

AN ACT concerning education.

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

Section 1. Short title. This Act may be cited as the Student Optional Disclosure of Private Mental Health Act.

Section 5. Definitions. In this Act:

(a) "Designated person" means a parent, guardian, or other person over the age of 18 designated by the student to receive disclosure of certain private mental health information.

(b) "Qualified examiner" has the meaning ascribed to that term in Section 1-122 of the Mental Health and Developmental Disabilities Code.

Section 10. Disclosure of mental health information.

(a) An institution of higher learning in Illinois shall, at or near the time that an incoming student enrolls at the institution of higher learning, provide that student the opportunity to authorize in writing the disclosure of certain private mental health information to a designated person.

(b) The institution may disclose the student's mental information if a physician, clinical psychologist, or qualified examiner who is employed by the institution of higher learning makes a determination that the student poses a clear

danger to himself, herself, or others to protect the student or other person against a clear, imminent risk of serious physical or mental injury or disease or death being inflicted upon the person or by the student on himself, herself, or another.

The physician, clinical psychologist, or qualified examiner shall, as soon as practicable, but in no more than 24 hours after making a determination under this Section, attempt to contact the designated person and notify the designated person that the physician, clinical psychologist, or qualified examiner has made a determination that the student poses a clear, imminent danger to himself, herself, or others.

Section 15. Preparation of authorization form. An institution of higher learning shall prepare a form for the purpose of such authorization and shall create a policy and supporting procedures to ensure that every new student is given the opportunity to complete and submit the form if he or she so desires. The form shall provide a space for the student to affirmatively authorize, or decline to authorize, the disclosure of the information. The form shall contain a space for the student to enter the name, address, telephone number, and other contact information for the designated person.