

AN ACT concerning health.

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

Section 1. Short title. This Act may be cited as the First Responder Mental Health Grant Program Act.

Section 5. Legislative intent.

(a) The General Assembly recognizes the difficult nature of the job of first responder, including trauma endured by first responders in the performance of their duties.

(b) It is the intent of the General Assembly to ensure that first responders, including police, firefighters, emergency medical technicians, and public safety telecommunicators across this State have full access to supportive and responsive behavioral health services and treatment.

(c) The General Assembly recognizes that these services should be responsive to the individual's needs and must be kept confidential.

(d) The General Assembly recognizes that the administration and provision of these services both recognize and reduce the historical barrier of stigma and a lack of confidentiality that first responders face when attempting to access behavioral health services and treatment.

Section 10. Definitions. In this Act:

"Behavioral health" means mental health, health relating to substance use, or both.

"Behavioral health care" means services, treatment, medication, and other measures to overcome, mitigate, or prevent a behavioral health issue. These services, treatment, medication, and other measures qualify as "behavioral health care" even if there is no formal diagnosis of a specific condition.

"Department" means the Department of Human Services.

"First responder" means a law enforcement officer, firefighter, emergency medical services personnel as defined in Section 3.5 of the Emergency Medical Services (EMS) Systems Act, or public safety telecommunicator as defined in Section 2 of the Emergency Telephone Systems Act.

"Record" means any record kept by a therapist or by an agency in the course of providing behavioral health care to a first responder concerning the first responder and the services provided. "Record" includes the personal notes of the therapist or agency. "Record" includes all records maintained by a court that have been created in connection with, in preparation for, or as a result of the filing of any petition or certificate under Chapter II, Chapter III, or Chapter IV of the Mental Health and Developmental Disabilities Code and includes the petitions, certificates, dispositional reports, treatment plans, and reports of diagnostic evaluations and of

hearings under Article VIII of Chapter III or under Article V of Chapter IV of that Code. "Record" does not include information that has been de-identified in accordance with HIPAA, as specified in 45 CFR 164.514. "Record" does not include a reference to the receipt of behavioral health care noted during a patient history and physical or other summary of care.

Section 15. First Responder Behavioral Health Grant Program.

(a) Subject to appropriation, there is created within the Department of Human Services a First Responder Behavioral Health Grant Program to provide grants to the following recipients:

- (1) units of local government;
- (2) law enforcement agencies;
- (3) fire protection districts;
- (4) school districts;
- (5) public or private hospitals; or
- (6) ambulance services that employ first responders.

(b) The First Responder Behavioral Health Grant Fund is hereby created as a special fund in the State treasury. Moneys in the First Responder Behavioral Health Grant Fund shall be used by the Secretary of Human Services to make grants to eligible recipients as provided in subsection (a).

(c) Recipients eligible for grants under this Section

shall use the grants for expenses related to behavioral health care services for first responders, including, but not limited to, telehealth services. An employer may not reduce behavioral health care provided through a first responder's employee benefit package as a result of the receipt of grant funds under this Act.

(d) All records, notes, and conclusions by a treatment provider providing behavioral health care to first responders whose employers receive grants under this Act shall not be shared with the employer unless otherwise mandated by law.

(e) Applicants seeking grants under this Act shall apply to the Department in a form and manner prescribed by the Department.

(f) The Department may adopt any rules necessary to implement this Act.

Section 900. The State Finance Act is amended by adding Section 5.970 as follows:

(30 ILCS 105/5.970 new)

Sec. 5.970. The First Responder Behavioral Health Grant Fund.