



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

## Who Reports

### **Physicians, Clinical Psychologists and Qualified Examiners**

The Firearm Concealed and Carry Act identifies mandated reporters as a physician, clinical psychologist, and qualified examiners.

Not all social workers, registered nurses, clinical professional counselors, or marriage and family therapists are qualified examiners. To understand whether you are a mandated reporter you must closely read the definitions below.

The new Firearm Concealed and Carry Act requires physicians, clinical psychologists and qualified examiners to **notify the Department of Human Services (DHS) within 24 hours** of determining a person is: “Clear and Present Danger”; “Developmentally Disabled”; or “Intellectually Disabled” as defined in the Firearm Owner’s Identification Card (FOID) Act Section 1.1.

The identity of the person making the report shall not be released to the subject of the report. The physicians, clinical psychologists and qualified examiners shall not be held liable for making or not making the report except in cases of willful and wanton misconduct.

If you have any questions, concerns or would like to report a person, please follow this link to the Illinois FOID Mental Health Reporting System website

<https://foid.dhs.illinois.gov/foidpublic/foid/>

Direct questions may be forwarded to [DHS.FOID@Illinois.gov](mailto:DHS.FOID@Illinois.gov)

### ***Clinical Psychologist***

*A psychologist registered with the Illinois Department of Professional Regulation who meets the following qualifications: (a) has a doctoral degree from a regionally accredited university, college, or professional school, and has two years of supervised experience in health services of which at least one year is postdoctoral and one year is in an organized health service program; or (b) has a graduate degree in psychology from a regionally accredited university or college, and has not less than six years of experience as a psychologist with at least two years of supervised experience in health services.*  
*[from 405 ILCS 5/1-103]*

### **Clinical Social Worker**

*A person who is (1) has a master's or doctoral degree in social work from an accredited graduate school of social work and (2) has at least 3 years of supervised postmaster's clinical social work practice which shall include the provision of mental health services for the evaluation, treatment and prevention of mental and emotional disorders. [from 405 ILCS 5/1-122.1] A social worker shall be a licensed clinical social worker under the Clinical Social Work and Social Work Practice Act. [from 405 ILCS 5/1-122]*

### **Licensed Clinical Professional Counselor**

*A licensed clinical professional counselor with a master's or doctoral degree in counseling or psychology or a similar master's or doctorate program from a regionally accredited institution who has at least 3 years of supervised postmaster's clinical professional counseling experience that includes the provision of mental health services for the evaluation, treatment, and prevention of mental and emotional disorders. [from 405 ILCS 5/1-122]*

### **Physician**

*A person licensed by the State of Illinois to practice medicine in all its branches and includes any person holding a temporary license, as provided in the Medical Practice Act of 1987. Physician includes a psychiatrist as defined below. [from 405 ILCS 5/1-120]*

### **Psychiatrist**

*A physician as defined in the first sentence of Section 1-120 who has successfully completed a residency program in psychiatry accredited by either the Accreditation Council for Graduate Medical Education or the American Osteopathic Association. [from 405 ILCS 5/1-121]*

### **Registered Nurse**

*A registered nurse with a master's degree in psychiatric nursing who has 3 years of clinical training and experience in the evaluation and treatment of mental illness which has been acquired subsequent to any training and experience which constituted a part of the degree program. [from 405 ILCS 5/1-122]*

### **Marriage and Family Therapist**

*A licensed marriage and family therapist with a master's or doctoral degree in marriage and family therapy from a regionally accredited educational institution or a similar master's program or from a program accredited by either the Commission on Accreditation for Marriage and Family Therapy or the Commission on Accreditation for Counseling Related Educational Programs, who has at least 3 years of supervised postmaster's experience as a marriage and family therapist that includes the provision of mental health services for the evaluation, treatment, and prevention of mental and emotional disorders. [405 ILCS 5/1-122]*

## **Facilities with Inpatient Mental Health Treatment Programs**

Any licensed private hospital or hospital affiliate, institution, or facility, or part thereof, and any facility, or part thereof, operated by the State or a political subdivision thereof which provide treatment of persons with mental illness and includes all hospitals, institutions, clinics, evaluation facilities, mental health centers, colleges, universities, long-term care facilities, and nursing homes, or parts thereof, which provide treatment of persons with mental illness whether or not the primary purpose is to provide treatment of persons with mental illness.

### **Facilities with Inpatient Mental Health Treatment Programs Types:**

1. Hospitals with Inpatient Mental Health Treatment Programs
2. Nursing Homes with Inpatient Mental Health Treatment Programs
3. Supervised Transitional Residential Programs
4. Specialized Mental Health Rehabilitation Facility

**Facilities with Inpatient Mental Health Treatment Programs** are required to report within 7 days of admission to DHS by mental health facilities:

(<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2043&ChapterID=57>) of persons prohibited under (e), (f), (g), (r), (s) or (t) of the Concealed Carry Act.  
(<http://www.ilga.gov/legislation/publicacts/98/PDF/098-0063.pdf>)

(e) A person who has been a patient of a mental health facility within the past 5 years or a person who has been a patient in a mental health facility more than 5 years ago who has not received the certification required under subsection (u) of this Section.

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community; (must be reported within 24 hours)

(g) A person who is intellectually disabled; (must be reported within 24 hours)

(r) A person who has been adjudicated as a mentally disabled person;

(s) A person who has been found to be developmentally disabled; (must be reported within 24 hours)

(t) A person involuntarily admitted into a mental health facility;

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## **Facilities without Inpatient Mental Health Treatment Programs**

Any licensed private hospital or hospital affiliate, institution, or facility, or part thereof, and any facility, or part thereof, operated by the State or a political subdivision thereof which provide treatment of persons with mental illness and includes all hospitals, institutions, clinics, evaluation facilities, mental health centers, colleges, universities, long-term care facilities, and nursing homes, or parts thereof, which provide treatment of persons with mental illness whether or not the primary purpose is to provide treatment of persons with mental illness.

## **Facilities without Inpatient Mental Health Treatment Programs**

### **Facility Types:**

1. **Hospitals** without Inpatient Mental Health Treatment Programs
2. **Outpatient Mental Health** without Inpatient Mental Health Treatment Programs
3. **University Clinics** without Inpatient Mental Health Treatment Programs
4. **Mental Health Centers** without Inpatient Mental Health Treatment Programs
5. **Medical Clinics** without Inpatient Mental Health Treatment Programs
6. **Nursing Homes** without Inpatient Mental Health Treatment Programs

**Facilities without Inpatient Mental Health Treatment Programs** are now required to report:

1. Adjudicated Mentally Disabled Person
2. Any person determined to be a Clear and Present Danger to themselves or others
3. Any person determined to be Developmentally Disabled or Intellectually Disabled

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