



Bureau of Pharmacy and Clinical Support Services
401 North Fourth Street, Springfield, Illinois 62702

Special Case #1 Alcohol and Substance Abuse Treatment Programs

42 CFR part B prohibits the reporting of person participating in such treatment programs. More specifically, facilities providing these programs are not required to report services under P.A.98-63.

- P.A.98-63 DOES require physicians, psychologists, and qualified examiners to report persons who present as a “clear and present danger”. When making a “clear and present danger” report the physician, psychologist or qualified examiner should not give a diagnosis of alcoholism or substance abuse nor should they identify the program as one for alcoholics or substance abusers.
- Clinical workers in such programs who are not physicians, psychologists or qualified examiners ARE NOT REQUIRED reporters under P.A. 98-63.
- The person is admitted to the hospital and to the psychiatric or behavioral health unit for evaluation and treatment of ONLY an alcohol or substance abuse issue. The person would NOT be reported.
- The person is admitted to the hospital and to the psychiatric or behavioral health unit of the hospital for evaluation and treatment of a mental illness and an alcohol or substance abuse issue. The person WOULD be reported.
- The person is admitted to the hospital and to the psychiatric or behavioral health unit of the hospital for evaluation and treatment of a mental illness. Upon evaluation the person is determined to ONLY have an alcohol or substance abuse issue. The person would NOT be reported. If the person had been reported prior to the determination, the report can be removed by the hospital.

Special Case #2 General Health Services

Hospitals, nursing homes, and medical clinics that DO NOT have an identified mental health treatment program and DO NOT provide mental health services/treatment to a person may provide:

- General and/or specialized health care services to an individual with a mental illness WITHOUT REPORTING the admission. If however the individual

presents as a “clear and present” danger the attending physician, clinical psychologist or qualified examiner IS REQUIRED to report.

Hospitals, nursing homes, and medical clinics that DO have an identified mental health treatment program and DO provide mental health services/treatment to a person may provide:

- The person is admitted to the hospital and to the psychiatric or behavioral health unit of the hospital for evaluation and treatment of a mental illness. The person WOULD BE reported.
- The person with mental illness is admitted to the hospital and to a non-psychiatric or behavioral health unit (e.g. oncology, surgery, intensive care, etc) of the hospital for evaluation and/or treatment of an injury or illness. The hospital provides maintenance medication for the mental illness, but the person is not admitted to the psychiatric or behavioral health unit. The person WOULD NOT be reported.
- The person with mental illness is admitted to the hospital and to a non-psychiatric or behavioral health unit (e.g. oncology, surgery, intensive care, etc) of the hospital for evaluation and/or treatment of an injury or illness. The hospital transfers to person to the psychiatric or behavioral health unit. The person WOULD be reported.

Special Case #3 A person in an emergency room of a hospital

- An individual after being observed for a time leaves against medical advice without being admitted. Since the individual was not admitted there is nothing for the facility to report. However the physician, clinical psychologist or qualified examiner MAY NEED TO report if the person presented as a “clear and present” danger.
- An individual is “observed” in an emergency room for less than 24 hours and eventually leaves without being admitted. The individual requests and/or receives a prescription which is a psychotropic medication. There is no indication of “clear and present” danger. There is NOTHING TO REPORT.
- An individual is “observed” in an emergency room for less than 24 hours and eventually leaves without being admitted. The person is provided a prescription for one or more psychotropic medications and it is recommended the person contact their therapist or otherwise seek mental health treatment. The physician, clinical psychologist or qualified examiner does not recommend inpatient

services at that time. The facility does not report. The attending physician, clinical psychologist or qualified examiner DOES NOT report.

- The person with mental illness comes to the emergency department of a hospital for an injury or illness, is treated and released. The person WOULD NOT be reported.
- The person with mental illness comes to the emergency department of a hospital for an injury or illness, is admitted to the hospital (non-psychiatric unit) and treated for the illness or injury. The person WOULD NOT be reported.
- The person with mental illness comes to the emergency department of a hospital for an injury or illness, is moved to an observation area for 48 hours. The person is treated and released. The person WOULD NOT be reported.
- The person with mental illness comes to the emergency department of a hospital for the mental illness, and is transferred to another hospital for admission to their psychiatric or behavioral health unit. The person WOULD NOT be reported by the sending hospital but should be reported by the receiving hospital.

Special Case #4 Developmental Disabilities Programs

Developmental disability facilities and their services, typically referred to as “habilitation”, are not clearly identified in P.A. 98-63.

- However, P.A. 98-63 does indicate that an individual “determined to have a developmental disability and/or intellectual disability” by a licensed professional IS REPORTABLE.

Examples for residential settings:

- The person with mental illness is admitted to a nursing home for rehabilitation and/or physical therapy and is not placed on a specialized psychiatric or behavioral health unit. The person WOULD NOT be reported.
- The person with mental illness is admitted to a nursing home and is placed on a specialized psychiatric unit. The person WOULD BE reported.
- The person with mental illness is being provided outpatient treatment at a community mental health agency or a clinic setting while living in their own home or apartment. The person WOULD NOT be reported.

- The person with mental illness is being provided outpatient treatment while living in a supervised transitional residential program. The outpatient program WOULD NOT report but the supervised transitional residential program WOULD report.
- The person with mental illness resides in a Specialized Mental Health Rehabilitation facility. The facility WOULD report.