



HR0898

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HOUSE RESOLUTION

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WHEREAS, Mental illness is a critical underlying concept in various areas of our law affecting mitigation of criminal responsibility and fundamental rights to property, individual liberty, and personal privacy; and

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WHEREAS, For at least 2 generations, mental illness has been presumed to be brain disease which is best confronted as a treatable medical problem; and

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WHEREAS, Vast amounts of State resources and tax monies, not to mention the creative energies and work of our citizens and civil servants, are continuously expended in accordance with Illinois laws and regulations dependent upon derived psychiatric definitions, formulations, and diagnostic criteria for mental disorders, in particular upon those definitions, formulations, and criteria which are found in the American Psychiatric Association's nearly 20-year-old Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV); and

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WHEREAS, The head of the task force which developed DSM-IV recently admitted that since it was published in 1993, that manual has resulted in at least 3 false epidemics causing countless persons to be prescribed expensive, unnecessary,

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1 potentially dangerous psychotropic drugs; and

2 WHEREAS, A professor of psychiatry and author of a leading
3 reference book on psychopharmacology recently called the
4 entire chemical imbalance theory of mental disorders an urban
5 legend; and

6 WHEREAS, Experts in the field of mental health are
7 currently in major and substantial disagreement about the
8 general validity of psychiatric diagnosis itself; and

9 WHEREAS, Despite explicit admonitions in DSM-IV against
10 the use of psychiatric diagnosis for such legal purposes as
11 establishing competence, criminal responsibility or
12 disability, Illinois courts and agencies have nonetheless
13 habitually relied upon the formulations and criteria in the DSM
14 for the precise expertise which the text itself disclaims; and

15 WHEREAS, A new edition of the American Psychiatric
16 Association's manual, DSM-5, is scheduled for publication in
17 May of 2013, but proposed changes for this upcoming DSM are
18 provoking intense criticism from a diverse range of mental
19 health experts, more than 12,000 of whom have signed a petition
20 protesting the secretive and unscientific character of the
21 APA's proposals to expand concepts of mental disorder to a
22 point where normal human emotions and coping behaviors will be

1 falsely pathologized as illness; therefore, be it

2 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
3 NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
4 the Task Force on Mental Diagnosis and Illinois Law be created
5 within the Office of the Governor, and jointly supervised by
6 the Comptroller and the Attorney General, to

7 (1) thoroughly survey the Illinois Compiled Statutes and
8 Administrative Code to identify all instances where our
9 laws and government functions depend upon purported
10 understanding of mental illness or disorder, mental
11 capacity, mental health, behavior or psychology, which may
12 be recently discredited, or reasonably considered
13 incorrect or arbitrary in light of the current confusion
14 among mental health experts over the possible absence of
15 scientific validity in psychiatric diagnosis;

16 (2) forward initial recommendations of urgent legislative
17 actions which may be needed to avoid gross injustice or
18 waste of public resources to the General Assembly as soon
19 as possible; and

20 (3) produce a final report summarizing the task force's
21 findings and detailing recommended statutory or
22 constitutional strategies to correct negative impacts of
23 concepts and nomenclature now discredited or inconsistent
24 with current medical science, and to avoid future
25 immoderate scientism in our laws and public policy; and be

1 it further

2 RESOLVED, That the task force shall consist of the
3 following members: 3 members appointed by the Speaker of the
4 House of Representatives, one of whom shall be appointed
5 co-chairperson; 3 members appointed by the minority leader of
6 the House of Representatives, one of whom shall be appointed
7 co-chairperson, one member appointed by the Comptroller; and
8 one member appointed by the Attorney General; and be it further

9 RESOLVED, That in appointing members of the task force, the
10 Speaker and minority leader shall consider that professional
11 experience in diverse mental health-related fields may be a
12 positive qualification; and be it further

13 RESOLVED, That the task force shall take voluntary
14 assistance and testimony from individuals and professional
15 organizations and institutions; and be it further

16 RESOLVED, That the members of the task force shall serve
17 without compensation but may be reimbursed for actual expenses
18 while serving on the task force from funds appropriated to the
19 Office of the Governor for that purpose; and be it further

20 RESOLVED, That the task force shall submit its final report
21 to the Governor and the General Assembly no later than December

HR0898

-5-

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1 31, 2013.