



# SB 1970 Becomes a Law!

## Access to Mental Health Information Act

Sponsors: Senator Laura Fine, Senator Sara Feigenholtz  
Representative Jennifer Gong-Gershowitz, Rep Deb Conroy, Rep. Daniel Didech

### Compromise Bill Passes both Chambers as Session Ends

**Hundreds of calls, emails and witness slips paid off, with Senate Bill 1970 passing the Illinois Senate in the closing days of an exciting legislative session that saw progress on virtually every NAMI Illinois priority.** Thanks to a winning combination of strong advocacy by hundreds of 'NAMI in Illinois' activists, the legal expertise of our allies at Mental Health America – Illinois and Chicago Bar Association, and patient leadership by lead sponsors Senator Laura Fine and Rep. Jennifer Gong-Gershowitz, an amended SB1970 unanimously passed the Illinois Senate in the closing days of a legislative session.

As a result, we have new Act that addresses concerns of families while protecting patient privacy, autonomy and safety. With three amendments, not every item of the original bill was included, and more work is needed to ensure families have information and tools to support their loved ones. NAMI Illinois recognizes with appreciation the Illinois Dept. of Human Services, ACLU, Illinois Coalition Against Domestic Violence, and Guardian Advocacy Commission for helping shape a compromise bill that turned their initial opposition into a neutral stance. We look forward to working with all stakeholders to educate families, clinicians, individuals living with mental health conditions about the new law.

### What Does SB1970 Do?

**SB1970 amends the Mental Health & Developmental Disabilities Code to allow hospitals to share information with people hospitalized for serious mental illness to support continuity of care and ensure patient safety upon discharge.**

Under the old statute, a person with serious mental illness can be admitted to inpatient psychiatric care and close family members are unable to learn whether their loved one is in the hospital, or even whether s/he is alive. As a result, vulnerable patients were often released while still struggling with psychoses, and families had no information about where they are located. This flawed policy results in people ending up homeless, lost in unfamiliar communities, and isolated from the loved ones who support their recovery and ensure they are safe.

**SB1970 only applies when a serious condition like schizophrenia or other psychotic disorders deprive a patient of their capacity to make informed decisions and no advance directive exists to provide guidance,** in which case their doctor is empowered to apply their training and professional judgment to serve the patients best interest. Hospitals are encouraged to accept pertinent health information from families – a best practice most hospitals already follow.

**SB 1970 is tightly constructed so that hospitals can disclose only the following information:**

- **Whether the person is in the hospital**
- **The discharge plan including discharge date, provider information and treatment plans**

This limited information may only be disclosed to close relatives, and only when those relatives are living with the person or paying for their care, and only if the patient is unable to make decisions and their doctor determines disclosure is in the patient's best interest. Misuse of information is a Class A misdemeanor.

To learn more about SB1970 or to get involved in NAMI advocacy, contact Executive Director Andy Wade at [andywade@NAMIillinois.org](mailto:andywade@NAMIillinois.org) or Legislative Chair Hugh Brady at [bradyhugh@aol.com](mailto:bradyhugh@aol.com)

*NAMI Illinois is the statewide organization of the National Alliance on Mental Illness, the nation's largest grassroots network working to improve the lives of people and families with lived experience with mental health concerns. Each year, NAMI Illinois works with 20 local affiliates to provide education, advocacy, and peer-led support programs to over 50,000 Illinoisans. To find a NAMI program or affiliate near you, visit [www.NAMIillinois.org](http://www.NAMIillinois.org) or email [NAMI@NAMIillinois.org](mailto:NAMI@NAMIillinois.org)*