



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4706

Introduced 2/6/2024, by Rep. Jenn Ladisch Douglass and La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

20 ILCS 301/55-45 new
405 ILCS 5/5-100.1 new

Amends the Substance Use Disorder Act and the Mental Health and Developmental Disabilities Code. Provides that substance abuse programs and mental health or developmental disabilities facilities operating in the State shall provide verbal notice to the personal representative of the patient within 24 hours after the death of a patient and shall provide written notice to the personal representative of the patient within 5 days after the death of a patient. Effective immediately.

LRB103 36126 SPS 66217 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 Substance Use Disorder Act is amended by
5 adding Section 55-45 as follows:

6 (20 ILCS 301/55-45 new)

7 Sec. 55-45. Notice of death of patient. Any program
8 operating in this State shall provide notice of the death of a
9 patient occurring in the program to the personal
10 representative of the patient. The program shall provide
11 verbal notice to the personal representative of the patient
12 within 24 hours after the death of the patient and shall
13 provide written notice to the personal representative of the
14 patient within 5 days after the death of the patient. The
15 program shall provide notice under this subsection in
16 accordance with 42 CFR 2.15(b) and 45 CFR 164.502(g), as
17 amended. For the purposes of this subsection, "personal
18 representative" has the meaning set forth in 45 CFR
19 164.502(g).

20 Section 10. The Mental Health and Developmental
21 Disabilities Code is amended by adding Section 5-100.1 as
22 follows:

1 (405 ILCS 5/5-100.1 new)

2 Sec. 5-100.1. Notice of death of patient. Any mental
3 health or developmental disabilities facility operating in
4 this State shall provide notice of the death of a recipient of
5 services occurring in the facility to the personal
6 representative of the recipient of services. The facility
7 shall provide verbal notice to the personal representative of
8 the recipient of services within 24 hours after the death of
9 the recipient of services and shall provide written notice to
10 the personal representative of the recipient of services
11 within 5 days after the death of the recipient of services. The
12 facility shall provide notice under this subsection in
13 accordance with 42 CFR 2.15(b) and 45 CFR 164.502(g), as
14 amended. For the purposes of this subsection, "personal
15 representative" has the meaning set forth in 45 CFR
16 164.502(g).

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.