

1 AN ACT in relation to children.

2 WHEREAS, Untreated mental health problems in children
3 have serious fiscal consequences for the State because they
4 affect children's ability to learn and increase their
5 propensity for violence, alcohol and substance abuse, and
6 other delinquent behaviors that are extremely costly to
7 treat; and

8 WHEREAS, One in 10 children in Illinois suffers from a
9 mental illness severe enough to cause some level of
10 impairment; yet, in any given year only about 20% of these
11 children receive mental health services; and

12 WHEREAS, Many mental health problems are largely
13 preventable or can be minimized with promotion and early
14 intervention services that have been shown to be effective
15 and that reduce the need for more costly interventions; and

16 WHEREAS, Children's social development and emotional
17 development are essential underpinnings to school readiness
18 and academic success; and

19 WHEREAS, A comprehensive, coordinated children's mental
20 health system can help maximize resources and minimize
21 duplication of services; and

22 WHEREAS, The Illinois Children's Mental Health Task Force
23 engaged a broad, multi-disciplinary group that reached
24 consensus on recommendations that serve as the basis for the
25 provisions of this Act; therefore

26 Be it enacted by the People of the State of Illinois,
27 represented in the General Assembly:

28 Section 1. Short title. This Act may be cited as the
29 Children's Mental Health Act of 2003.

1 Section 5. Children's Mental Health Plan.

2 (a) The State of Illinois shall develop a Children's
3 Mental Health Plan containing short-term and long-term
4 recommendations to provide comprehensive, coordinated mental
5 health prevention, early intervention, and treatment services
6 for children from birth through age 18. This Plan shall
7 include but not be limited to:

8 (1) Coordinated provider services and interagency
9 referral networks for children from birth through age 18
10 to maximize resources and minimize duplication of
11 services.

12 (2) Guidelines for incorporating social and
13 emotional development into school learning standards and
14 educational programs, pursuant to Section 15 of this Act.

15 (3) Protocols for implementing screening and
16 assessment of children prior to any admission to an
17 inpatient hospital for psychiatric services, pursuant to
18 subsection (a) of Section 5-5.23 of the Illinois Public
19 Aid Code.

20 (4) Recommendations regarding a State budget for
21 children's mental health prevention, early intervention,
22 and treatment across all State agencies, including a
23 budget for use of funds appropriated from the Children's
24 Mental Health Fund pursuant to Section 20 of this Act.

25 (5) Recommendations for State and local mechanisms
26 for integrating federal, State, and local funding
27 sources for children's mental health.

28 (6) Recommendations for building a qualified and
29 adequately trained workforce prepared to provide mental
30 health services for children from birth through age 18
31 and their families.

32 (7) Recommendations for facilitating research on
33 best practices and model programs, and dissemination of
34 this information to Illinois policymakers, practitioners,

1 and the general public through training, technical
2 assistance, and educational materials.

3 (8) Recommendations for a comprehensive,
4 multi-faceted public awareness campaign to reduce the
5 stigma of mental illness and educate families, the
6 general public, and other key audiences about the
7 benefits of children's social and emotional development,
8 and how to access services.

9 (9) Recommendations for creating a quality-driven
10 children's mental health system with shared
11 accountability among key State agencies and programs that
12 conducts ongoing needs assessments, uses outcome
13 indicators and benchmarks to measure progress, and
14 implements quality data tracking and reporting systems.

15 (b) The Children's Mental Health Council (hereafter
16 referred to as "the Council") is created. The Council shall
17 have the responsibility of developing and monitoring the
18 implementation of the Children's Mental Health Plan as
19 approved by the Governor. The Children's Mental Health
20 Council shall be comprised of: the Secretary of Human
21 Services or his or her designee; the State Superintendent of
22 Education or his or her designee; the directors of the
23 departments of Children and Family Services, Public Aid,
24 Public Health, and Corrections, or their designees; the head
25 of the Illinois Violence Prevention Authority, or his or her
26 designee; the Attorney General or his or her designee; up to
27 25 representatives of statewide mental health, children and
28 family advocacy, early childhood, education, health,
29 substance abuse, violence prevention, and juvenile justice
30 organizations or associations, to be appointed by the
31 Governor; and 2 members of each caucus of the House of
32 Representatives and Senate appointed by the Speaker of the
33 House of Representatives and the President of the Senate,
34 respectively. The Governor shall appoint the Council Chair

1 and shall designate a Governor's staff liaison to work with
2 the Council.

3 (c) The Council shall submit a Preliminary Plan to the
4 Governor on September 30, 2004 and shall submit the Final
5 Plan on June 30, 2005. Thereafter, on September 30 of each
6 year, the Council shall submit an annual report to the
7 Governor on the progress of Plan implementation and
8 recommendations for revisions in the Plan.

9 Section 10. Office of Mental Health services. The Office
10 of Mental Health within the Department of Human Services
11 shall allow grant and purchase-of-service moneys to be used
12 for services for children from birth through age 18.

13 Section 15. Mental health and schools.

14 (a) The Illinois State Board of Education shall develop
15 and implement a plan to incorporate social and emotional
16 development standards as part of the Illinois Learning
17 Standards for the purpose of enhancing and measuring
18 children's school readiness and ability to achieve academic
19 success. The plan shall be submitted to the Governor, the
20 General Assembly, and the Council by December 31, 2004.

21 (b) Every Illinois school district shall develop a
22 policy for incorporating social and emotional development
23 into the district's educational program. The policy shall
24 address teaching and assessing social and emotional skills
25 and protocols for responding to children with social,
26 emotional, or mental health problems, or a combination of
27 such problems, that impact learning ability. Each district
28 must submit this policy to the Illinois State Board of
29 Education by August 31, 2004.

30 Section 20. Children's Mental Health Fund.

31 (a) The Children's Mental Health Fund is created as a

1 special fund in the State treasury. Interest earned on moneys
2 in the fund shall be credited to the Fund.

3 (b) The following moneys shall be deposited into the
4 Fund:

5 (1) All moneys saved by the Department of Public
6 Aid as a result of any reduction from fiscal year 2002
7 levels in inpatient psychiatric hospitalization of
8 children, net of any additional cost to that Department
9 related to the pre-admission screening and assessment of
10 children presenting for inpatient psychiatric
11 hospitalization and alternate support services. Such net
12 savings shall, on a quarterly basis, be estimated by the
13 Department of Public Aid and paid to the Fund.

14 (2) All moneys received from the federal government
15 due to Individual Care Grant expenditures by the
16 Department of Human Services for the Medicaid optional
17 service authorized under Section 1905(h) of the federal
18 Social Security Act, as now or hereafter amended,
19 pursuant to the provisions of Section 7.1 of the Mental
20 Health and Developmental Disabilities Administrative Act.

21 (3) All other moneys received by the Fund from any
22 source, including interest earned on moneys in the Fund.

23 (c) The moneys in the Fund shall be held subject to
24 appropriation by the General Assembly to the Department of
25 Human Services to provide mental health prevention, early
26 intervention, and treatment services for children from birth
27 through age 18, pursuant to the Children's Mental Health Plan
28 developed under Section 5 of this Act.

29 Section 90. The State Finance Act is amended by adding
30 Section 5.595 as follows:

31 (30 ILCS 105/5.595 new)

32 Sec. 5.595. The Children's Mental Health Fund.

1 Section 95. The Illinois Public Aid Code is amended by
2 adding Section 5-5.23 as follows:

3 (305 ILCS 5/5-5.23 new)

4 Sec. 5-5.23. Children's mental health services.

5 (a) The Department of Public Aid, by rule, shall require
6 the screening and assessment of a child prior to any
7 Medicaid-funded admission to an inpatient hospital for
8 psychiatric services to be funded by Medicaid. The screening
9 and assessment shall include a determination of the
10 appropriateness and availability of out-patient support
11 services for necessary treatment. The Department, by rule,
12 shall establish methods and standards of payment for the
13 screening, assessment, and necessary alternative support
14 services.

15 (b) The Department of Public Aid, to the extent
16 allowable under federal law, shall secure federal financial
17 participation for Individual Care Grant expenditures made by
18 the Department of Human Services for the Medicaid optional
19 service authorized under Section 1905(h) of the federal
20 Social Security Act, pursuant to the provisions of Section
21 7.1 of the Mental Health and Developmental Disabilities
22 Administrative Act.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.