

AN ACT concerning State government.

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

Section 5. The Alcoholism and Other Drug Abuse and Dependency Act is amended by changing Sections 10-5, 10-10, 10-15, and 15-10 as follows:

(20 ILCS 301/10-5)

Sec. 10-5. Illinois Advisory Council established. There is established the Illinois Advisory Council on Alcoholism and Other Drug Dependency. The members of the Council shall receive no compensation for their service but shall be reimbursed for all expenses actually and necessarily incurred by them in the performance of their duties under this Act, and within the amounts made available to them by the Department. The Council shall annually elect a presiding officer from among its membership. The Council shall meet quarterly or ~~from time to time~~ at the call of the Department, or at the call of its presiding officer, or upon the request of a majority of its members. The Department shall provide space and clerical and consulting services to the Council.

(Source: P.A. 88-80.)

(20 ILCS 301/10-10)

Sec. 10-10. Powers and duties of the Council. The Council shall:

(a) advise the Department on ways to encourage public understanding and support of the Department's programs.

(b) advise the Department on regulations and licensure proposed by the Department.

(c) advise the Department in the formulation, preparation and implementation of the comprehensive State plan for prevention, intervention, treatment and relapse

prevention of alcoholism and other drug abuse and dependency.

(d) advise the Department on implementation of alcoholism and other drug abuse and dependency education and prevention programs throughout the State.

(e) by January 1, 1995, and by January 1 of every third year thereafter, in cooperation with the Committee on Women's Alcohol and Substance Abuse Treatment, submit to the Governor and General Assembly a planning document, specific to Illinois' female population. The document shall contain, but need not be limited to, interagency information concerning the types of services funded, the client population served, the support services available and provided during the preceding 3 year period, and the goals, objectives, proposed methods of achievement, client projections and cost estimate for the upcoming 3 year period. The document may include, if deemed necessary and appropriate, recommendations regarding the reorganization of the Department to enhance and increase prevention, treatment and support services available to women.

(f) perform other duties as requested by the Secretary.

(g) advise the Department in the planning, development, and coordination of programs among all agencies and departments of State government, including programs to reduce alcoholism and drug addiction, prevent the use of illegal drugs and abuse of legal drugs by persons of all ages, and prevent the use of alcohol by minors.

(h) promote and encourage participation by the private sector, including business, industry, labor, and the media, in programs to prevent alcoholism and other drug abuse and dependency.

(i) encourage the implementation of programs to prevent alcoholism and other drug abuse and dependency in the public and private schools and educational institutions, including establishment of alcoholism and

other drug abuse and dependency programs.

(j) gather information, conduct hearings, and make recommendations to the Secretary concerning additions, deletions, or rescheduling of substances under the Illinois Controlled Substances Act.

(k) report annually to the General Assembly regarding the activities and recommendations made by the Council.

With the advice and consent of the Secretary, the presiding officer shall annually appoint a Special Committee on Licensure, which shall advise the Secretary on particular cases on which the Department intends to take action that is adverse to an applicant or license holder, and shall review an annual report submitted by the Secretary summarizing all licensure sanctions imposed by the Department.

(Source: P.A. 88-80; 89-507, eff. 7-1-97.)

(20 ILCS 301/10-15)

Sec. 10-15. Qualification and appointment of members. The membership of the Illinois Advisory Council shall consist of:

(a) a State's Attorney designated by the President of the Illinois State's Attorneys Association.

(b) a judge designated by the Chief Justice of the Illinois Supreme Court.

(c) a Public Defender appointed by the President of the Illinois Public Defenders Association.

(d) a local law enforcement officer appointed by the Governor.

(e) a labor representative appointed by the Governor.

(f) an educator appointed by the Governor.

(g) a physician licensed to practice medicine in all its branches appointed by the Governor with due regard for the appointee's knowledge of the field of alcoholism and other drug abuse and dependency.

(h) 4 members of the Illinois House of Representatives, 2 each appointed by the Speaker and Minority Leader.

(i) 4 members of the Illinois Senate, 2 each appointed

by the President and Minority Leader.

(j) the President of the Illinois Alcoholism and Drug Dependence Association.

(k) an advocate for the needs of youth appointed by the Governor.

(l) the President of the Illinois State Medical Society or his or her designee.

(m) the President of the Illinois Hospital Association or his or her designee.

(n) the President of the Illinois Nurses Association or a registered nurse designated by the President.

(o) the President of the Illinois Pharmacists Association or a licensed pharmacist designated by the President.

(p) the President of the Illinois Chapter of the Association of Labor Management Administrators and Consultants on Alcoholism.

(p-1) the President of the Community Behavioral Healthcare Association of Illinois or his or her designee.

(q) the Attorney General or his or her designee.

(r) the State Comptroller or his or her designee.

(s) 20 public members, 8 appointed by the Governor, 3 of whom shall be representatives of alcoholism or other drug abuse and dependency treatment programs and one of whom shall be a representative of a manufacturer or importing distributor of alcoholic liquor licensed by the State of Illinois, and 3 public members appointed by each of the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House.

(t) The Director, Secretary, or other chief administrative officer, ex officio, or his or her designee, of each of the following: the Department on Aging, the Department of Children and Family Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Healthcare and Family Services, the Department of Revenue, the Department of Public Health, the

Department of Financial and Professional Regulation, the Department of State Police, the Administrative Office of the Illinois Courts, the Criminal Justice Information Authority, and the Department of Transportation.

(u) Each of the following, ex officio, or his or her designee: the Secretary of State, the State Superintendent of Education, and the Chairman of the Board of Higher Education.

The public members may not be officers or employees of the executive branch of State government; however, the public members may be officers or employees of a State college or university or of any law enforcement agency. In appointing members, due consideration shall be given to the experience of appointees in the fields of medicine, law, prevention, correctional activities, and social welfare. Vacancies in the public membership shall be filled for the unexpired term by appointment in like manner as for original appointments, and the appointive members shall serve until their successors are appointed and have qualified. Vacancies among the public members appointed by the legislative leaders shall be filled by the leader of the same house and of the same political party as the leader who originally appointed the member.

Each non-appointive member may designate a representative to serve in his place by written notice to the Department. All General Assembly members shall serve until their respective successors are appointed or until termination of their legislative service, whichever occurs first. The terms of office for each of the members appointed by the Governor shall be for 3 years, except that of the members first appointed, 3 shall be appointed for a term of one year, and 4 shall be appointed for a term of 2 years. The terms of office of each of the public members appointed by the legislative leaders shall be for 2 years.

(Source: P.A. 91-329, eff. 7-29-99.)

Sec. 15-10. Licensure categories. No person or program may provide the services or conduct the activities described in this Section without first obtaining a license therefor from the Department. The Department shall, by rule, provide licensure requirements for each of the following categories of service:

(a) Residential treatment for alcoholism and other drug ~~abuse and dependency~~, sub-acute inpatient treatment, clinically managed or medically monitored detoxification, and residential extended care (formerly halfway house).

(b) Outpatient treatment for alcoholism and other drug abuse and dependency.

(c) The screening, assessment, referral or tracking of clients identified by the criminal justice system as having indications of alcoholism or other drug abuse or dependency.

(d) D.U.I. evaluation services for Illinois courts and the Secretary of State.

(e) D.U.I. remedial education services for Illinois courts or the Secretary of State.

(f) Recovery home services for persons in early recovery from substance abuse or for persons who have recently completed or who may still be receiving substance abuse treatment services.

The Department may, under procedures established by rule and upon a showing of good cause for such, exempt off-site services from having to obtain a separate license for services conducted away from the provider's primary service location.

(Source: P.A. 91-922, eff. 7-7-00.)

(20 ILCS 301/10-40 rep.)

(20 ILCS 301/10-45 rep.)

(20 ILCS 301/10-50 rep.)

Section 10. The Alcoholism and Other Drug Abuse and Dependency Act is amended by repealing Sections 10-40, 10-45, and 10-50.

Public Act 094-1033

SB2199 Enrolled

LRB094 15518 RSP 50717 b

Section 99. Effective date. This Act takes effect July 1, 2007.