

AN ACT concerning mental health.

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

Section 5. The Out-of-State Person Subject to Involuntary Admission on an Inpatient Basis Mental Health Treatment Act is amended by changing Sections 5, 10, 15, 40, and 45 as follows:

(405 ILCS 110/5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 5. Definitions. As used in this Act:

"Department" means the Department of Human Services.

"Eastern Iowa Mental Health Region" means the Iowa counties of Cedar, Clinton, Jackson, Muscatine, and Scott.

"Person subject to involuntary admission on an inpatient basis", "mental health facility", and "recipient" have the meanings ascribed to them in the Mental Health and Developmental Disabilities Code.

"Program service ~~Pilot project~~ area" means the Eastern Iowa Mental Health Region and Rock Island County, Illinois.

"Receiving agency" means a mental health facility located in Rock Island, Illinois which accepts and provides treatment to a person from the sending state.

"Receiving state" means Illinois.

"Sending state" means Iowa.

(Source: P.A. 100-12, eff. 7-1-17.)

(405 ILCS 110/10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 10. Mental health program; ~~Pilot project~~ reciprocal agreement. The mental health pilot project created under Public Act 100-12 shall be a permanent program. Under the program, ~~On or before January 1, 2018, there is created a 2-year mental health pilot project for which~~ the receiving agency may accept the admission of an Iowa resident from the Eastern Iowa Mental Health Region who is a person subject to involuntary admission on an inpatient basis under an order issued by an Iowa court for treatment at a receiving agency in this State for which the Iowa court shall have jurisdiction over the recipient while committed to a receiving agency in this State as provided under Section 331.910 of the Iowa Code. The program ~~pilot project~~ shall also provide that a resident of Rock Island County, Illinois who is a person subject to involuntary admission on an inpatient basis under an order issued by a court of this State for treatment at a receiving agency in this State may receive inpatient treatment in the sending state. The sending state or receiving agency shall provide mental health services to the recipient for the duration of the court order and shall return the recipient to his or her state of legal residence upon discharge. If a recipient has to enter a State-operated facility, the

recipient must be returned to his or her state of legal residence.

(Source: P.A. 100-12, eff. 7-1-17.)

(405 ILCS 110/15)

(Section scheduled to be repealed on January 1, 2026)

Sec. 15. Reciprocal agreement. For the purpose of the program ~~pilot project~~, the reciprocal agreement is limited to court orders issued by the courts in the Eastern Iowa Mental Health Region and in Rock Island County, Illinois. Court orders valid under the law of the sending state are granted recognition and reciprocity in the receiving state's respective program service ~~pilot project~~ area to the extent that the court orders relate to commitment for inpatient treatment of a mental illness. The court orders are not subject to legal challenge in the courts of the receiving state. Persons who are detained, committed or placed under the law of a sending state and who are transferred to a receiving state under this Section continue to be in the legal custody of the authority responsible for them under the law of the sending state. Except in emergencies, those persons may not be transferred, removed, or furloughed from a facility of the receiving agency without the specific approval of the authority responsible for them under the law of the sending state. The receiving facility, whether public or private, must agree to the transfer from the sending state before a transfer

takes place. Specifically excluded from the program ~~this pilot project~~ are those persons who are involved in criminal proceedings.

(Source: P.A. 100-12, eff. 7-1-17.)

(405 ILCS 110/40)

(Section scheduled to be repealed on January 1, 2026)

Sec. 40. Report to the Department. Beginning January 1, 2026, and every January 1 thereafter through January 1, 2030, the receiving agency shall annually collect for the Department demographic information on the number of persons served under the program during the prior calendar year, lengths of stay, cost data, and any specific problems or concerns that were raised during their stay. The receiving agency shall also collect information about the number of Illinois residents who were served during the same period and whether any Illinois residents were denied services due to the program. The receiving agency shall also notify other providers, hospitals, courts, law enforcement organizations, and advocacy organizations in the program service area of its data collection for the Department and ask them to supply any comments to the Department about the program. Beginning August 1, 2026 and each calendar year thereafter through August 1, 2030, the receiving agency shall submit the collected data and comments in a written report to the Department. ~~The receiving agency shall submit to the Department demographic information~~

~~on the number of persons served in this pilot project, lengths of stay, cost data, and any specific problems or concerns that were raised during their stay. The agency shall also provide information about the number of Illinois residents who were served during the same period and whether any Illinois residents were denied services due to this pilot project. The receiving agency shall also notify other providers, hospitals, courts, law enforcement organizations, and advocacy organizations in the pilot project area on or before July 1, 2019 of the report to the Department on the pilot project and ask them to supply any comments to the Department. The receiving agency shall provide the information on or before August 1, 2019.~~

(Source: P.A. 100-12, eff. 7-1-17.)

(405 ILCS 110/45)

(Section scheduled to be repealed on January 1, 2026)

Sec. 45. Repeal. This Act is repealed on January 1, 2031
~~2026~~.

(Source: P.A. 103-1059, eff. 12-20-24.)

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