



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

SB2801

Introduced 1/20/2006, by Sen. Donne E. Trotter

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1705/18.4

Amends the Mental Health and Developmental Disabilities Administrative Act to provide that the first \$75,000,000 (now, \$73,000,000) paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned thereon, shall be deposited directly into the Community Mental Health Medicaid Trust Fund. Sets forth that amounts received in excess of \$100,000,000 (now, \$98,000,000) in any State fiscal year after fiscal year 2006 shall be deposited 50% into the General Revenue Fund and 50% into the Community Mental Health Medicaid Trust Fund. Requires that in State fiscal year 2005, the first \$75,000,000 (now, \$73,000,000) in any funds paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned thereon, shall be deposited directly into the Community Mental Health Trust Fund before any deposits are made into the General Revenue Fund. Effective immediately.

LRB094 15523 RSP 50722 b

FISCAL NOTE ACT  
MAY APPLY

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 Mental Health and Developmental  
5 Disabilities Administrative Act is amended by changing Section  
6 18.4 as follows:

7 (20 ILCS 1705/18.4)

8 Sec. 18.4. Community Mental Health Medicaid Trust Fund;  
9 reimbursement.

10 (a) The Community Mental Health Medicaid Trust Fund is  
11 hereby created in the State Treasury.

12 (b) Except as otherwise provided in this Section, effective  
13 in the first fiscal year following repayment of interfund  
14 transfers under subsection (b-1), the first \$75,000,000  
15 ~~\$73,000,000~~ paid to the State by the federal government under  
16 Title XIX or Title XXI of the Social Security Act for services  
17 delivered by community mental health services providers, and  
18 any interest earned thereon, shall be deposited directly into  
19 the Community Mental Health Medicaid Trust Fund. The next  
20 \$25,000,000 shall be deposited into the General Revenue Fund.  
21 Amounts received in excess of \$100,000,000 ~~\$98,000,000~~ in any  
22 State fiscal year after fiscal year 2006 shall be deposited 50%  
23 into the General Revenue Fund and 50% into the Community Mental  
24 Health Medicaid Trust Fund. The Department shall analyze the  
25 budgeting and programmatic impact of this funding allocation  
26 and report to the Governor and the General Assembly the results  
27 of this analysis and any recommendations for change, no later  
28 than December 31, 2005.

29 (b-1) For State fiscal year 2005, the first \$75,000,000  
30 ~~\$73,000,000~~ in any funds paid to the State by the federal  
31 government under Title XIX or Title XXI of the Social Security  
32 Act for services delivered by community mental health services

1 providers, and any interest earned thereon, shall be deposited  
2 directly into the Community Mental Health Trust Fund before any  
3 deposits are made into the General Revenue Fund. The next  
4 \$25,000,000, less any deposits made prior to the effective date  
5 of this amendatory Act of the 94th General Assembly, shall be  
6 deposited into the General Revenue Fund. Amounts received in  
7 excess of \$98,000,000 shall be deposited 50% into the General  
8 Revenue Fund and 50% into the Community Mental Health Medicaid  
9 Trust Fund. At the direction of the Director of Public Aid, on  
10 April 1, 2005, or as soon thereafter as practical, the  
11 Comptroller shall direct and the State Treasurer shall transfer  
12 amounts not to exceed \$14,000,000 into the Community Mental  
13 Health Medicaid Fund from the Public Aid Recoveries Trust Fund.

14 (b-2) For State fiscal year 2006, and in subsequent fiscal  
15 years until any transfers under subsection (b-1) are repaid,  
16 the first \$73,000,000 in any funds paid to the State by the  
17 federal government under Title XIX or Title XXI of the Social  
18 Security Act for services delivered by community mental health  
19 services providers, and any interest earned thereon, shall be  
20 deposited directly into the Community Mental Health Trust Fund.  
21 Then the next \$14,000,000, or such amount as was transferred  
22 under subsection (b-1) at the direction of the Director of  
23 Public Aid, shall be deposited into the Public Aid Recoveries  
24 Trust Fund. The next \$11,000,000 shall be deposited into the  
25 General Revenue Fund. Any additional amounts received shall be  
26 deposited 50% into the General Revenue Fund and 50% into the  
27 Community Mental Health Medicaid Trust Fund.

28 (c) The Department shall reimburse community mental health  
29 services providers for Medicaid-reimbursed mental health  
30 services provided to eligible individuals. Moneys in the  
31 Community Mental Health Medicaid Trust Fund may be used for  
32 that purpose.

33 (d) As used in this Section:

34 "Medicaid-reimbursed mental health services" means  
35 services provided by a community mental health provider under  
36 an agreement with the Department that is eligible for

1 reimbursement under the federal Title XIX program or Title XXI  
2 program.

3 "Provider" means a community agency that is funded by the  
4 Department to provide a Medicaid-reimbursed service.

5 "Services" means mental health services provided under one  
6 of the following programs:

- 7 (1) Medicaid Clinic Option;
- 8 (2) Medicaid Rehabilitation Option;
- 9 (3) Targeted Case Management.

10 (Source: P.A. 93-841, eff. 7-30-04; 94-58, eff. 6-17-05.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.