

AN ACT concerning State government.

**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 Community Behavioral Health Center Infrastructure Act.

Section 5. Definitions. In this Act:

"Behavioral health center site" means a physical site where a community behavioral health center shall provide behavioral healthcare services linked to a particular Department-contracted community behavioral healthcare provider, from which this provider delivers a Department-funded service and has the following characteristics:

(i) The site must be owned, leased, or otherwise controlled by a Department-funded provider.

(ii) A Department-funded provider may have multiple service sites.

(iii) A Department-funded provider may provide both Medicaid and non-Medicaid services for which they are certified or approved at a certified site.

"Board" means the Capital Development Board.

"Community behavioral healthcare provider" includes, but is not limited to, Department-contracted prevention,

intervention, or treatment care providers of services and supports for persons with mental health services, alcohol and substance abuse services, rehabilitation services, and early intervention services provided by a vendor.

For the purposes of this definition, "vendor" includes, but is not limited to, community providers, including community-based organizations that are licensed to provide prevention, intervention, or treatment services and support for persons with mental illness or substance abuse problems in this State, that comply with applicable federal, State, and local rules and statutes, including, but not limited to, the following:

(A) Federal requirements:

(1) Block Grants for Community Mental Health Services, Subpart I & III, Part B, Title XIX, P.H.S. Act/45 C.F.R. Part 96.

(2) Medicaid (42 U.S.C.A. 1396 (1996)).

(3) 42 C.F.R. 440 (Services: General Provision) and 456 (Utilization Control) (1996).

(4) Health Insurance Portability and Accountability Act (HIPAA) as specified in 45 C.F.R. Section 160.310.

(5) The Substance Abuse Prevention Block Grant Regulations (45 C.F.R. Part 96).

(6) Program Fraud Civil Remedies Act of 1986 (45 C.F.R. Part 79).

(7) Federal regulations regarding Opioid Maintenance Therapy (21 C.F.R. 29) (21 C.F.R. 1301-1307 (D.E.A.)).

(8) Federal regulations regarding Diagnostic, Screening, Prevention, and Rehabilitation Services (Medicaid) (42 C.F.R. 440.130).

(9) Charitable Choice: Providers that qualify as religious organizations under 42 C.F.R. 54.2(b), who comply with the Charitable Choice Regulations as set forth in 42 C.F.R. 54.1 et seq. with regard to funds provided directly to pay for substance abuse prevention and treatment services.

(B) State requirements:

(1) 59 Ill. Admin. Code 50, Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies.

(2) 59 Ill. Admin. Code 51, Office of Inspector General Adults with Disabilities Project.

(3) 59 Ill. Admin. Code 103, Grants.

(4) 59 Ill. Admin. Code 115, Standards and Licensure Requirements for Community-Integrated Living Arrangements.

(5) 59 Ill. Admin. Code 117, Family Assistance and Home-Based Support Programs for Persons with Mental Disabilities.

(6) 59 Ill. Admin. Code 125, Recipient Discharge/

Linkage/Aftercare.

(7) 59 Ill. Admin. Code 131, Children's Mental Health Screening, Assessment and Supportive Services Program.

(8) 59 Ill. Admin. Code 132, Medicaid Community Mental Health Services Program.

(9) 59 Ill. Admin. Code 135, Individual Care Grants for Mentally Ill Children.

(10) 89 Ill. Admin. Code 140, Medical Payment.

(11) 89 Ill. Admin. Code 140.642, Screening Assessment for Nursing Facility and Alternative Residential Settings and Services.

(12) 89 Ill. Admin. Code 507, Audit Requirements of Illinois Department of Human Services.

(13) 89 Ill. Admin. Code 509, Fiscal/Administrative Recordkeeping and Requirements.

(14) 89 Ill. Admin. Code 511, Grants and Grant Funds Recovery.

(15) 77 Ill. Admin. Code, Parts 2030, 2060, and 2090.

(16) Title 77 Illinois Administrative Code:

(a) Part 630: Maternal and Child Health Services Code.

(b) Part 635: Family Planning Services Code.

(c) Part 672: WIC Vendor Management Code.

(d) Part 2030: Award and Monitoring of Funds.

(e) Part 2200: School Based/Linked Health Centers.

(17) Title 89 Illinois Administrative Code:

(a) Part 130.200: Administration of Social Service Programs, Domestic Violence Shelter and Service Programs.

(b) Part 310: Delivery of Youth Services Funded by the Department of Human Services.

(c) Part 313: Community Services.

(d) Part 334: Administration and Funding of Community-Based Services to Youth.

(e) Part 500: Early Intervention Program.

(f) Part 501: Partner Abuse Intervention.

(g) Part 507: Audit Requirements of DHS.

(h) Part 509: Fiscal/Administrative Recordkeeping and Requirements.

(i) Part 511: Grants and Grant Funds Recovery.

(18) State statutes:

(a) The Mental Health and Developmental Disabilities Code.

(b) The Community Services Act.

(c) The Mental Health and Developmental Disabilities Confidentiality Act.

(d) The Alcoholism and Other Drug Abuse and Dependency Act.

(e) The Early Intervention Services System

Act.

(f) The Children and Family Services Act.

(g) The Illinois Commission on Volunteerism and Community Services Act.

(h) The Department of Human Services Act.

(i) The Domestic Violence Shelters Act.

(j) The Illinois Youthbuild Act.

(k) The Civil Administrative Code of Illinois.

(l) The Illinois Grant Funds Recovery Act.

(m) The Child Care Act of 1969.

(n) The Solicitation for Charity Act.

(o) The Illinois Public Aid Code (305 ILCS 5/9-1, 12-4.5 through 12-4.7, and 12-13).

(p) The Abused and Neglected Child Reporting Act.

(q) The Charitable Trust Act.

(r) The Illinois Alcoholism and Other Drug Dependency Act.

(C) The Provider shall be in compliance with all applicable requirements for services and service reporting as specified in the following Department manuals or handbooks:

(1) DHS/DMH Provider Manual.

(2) DHS Mental Health CSA Program Manual.

(3) DHS/DMH PAS/MH Manual.

(4) Community Forensic Services Handbook.

(5) Community Mental Health Service Definitions and Reimbursement Guide.

(6) DHS/DMH Collaborative Provider Manual.

(7) Handbook for Providers of Screening Assessment and Support Services, Chapter CMH-200 Policy and Procedures For Screening, Assessment and Support Services.

(8) DHS DASA:

(a) Contractual Policy Manual.

(b) Medicaid Handbook.

(c) DARTS Manual.

(9) DASA Best Practice Program Guidelines for Specific Populations.

(10) DASA Contract Program Manual.

"Community behavioral healthcare services" means any of the following:

(i) Behavioral health services, including, but not limited to, prevention, intervention, or treatment care services and support for eligible persons provided by a vendor of the Department.

(ii) Referrals to providers of medical services and other health-related services, including substance abuse and mental health services.

(iii) Patient case management services, including counseling, referral, and follow-up services, and other services designed to assist community behavioral health

center patients in establishing eligibility for and gaining access to federal, State, and local programs that provide or financially support the provision of medical, social, educational, or other related services.

(iv) Services that enable individuals to use the services of the behavioral health center including outreach and transportation services and, if a substantial number of the individuals in the population are of limited English-speaking ability, the services of appropriate personnel fluent in the language spoken by a predominant number of those individuals.

(v) Education of patients and the general population served by the community behavioral health center regarding the availability and proper use of behavioral health services.

(vi) Additional behavioral healthcare services consisting of services that are appropriate to meet the health needs of the population served by the behavioral health center involved and that may include housing assistance.

"Department" means the Department of Human Services.

"Uninsured population" means persons who do not own private healthcare insurance, are not part of a group insurance plan, and are not eligible for any State or federal government-sponsored healthcare program.



Section 10. Operation of the grant program. The Department, in consultation with the Board, shall establish the Community Behavioral Health Center Infrastructure Grant Program and may make grants to eligible community providers subject to appropriations out of funds reserved for capital improvements or expenditures as provided for in this Act. The Program shall operate in a manner so that the estimated cost of the Program during the fiscal year will not exceed the total appropriation for the Program. The grants shall be for the purpose of constructing or renovating new community behavioral health center sites, renovating existing community behavioral health center sites, and purchasing equipment to provide community behavioral healthcare services to medically underserved populations or areas or providing community behavioral healthcare services to the uninsured population of this State.

Section 15. Eligibility for grant. To be eligible for a grant under this Act, a recipient must be a community behavioral healthcare provider as defined in Section 5 of this Act.

Section 20. Use of grant moneys. A recipient of a grant under this Act may use the grant moneys to do any one or more of the following:

- (1) Purchase equipment.
- (2) Acquire a new physical location for the purpose of

delivering community behavioral healthcare services.

(3) Construct or renovate new or existing community behavioral health center sites.

Section 25. Reporting. Within 60 days after the first year of a grant under this Act, the grant recipient must submit a progress report to the Department. The Department may assist each grant recipient in meeting the goals and objectives stated in the original grant proposal submitted by the recipient, including that grant moneys are being used for appropriate purposes, and that residents of the community are being served by the new community behavioral health center sites established with grant moneys.

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