

1 AN ACT concerning health.

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 Section 1-10 as follows:

6 (20 ILCS 301/1-10)

7 Sec. 1-10. Definitions. As used in this Act, unless the  
8 context clearly indicates otherwise, the following words and  
9 terms have the following meanings:

10 "Act" means the Alcoholism and Other Drug Abuse and  
11 Dependency Act.

12 "Addict" means a person who exhibits the disease known as  
13 "addiction".

14 "Addiction" means a disease process characterized by the  
15 continued use of a specific psycho-active substance despite  
16 physical, psychological or social harm. The term also describes  
17 the advanced stages of chemical dependency.

18 "Administrator" means a person responsible for  
19 administration of a program.

20 "Alcoholic" means a person who exhibits the disease known  
21 as "alcoholism".

22 "Alcoholism" means a chronic and progressive disease or  
23 illness characterized by preoccupation with and loss of control

1 over the consumption of alcohol, and the use of alcohol despite  
2 adverse consequences. Typically, combinations of the following  
3 tendencies are also present: periodic or chronic intoxication;  
4 physical disability; impaired emotional, occupational or  
5 social adjustment; tendency toward relapse; a detrimental  
6 effect on the individual, his family and society; psychological  
7 dependence; and physical dependence. Alcoholism is also known  
8 as addiction to alcohol. Alcoholism is described and further  
9 categorized in clinical detail in the DSM and the ICD.

10 "Array of services" means assistance to individuals,  
11 families and communities in response to alcohol or other drug  
12 abuse or dependency. The array of services includes, but is not  
13 limited to: prevention assistance for communities and schools;  
14 case finding, assessment and intervention to help individuals  
15 stop abusing alcohol or other drugs; a uniform screening,  
16 assessment, and evaluation process for substance use disorders  
17 and mental disorders; case management; detoxification to aid  
18 individuals in physically withdrawing from alcohol or other  
19 drugs; short-term and long-term treatment and support services  
20 to help individuals and family members begin the process of  
21 recovery; prescription and dispensing of the drug methadone or  
22 other medications as an adjunct to treatment; relapse  
23 prevention services; education and counseling for children or  
24 other co-dependents of alcoholics or other drug abusers or  
25 addicts.

26 "Case management" means those services which will assist

1 individuals in gaining access to needed social, educational,  
2 medical, treatment and other services.

3 "Children of alcoholics or drug addicts or abusers of  
4 alcohol and other drugs" means the minor or adult children of  
5 individuals who have abused or been dependent upon alcohol or  
6 other drugs. These children may or may not become dependent  
7 upon alcohol or other drugs themselves; however, they are  
8 physically, psychologically, and behaviorally at high risk of  
9 developing the illness. Children of alcoholics and other drug  
10 abusers experience emotional and other problems, and benefit  
11 from prevention and treatment services provided by funded and  
12 non-funded agencies licensed by the Department.

13 "Co-dependents" means individuals who are involved in the  
14 lives of and are affected by people who are dependent upon  
15 alcohol and other drugs. Co-dependents compulsively engage in  
16 behaviors that cause them to suffer adverse physical,  
17 emotional, familial, social, behavioral, vocational, and legal  
18 consequences as they attempt to cope with the alcohol or drug  
19 dependent person. People who become co-dependents include  
20 spouses, parents, siblings, and friends of alcohol or drug  
21 dependent people. Co-dependents benefit from prevention and  
22 treatment services provided by agencies licensed by the  
23 Department.

24 "Controlled substance" means any substance or immediate  
25 precursor which is enumerated in the schedules of Article II of  
26 the Illinois Controlled Substances Act or the Cannabis Control

1 Act.

2 "Crime of violence" means any of the following crimes:  
3 murder, voluntary manslaughter, criminal sexual assault,  
4 aggravated criminal sexual assault, predatory criminal sexual  
5 assault of a child, armed robbery, robbery, arson, kidnapping,  
6 aggravated battery, aggravated arson, or any other felony which  
7 involves the use or threat of physical force or violence  
8 against another individual.

9 "Department" means the Illinois Department of Human  
10 Services as successor to the former Department of Alcoholism  
11 and Substance Abuse.

12 "Designated program" means a program designated by the  
13 Department to provide services described in subsection (c) or  
14 (d) of Section 15-10 of this Act. A designated program's  
15 primary function is screening, assessing, referring and  
16 tracking clients identified by the criminal justice system, and  
17 the program agrees to apply statewide the standards, uniform  
18 criteria and procedures established by the Department pursuant  
19 to such designation.

20 "Detoxification" means the process of allowing an  
21 individual to safely withdraw from a drug in a controlled  
22 environment.

23 "DSM" means the most current edition of the Diagnostic and  
24 Statistical Manual of Mental Disorders.

25 "D.U.I." means driving under the influence of alcohol or  
26 other substances which may cause impairment of driving ability.

1 "Facility" means the building or premises which are used  
2 for the provision of licensable program services, including  
3 support services, as set forth by rule.

4 "ICD" means the most current edition of the International  
5 Classification of Diseases.

6 "Incapacitated" means that a person is unconscious or  
7 otherwise exhibits, by overt behavior or by extreme physical  
8 debilitation, an inability to care for his own needs or to  
9 recognize the obvious danger of his situation or to make  
10 rational decisions with respect to his need for treatment.

11 "Intermediary person" means a person with expertise  
12 relative to addiction, alcoholism, and the abuse of alcohol or  
13 other drugs who may be called on to assist the police in  
14 carrying out enforcement or other activities with respect to  
15 persons who abuse or are dependent on alcohol or other drugs.

16 "Intervention" means readily accessible activities which  
17 assist individuals and their partners or family members in  
18 coping with the immediate problems of alcohol and other drug  
19 abuse or dependency, and in reducing their alcohol and other  
20 drug use. Intervention can facilitate emotional and social  
21 stability, and involves referring people for further treatment  
22 as needed.

23 "Intoxicated person" means a person whose mental or  
24 physical functioning is substantially impaired as a result of  
25 the current effects of alcohol or other drugs within the body.

26 "Local advisory council" means an alcohol and substance

1 abuse body established in a county, township or community area,  
2 which represents public and private entities having an interest  
3 in the prevention and treatment of alcoholism or other drug  
4 abuse.

5 "Off-site services" means licensable program services or  
6 activities which are conducted at a location separate from the  
7 primary service location of the provider, and which services  
8 are operated by a program or entity licensed under this Act.

9 "Person" means any individual, firm, group, association,  
10 partnership, corporation, trust, government or governmental  
11 subdivision or agency.

12 "Prevention" means an interactive process of individuals,  
13 families, schools, religious organizations, communities and  
14 regional, state and national organizations to reduce  
15 alcoholism, prevent the use of illegal drugs and the abuse of  
16 legal drugs by persons of all ages, prevent the use of alcohol  
17 by minors, build the capacities of individuals and systems, and  
18 promote healthy environments, lifestyles and behaviors.

19 "Program" means a licensable or fundable activity or  
20 service, or a coordinated range of such activities or services,  
21 as the Department may establish by rule.

22 "Recovery" means the long-term, often life-long, process  
23 in which an addicted person changes the way in which he makes  
24 decisions and establishes personal and life priorities. The  
25 evolution of this decision-making and priority-setting process  
26 is generally manifested by an obvious improvement in the

1 individual's life and lifestyle and by his overcoming the abuse  
2 of or dependence on alcohol or other drugs. Recovery is also  
3 generally manifested by prolonged periods of abstinence from  
4 addictive chemicals which are not medically supervised.  
5 Recovery is the goal of treatment.

6 "Rehabilitation" means a process whereby those clinical  
7 services necessary and appropriate for improving an  
8 individual's life and lifestyle and for overcoming his or her  
9 abuse of or dependency upon alcohol or other drugs, or both,  
10 are delivered in an appropriate setting and manner as defined  
11 in rules established by the Department.

12 "Relapse" means a process which is manifested by a  
13 progressive pattern of behavior that reactivates the symptoms  
14 of a disease or creates debilitating conditions in an  
15 individual who has experienced remission from addiction or  
16 alcoholism.

17 "Secretary" means the Secretary of Human Services or his or  
18 her designee.

19 "Substance abuse" or "abuse" means a pattern of use of  
20 alcohol or other drugs with the potential of leading to  
21 immediate functional problems or to alcoholism or other drug  
22 dependency, or to the use of alcohol and/or other drugs solely  
23 for purposes of intoxication. The term also means the use of  
24 illegal drugs by persons of any age, and the use of alcohol by  
25 persons under the age of 21.

26 "Treatment" means the broad range of emergency,

1 outpatient, intermediate and residential services and care  
2 (including assessment, diagnosis, medical, psychiatric,  
3 psychological and social services, care and counseling, and  
4 aftercare) which may be extended to individuals who abuse or  
5 are dependent on alcohol or other drugs or families of those  
6 persons.

7 (Source: P.A. 89-202, eff. 7-21-95; 89-428, eff. 12-13-95;  
8 89-462, eff. 5-29-96; 89-507, eff. 7-1-97; 90-14, eff. 7-1-97;  
9 90-135, eff. 7-22-97.)

10 Section 10. The Community Services Act is amended by  
11 changing Section 2 as follows:

12 (405 ILCS 30/2) (from Ch. 91 1/2, par. 902)

13 Sec. 2. Community Services System. Services should be  
14 planned, developed, delivered and evaluated as part of a  
15 comprehensive and coordinated system. The Department of Human  
16 Services shall encourage the establishment of services in each  
17 area of the State which cover the services categories described  
18 below. What specific services are provided under each service  
19 category shall be based on local needs; special attention shall  
20 be given to unserved and underserved populations, including  
21 children and youth, racial and ethnic minorities, and the  
22 elderly. The service categories shall include:

23 (a) Prevention: services designed primarily to reduce the  
24 incidence and ameliorate the severity of developmental



1 disabilities, mental illness and alcohol and drug dependence;

2 (b) Client Assessment and Diagnosis: services designed to  
3 identify persons with developmental disabilities, mental  
4 illness and alcohol and drug dependency; to determine the  
5 extent of the disability and the level of functioning; to  
6 ensure the individual's need for treatment of mental disorders  
7 or substance use disorders is determined using a uniform  
8 screening, assessment, and evaluation process; information  
9 obtained through client evaluation can be used in individual  
10 treatment and habilitation plans; to assure appropriate  
11 placement and to assist in program evaluation;

12 (c) Case Coordination: services to provide information and  
13 assistance to disabled persons to insure that they obtain  
14 needed services provided by the private and public sectors;  
15 case coordination services should be available to individuals  
16 whose functioning level or history of institutional recidivism  
17 or long-term care indicate that such assistance is required for  
18 successful community living;

19 (d) Crisis and Emergency: services to assist individuals  
20 and their families through crisis periods, to stabilize  
21 individuals under stress and to prevent unnecessary  
22 institutionalization;

23 (e) Treatment, Habilitation and Support: services designed  
24 to help individuals develop skills which promote independence  
25 and improved levels of social and vocational functioning and  
26 personal growth; and to provide non-treatment support services

1 which are necessary for successful community living;

2 (f) Community Residential Alternatives to Institutional  
3 Settings: services to provide living arrangements for persons  
4 unable to live independently; the level of supervision,  
5 services provided and length of stay at community residential  
6 alternatives will vary by the type of program and the needs and  
7 functioning level of the residents; other services may be  
8 provided in a community residential alternative which promote  
9 the acquisition of independent living skills and integration  
10 with the community.

11 (Source: P.A. 89-507, eff. 7-1-97.)

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