

AN ACT concerning civil liabilities.

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

Section 5. The Mental Health and Developmental Disabilities Confidentiality Act is amended by adding Section 9.4 as follows:

(740 ILCS 110/9.4 new)

Sec. 9.4. Disclosure for treatment and coordination of care.

(a) For recipients in a program administered or operated by the Department of Healthcare and Family Services or the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), records of a recipient may be disclosed without consent by county jails, insurance companies, integrated health systems, and State agencies, including the Department of Corrections, the Department of Children and Family Services, the Department of Healthcare and Family Services and the Department of Human Services, to hospitals, physicians, therapists, emergency medical personnel, and members of an interdisciplinary team treating a recipient for the purposes of treatment and coordination of care.

(b) An interdisciplinary team treating a recipient may

disclose the recipient's records without the recipient's consent to other members of the team.

(c) The records that may be disclosed under this Section are services rendered, providers rendering the services, pharmaceuticals prescribed or dispensed, and diagnoses. All disclosures under this Section must be made in a manner consistent with existing federal and State laws and regulations, including the federal Health Insurance Portability and Accountability Act (HIPAA).

(d) For the purpose of this Section only:

"Integrated health system" means an organization with a system of care which incorporates physical and behavioral healthcare and includes care delivered in an inpatient and outpatient setting.

"Interdisciplinary team" means a group of persons, representing different clinical disciplines (medicine, nursing, social work, psychology, etc.) providing and coordinating the care and treatment for a person with mental illness. The group may be composed of individuals employed by one provider or multiple providers.

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