

1 AN ACT concerning State government.

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

4 Section 5. The Alcoholism and Other Drug Abuse and
5 Dependency Act is amended by changing Sections 10-5, 10-10,
6 10-15, and 15-10 as follows:

7 (20 ILCS 301/10-5)

8 Sec. 10-5. Illinois Advisory Council established. There is
9 established the Illinois Advisory Council on Alcoholism and
10 Other Drug Dependency. The members of the Council shall receive
11 no compensation for their service but shall be reimbursed for
12 all expenses actually and necessarily incurred by them in the
13 performance of their duties under this Act, and within the
14 amounts made available to them by the Department. The Council
15 shall annually elect a presiding officer from among its
16 membership. The Council shall meet quarterly or ~~from time to~~
17 ~~time~~ at the call of the Department, or at the call of its
18 presiding officer, or upon the request of a majority of its
19 members. The Department shall provide space and clerical and
20 consulting services to the Council.

21 (Source: P.A. 88-80.)

22 (20 ILCS 301/10-10)

23 Sec. 10-10. Powers and duties of the Council. The Council
24 shall:

25 (a) advise the Department on ways to encourage public
26 understanding and support of the Department's programs.

27 (b) advise the Department on regulations and licensure
28 proposed by the Department.

29 (c) advise the Department in the formulation,
30 preparation and implementation of the comprehensive State
31 plan for prevention, intervention, treatment and relapse

1 prevention of alcoholism and other drug abuse and
2 dependency.

3 (d) advise the Department on implementation of
4 alcoholism and other drug abuse and dependency education
5 and prevention programs throughout the State.

6 (e) by January 1, 1995, and by January 1 of every third
7 year thereafter, in cooperation with the Committee on
8 Women's Alcohol and Substance Abuse Treatment, submit to
9 the Governor and General Assembly a planning document,
10 specific to Illinois' female population. The document
11 shall contain, but need not be limited to, interagency
12 information concerning the types of services funded, the
13 client population served, the support services available
14 and provided during the preceding 3 year period, and the
15 goals, objectives, proposed methods of achievement, client
16 projections and cost estimate for the upcoming 3 year
17 period. The document may include, if deemed necessary and
18 appropriate, recommendations regarding the reorganization
19 of the Department to enhance and increase prevention,
20 treatment and support services available to women.

21 (f) perform other duties as requested by the Secretary.

22 (g) advise the Department in the planning,
23 development, and coordination of programs among all
24 agencies and departments of State government, including
25 programs to reduce alcoholism and drug addiction, prevent
26 the use of illegal drugs and abuse of legal drugs by
27 persons of all ages, and prevent the use of alcohol by
28 minors.

29 (h) promote and encourage participation by the private
30 sector, including business, industry, labor, and the
31 media, in programs to prevent alcoholism and other drug
32 abuse and dependency.

33 (i) encourage the implementation of programs to
34 prevent alcoholism and other drug abuse and dependency in
35 the public and private schools and educational
36 institutions, including establishment of alcoholism and

1 other drug abuse and dependency programs.

2 (j) gather information, conduct hearings, and make
3 recommendations to the Secretary concerning additions,
4 deletions, or rescheduling of substances under the
5 Illinois Controlled Substances Act.

6 (k) report annually to the General Assembly regarding
7 the activities and recommendations made by the Council.

8 With the advice and consent of the Secretary, the presiding
9 officer shall annually appoint a Special Committee on
10 Licensure, which shall advise the Secretary on particular cases
11 on which the Department intends to take action that is adverse
12 to an applicant or license holder, and shall review an annual
13 report submitted by the Secretary summarizing all licensure
14 sanctions imposed by the Department.

15 (Source: P.A. 88-80; 89-507, eff. 7-1-97.)

16 (20 ILCS 301/10-15)

17 Sec. 10-15. Qualification and appointment of members. The
18 membership of the Illinois Advisory Council shall consist of:

19 (a) a State's Attorney designated by the President of
20 the Illinois State's Attorneys Association.

21 (b) a judge designated by the Chief Justice of the
22 Illinois Supreme Court.

23 (c) a Public Defender appointed by the President of the
24 Illinois Public Defenders Association.

25 (d) a local law enforcement officer appointed by the
26 Governor.

27 (e) a labor representative appointed by the Governor.

28 (f) an educator appointed by the Governor.

29 (g) a physician licensed to practice medicine in all
30 its branches appointed by the Governor with due regard for
31 the appointee's knowledge of the field of alcoholism and
32 other drug abuse and dependency.

33 (h) 4 members of the Illinois House of Representatives,
34 2 each appointed by the Speaker and Minority Leader.

35 (i) 4 members of the Illinois Senate, 2 each appointed

1 by the President and Minority Leader.

2 (j) the President of the Illinois Alcoholism and Drug
3 Dependence Association.

4 (k) an advocate for the needs of youth appointed by the
5 Governor.

6 (l) the President of the Illinois State Medical Society
7 or his or her designee.

8 (m) the President of the Illinois Hospital Association
9 or his or her designee.

10 (n) the President of the Illinois Nurses Association or
11 a registered nurse designated by the President.

12 (o) the President of the Illinois Pharmacists
13 Association or a licensed pharmacist designated by the
14 President.

15 (p) the President of the Illinois Chapter of the
16 Association of Labor Management Administrators and
17 Consultants on Alcoholism.

18 (p-1) the President of the Community Behavioral
19 Healthcare Association of Illinois or his or her designee.

20 (q) the Attorney General or his or her designee.

21 (r) the State Comptroller or his or her designee.

22 (s) 20 public members, 8 appointed by the Governor, 3
23 of whom shall be representatives of alcoholism or other
24 drug abuse and dependency treatment programs and one of
25 whom shall be a representative of a manufacturer or
26 importing distributor of alcoholic liquor licensed by the
27 State of Illinois, and 3 public members appointed by each
28 of the President and Minority Leader of the Senate and the
29 Speaker and Minority Leader of the House.

30 (t) The Director, Secretary, or other chief
31 administrative officer, ex officio, or his or her designee,
32 of each of the following: the Department on Aging, the
33 Department of Children and Family Services, the Department
34 of Corrections, the Department of Juvenile Justice, the
35 Department of Healthcare and Family Services, the
36 Department of Revenue, the Department of Public Health, the

1 Department of Financial and Professional Regulation, the
2 Department of State Police, the Administrative Office of
3 the Illinois Courts, the Criminal Justice Information
4 Authority, and the Department of Transportation.

5 (u) Each of the following, ex officio, or his or her
6 designee: the Secretary of State, the State Superintendent
7 of Education, and the Chairman of the Board of Higher
8 Education.

9 The public members may not be officers or employees of the
10 executive branch of State government; however, the public
11 members may be officers or employees of a State college or
12 university or of any law enforcement agency. In appointing
13 members, due consideration shall be given to the experience of
14 appointees in the fields of medicine, law, prevention,
15 correctional activities, and social welfare. Vacancies in the
16 public membership shall be filled for the unexpired term by
17 appointment in like manner as for original appointments, and
18 the appointive members shall serve until their successors are
19 appointed and have qualified. Vacancies among the public
20 members appointed by the legislative leaders shall be filled by
21 the leader of the same house and of the same political party as
22 the leader who originally appointed the member.

23 Each non-appointive member may designate a representative
24 to serve in his place by written notice to the Department. All
25 General Assembly members shall serve until their respective
26 successors are appointed or until termination of their
27 legislative service, whichever occurs first. The terms of
28 office for each of the members appointed by the Governor shall
29 be for 3 years, except that of the members first appointed, 3
30 shall be appointed for a term of one year, and 4 shall be
31 appointed for a term of 2 years. The terms of office of each of
32 the public members appointed by the legislative leaders shall
33 be for 2 years.

34 (Source: P.A. 91-329, eff. 7-29-99.)

1 Sec. 15-10. Licensure categories. No person or program may
2 provide the services or conduct the activities described in
3 this Section without first obtaining a license therefor from
4 the Department. The Department shall, by rule, provide
5 licensure requirements for each of the following categories of
6 service:

7 (a) Residential treatment for alcoholism and other
8 drug ~~abuse and dependency~~, sub-acute inpatient treatment,
9 clinically managed or medically monitored detoxification,
10 and residential extended care (formerly halfway house).

11 (b) Outpatient treatment for alcoholism and other drug
12 abuse and dependency.

13 (c) The screening, assessment, referral or tracking of
14 clients identified by the criminal justice system as having
15 indications of alcoholism or other drug abuse or
16 dependency.

17 (d) D.U.I. evaluation services for Illinois courts and
18 the Secretary of State.

19 (e) D.U.I. remedial education services for Illinois
20 courts or the Secretary of State.

21 (f) Recovery home services for persons in early
22 recovery from substance abuse or for persons who have
23 recently completed or who may still be receiving substance
24 abuse treatment services.

25 The Department may, under procedures established by rule
26 and upon a showing of good cause for such, exempt off-site
27 services from having to obtain a separate license for services
28 conducted away from the provider's primary service location.

29 (Source: P.A. 91-922, eff. 7-7-00.)

30 (20 ILCS 301/10-40 rep.)

31 (20 ILCS 301/10-45 rep.)

32 (20 ILCS 301/10-50 rep.)

33 Section 10. The Alcoholism and Other Drug Abuse and
34 Dependency Act is amended by repealing Sections 10-40, 10-45,
35 and 10-50.

1 Section 99. Effective date. This Act takes effect July 1,
2 2007.