Sundays and  
11 holidays, after the recipient ~~he~~ gives any treatment staff  
12 person written notice of the recipient's ~~his~~ desire to be  
13 discharged unless the recipient ~~he~~ either withdraws the notice  
14 in writing or unless within the 5 day period a copy of the  
15 written notice and a petition and 2 certificates conforming to  
16 the requirements of paragraph (b) of Section 3-601 and Section  
17 3-602 are filed with the court. Upon receipt of the petition,  
18 the court shall order a hearing to be held within 5 days,  
19 excluding Saturdays, Sundays and holidays, and to be conducted  
20 pursuant to Article IX of this Chapter. Hospitalization of the  
21 recipient may continue pending further order of the court.

22 (Source: P.A. 88-830.)