



Sen. Laura Fine

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10300SB3137sam001

LRB103 36125 SPS 70024 a

1 AMENDMENT TO SENATE BILL 3137

2 AMENDMENT NO. _____. Amend Senate Bill 3137 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as Jordan's Law.

5 Section 5. The Substance Use Disorder Act is amended by
6 adding Section 55-45 as follows:

7 (20 ILCS 301/55-45 new)

8 Sec. 55-45. Notice of death of patient. Any program
9 operating in this State shall provide notice of the death of a
10 patient occurring in the program to the personal
11 representative of the patient. The program shall provide
12 verbal notice to the personal representative of the patient
13 within 24 hours after the death of the patient and shall
14 provide written notice to the personal representative of the
15 patient within 5 days after the death of the patient. The

1 program shall provide notice under this subsection in
2 accordance with 42 CFR 2.15(b) and 45 CFR 164.502(g), as
3 amended. For the purposes of this subsection, "personal
4 representative" has the meaning set forth in 45 CFR
5 164.502(g).

6 Section 10. The Mental Health and Developmental
7 Disabilities Code is amended by adding Section 5-100.1 as
8 follows:

9 (405 ILCS 5/5-100.1 new)

10 Sec. 5-100.1. Notice of death of patient. Any mental
11 health or developmental disabilities facility operating in
12 this State shall provide notice of the death of a recipient of
13 services occurring in the facility to the personal
14 representative of the recipient of services. The facility
15 shall provide verbal notice to the personal representative of
16 the recipient of services within 24 hours after the death of
17 the recipient of services and shall provide written notice to
18 the personal representative of the recipient of services
19 within 5 days after the death of the recipient of services. The
20 facility shall provide notice under this subsection in
21 accordance with Sections 4 and 5 of the Mental Health and
22 Developmental Disabilities Confidentiality Act and 45 CFR
23 164.502(g), as amended. For the purposes of this subsection,
24 "personal representative" has the meaning set forth in 45 CFR

1 164.502 (g) .

2 Section 99. Effective date. This Act takes effect upon
3 becoming law."