



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1377

Introduced 2/6/2023, by Sen. Jil Tracy

SYNOPSIS AS INTRODUCED:

20 ILCS 2105/2105-370 new
20 ILCS 2805/40 new
210 ILCS 85/6.11a new

Amends the Department of Veterans' Affairs Act. Provides that a veterans case manager shall be appointed by the Director of Veterans' Affairs, in consultation with the Secretary of Financial and Professional Regulation and the Secretary of Human Services, to assist veterans in obtaining the greatest degree of mental health care and mental health care benefits available and to promote policies that would benefit veterans seeking mental health care. Provides that the case manager shall serve at the pleasure of the Director of Veterans' Affairs. Sets forth the duties of the veterans case manager, including, to: (i) act as an intermediary between health care facilities and veterans health care facilities; (ii) provide information to veterans and health care facilities regarding mental health services available to veterans; (iii) apply for, receive, and administer federal aids, grants, and gifts relating to inpatient mental health services for veterans; (iv) encourage physicians, nurses, and other individuals working in mental health care who have military experience to work in Illinois; and (v) collaborate with health care facilities in identifying, upon a person's admission to a health care facility, the person's eligibility for federal veterans benefits, including prescription drug benefits. Amends the Hospital Licensing Act. Requires the Department of Financial and Professional Regulation to adopt rules requiring hospitals, upon identifying a person requiring mental health services as a veteran, to establish and implement certain protocols including (1) contacting the veterans case manager regarding the veteran's admission, (2) identifying whether the veteran is at risk for causing harm to the veteran's self or others, and (3) preventing the hospital from treating a veteran with less or different care than nonveteran patients solely because of a person's veteran status. Amends the Department of Professional Regulation Law. Requires the Department of Financial and Professional Regulation to establish rules requiring licensed health care professionals, as specified, to receive continuing education credits regarding the treatment of veterans as a condition of license renewal.

LRB103 25515 KTG 51864 b

A BILL FOR

1 AN ACT concerning veterans.

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

4 Section 5. The Department of Professional Regulation Law
5 of the Civil Administrative Code of Illinois is amended by
6 adding Section 2105-370 as follows:

7 (20 ILCS 2105/2105-370 new)

8 Sec. 2105-370. Continuing education; treatment of veterans
9 with a mental health issue.

10 (a) As used in this Section, "licensed health care
11 professional" means a person licensed or registered by the
12 Department under the following Acts: the Medical Practice Act
13 of 1987, the Illinois Dental Practice Act, the Physician
14 Assistant Practice Act of 1987, the Podiatric Medical Practice
15 Act of 1987, and the Nurse Practice Act.

16 (b) The Department shall establish rules requiring a
17 licensed health care professional to receive continuing
18 education credits regarding the treatment of veterans, as
19 defined in Section 40 of the Department of Veterans' Affairs
20 Act, as a condition of license renewal. The Department, in
21 consultation with the veterans case manager established in
22 Section 40 of the Department of Veterans' Affairs Act, shall
23 have the authority to determine how often a licensee must

1 receive continuing education credits.

2 Section 10. The Department of Veterans' Affairs Act is
3 amended by adding Section 40 as follows:

4 (20 ILCS 2805/40 new)

5 Sec. 40. Veterans case manager.

6 (a) As used in this Section:

7 "Health care facility" means a hospital as defined in the
8 Hospital Licensing Act, a hospice program licensed under the
9 Hospice Program Licensing Act, an assisted living or shared
10 housing establishment licensed under the Assisted Living and
11 Shared Housing Act, a facility licensed under the Nursing Home
12 Care Act, a facility licensed under the ID/DD Community Care
13 Act, or a facility licensed under the Specialized Mental
14 Health Rehabilitation Act of 2013.

15 "Veteran" means an Illinois resident who has served or is
16 currently serving as a member of the United States Armed
17 Forces, a member of the Illinois National Guard, or a member of
18 a Reserve Component of the United States Armed Forces.

19 "Veterans health care facility" means a facility operated
20 by the United States of Veterans Affairs, Veterans Health
21 Administration.

22 (b) A veterans case manager shall be appointed by the
23 Director of Veterans' Affairs, in consultation with the
24 Secretary of Financial and Professional Regulation and the

1 Secretary of Human Services, to assist veterans in obtaining
2 the greatest degree of mental health care and mental health
3 care benefits available and to promote policies that would
4 benefit veterans seeking mental health care. The case manager
5 shall serve at the pleasure of, and report directly to, the
6 Director of Veterans' Affairs.

7 (c) The veterans case manager shall perform the following
8 duties:

9 (1) Act as an intermediary between health care
10 facilities and veterans health care facilities.

11 (2) Assist health care facilities in the transfer of
12 veterans to veterans health care facilities.

13 (3) Provide information to veterans and health care
14 facilities regarding mental health services available to
15 veterans.

16 (4) Apply for, receive, and administer federal aids,
17 grants, and gifts relating to inpatient mental health
18 services for veterans.

19 (5) Work with veteran service officers to inform
20 veterans of benefits that may be available to veterans for
21 mental health services.

22 (6) Recommend to the Department of Financial and
23 Professional Regulation standards and courses of study
24 that fulfill the continuing education requirements under
25 Section 2105-370 of the Department of Professional
26 Regulation Law of the Civil Administrative Code.

1 (7) Ensure that veterans are treated by health care
2 facilities with at least the same level of care as
3 nonveterans.

4 (8) Encourage physicians, nurses, and other
5 individuals working in mental health care who have
6 military experience to work in Illinois.

7 (9) Inform Illinois residents who are veterans or
8 currently serving in the military about education,
9 benefits, and support available to obtain a degree or
10 certification that would allow the person to become a
11 mental health care worker.

12 (10) Collaborate with health care facilities in
13 identifying, upon a person's admission to a health care
14 facility, the person's eligibility for benefits through
15 the United States Department of Veterans Affairs,
16 including prescription drug benefit eligibility, and
17 programs with a focus on veterans.

18 (11) Collaborate with the Department of Public Health
19 to identify any barriers to veterans in accessing
20 prescription drug benefits designated for veterans.

21 (12) Assist health care facilities in amending rules
22 and procedures for medication administration to allow
23 veterans greater access to prescription drug benefits.

24 Section 15. The Hospital Licensing Act is amended by
25 adding Section 6.11a as follows:

1 (210 ILCS 85/6.11a new)

2 Sec. 6.11a. Protocols for the treatment of veterans.

3 (a) As used in this Section:

4 "Veteran" means an Illinois resident who has served or is
5 currently serving as a member of the United States Armed
6 Forces, a member of the Illinois National Guard, or a member of
7 a Reserve Component of the United States Armed Forces.

8 "Veterans case manager" means a veterans case manager as
9 described in Section 40 of the Department of Veterans' Affairs
10 Act.

11 (b) The Department shall adopt rules requiring hospitals,
12 upon identifying a person requiring mental health services as
13 a veteran, to establish and implement protocols providing for
14 all of the following:

15 (1) Contacting the veterans case manager regarding the
16 veteran's admission.

17 (2) Identifying whether the veteran is at risk for
18 causing harm to the veteran's self or others.

19 (3) Holding a veteran experiencing or at risk of
20 experiencing a mental health crisis for a period of not
21 less than 23 hours unless a court order dictates otherwise
22 or the patient is allowed to transfer to a veterans health
23 care facility as defined in Section 40 of the Department
24 of Veterans' Affairs Act.

25 (4) Requiring the hospital to evaluate the veteran's

1 mental stability to determine if the veteran is a threat
2 to the safety of the veteran's self or others prior to the
3 veteran's discharge.

4 (5) Preventing the hospital from treating a veteran
5 with less or different care than nonveteran patients
6 solely because of a person's veteran status.

7 (c) The Department, in consultation with the Department of
8 Veterans' Affairs, shall adopt rules that provide that if a
9 person is eligible for benefits through the United States
10 Department of Veterans Affairs or any other third-party payor,
11 the payor of last resort for reimbursement to a hospital is the
12 medical assistance program established under Article V of the
13 Illinois Public Aid Code. The rules shall also require the
14 hospital to request information from a person or a person's
15 personal representative regarding the person's veteran status
16 and to report to the veterans case manager only the names of
17 persons identified as potential veterans along with the names
18 of their spouses and any dependents. Information reported by
19 the hospital shall be verified by the Department. This
20 subsection shall not apply to the admission of a person for
21 outpatient mental health services.

22 (d) The Department shall adopt rules that require
23 hospitals to collaborate with the veterans case manager to
24 identify barriers veterans may face in obtaining prescription
25 drug benefits, and require, upon the admission of a person
26 eligible for benefits through the United States Department of

1 Veterans Affairs to a hospital, the hospital to cooperate with
2 the veterans case manager to assess the extent for which the
3 person is eligible for prescription drug benefits.