



February 14, 2025

Executive Order 2025-01

EXECUTIVE ORDER 2025-01
EXECUTIVE ORDER TO REORGANIZE THE DEPARTMENT OF HUMAN SERVICES AND CONSOLIDATE THE DIVISIONS OF MENTAL HEALTH AND SUBSTANCE USE PREVENTION AND RECOVERY, CREATING THE NEW DIVISION OF BEHAVIORAL HEALTH AND RECOVERY

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor to reassign functions or reorganize executive agencies that are directly responsible to him by means of executive order;

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2, provides that "Reorganization" includes "the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof;"

WHEREAS, the Department of Human Services' (Department) Division of Mental Health (DMH) and the Department's Division of Substance Use Prevention and Recovery (SUPR) are divisions within an executive agency directly responsible to the Governor and exercise the rights, powers, duties, and responsibilities derived from 20 ILCS 1305 *et seq.*;

WHEREAS, there is a substantial overlap in persons served by DMH and SUPR, as one in four individuals with a serious mental illness also has a substance use disorder, almost 50% of inpatient substance use disorder patients have a co-occurring psychiatric disorder, and approximately 32% of inpatient psychiatric patients have a co-occurring substance use disorder;

WHEREAS, many Illinois service providers serve consumers of both DMH and SUPR, with 61 community mental health centers also licensed to provide substance use disorder services, and 17 having grants with both current Divisions;

WHEREAS, recovery from substance use disorders and mental illnesses, defined as a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential, is a primary goal for behavioral health care and will benefit from the broader availability of integrated substance use and mental health services;

WHEREAS, the consolidation of DMH and SUPR will leverage the expertise of staff from both Divisions, improve accessibility and accountability, improve outcomes for Illinoisans who have both mental illnesses and substance use disorders, reduce administrative burden on providers, and enhance substance use disorder treatment in State-Operated Psychiatric Hospitals, among other improvements;

WHEREAS, for the foregoing reasons, it is appropriate and most beneficial to consolidate DMH and SUPR into a new integrated division;

WHEREAS, pursuant to the consolidation of DMH and SUPR, the initiatives and programs of both agencies will be preserved and maintained; and

WHEREAS, the consolidation of DMH and SUPR will improve access to care for consumers and patients, streamline processes, strengthen the workforce, and allow staff to be more responsive to the needs of Illinois residents.

NOW, THEREFORE, I, JB Pritzker, Governor of the State of Illinois, pursuant to the executive authority vested in me by Article V, Section 11 of the Illinois Constitution, hereby order the following:

I. CONSOLIDATION OF FUNCTIONS

Effective on July 1, 2025, or as soon thereafter as practicable, powers, duties, rights, and responsibilities related to DMH and SUPR shall be consolidated into a single entity called the Division of Behavioral Health and Recovery within the Department of Human Services. The statutory powers, duties, rights, and responsibilities of DMH and SUPR derive from the following and all other relevant statutes, as well as the regulations promulgated thereunder, including, but not limited to:

- a. Substance Use Disorder Act, 20 ILCS 301 *et seq.*;
- b. Civil Administrative Code of Illinois (Department of Human Services (Alcoholism and Substance Abuse) Law) 20 ILCS 310 *et seq.*;
- c. Department of Human Services Act, 20 ILCS 1305 *et seq.*;
- d. Mental Health and Developmental Disabilities Administrative Act, 20 ILCS 1705 *et seq.*;
- e. Civil Administrative Code of Illinois (Department of Human Services (Mental Health and Developmental Disabilities) Law) 20 ILCS 1710 *et seq.*;
- f. Illinois Public Aid Code, 305 ILCS 5 *et seq.*;
- g. Mental Health and Developmental Disabilities Code, 405 ILCS 5 *et seq.*;
- h. Illinois Vehicle Code, 625 ILCS 5 *et seq.*;
- i. Sexually Violent Persons Commitment Act, 725 ILCS 207 *et seq.*;
- j. Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110 *et seq.*;
- k. Unified Code of Corrections, 730 ILCS 5 *et seq.*;
- l. Code of Criminal Procedure of 1963, 725 ILCS 5 *et seq.*; and
- m. Illinois Controlled Substances Act, 720 ILCS 570 *et seq.*

II. EFFECT OF CONSOLIDATION

- a. The powers, duties, rights, and responsibilities vested in DMH and SUPR shall be consolidated and vested in the new Division of Behavioral Health and Recovery. Each act done in the exercise of such powers, duties, rights, and responsibilities by the Division of Behavioral Health and Recovery shall have the same legal effect as if done by DMH or SUPR.
- b. The employees of DMH and SUPR shall be transferred and consolidated into the new Division of Behavioral Health and Recovery. The status and rights of DMH and SUPR employees under the Personnel Code shall not be affected by the consolidation.
- c. All books, records, papers, documents, property (real and personal), contracts, and pending business pertaining to the powers, duties, rights, and responsibilities related to DMH and SUPR and consolidated by this Executive Order, including but not limited to material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the new Division of Behavioral Health and Recovery.
- d. Any rules, regulations, obligations, and other actions of DMH or SUPR shall be transferred and continue as rules, regulations, obligations, and actions of the Division of Behavioral Health and Recovery. The Department of Human Services shall modify any rules, regulations, obligations, or other actions, as necessary, to carry out the reorganization.

- e. No obligations arising from any civil or criminal penalties previously imposed are affected by this Executive Order. Every person or entity shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such powers, duties, rights, and responsibilities as had been exercised by DMH or SUPR or its officers or employees.
- f. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon DMH or SUPR in connection with any of their functions consolidated by this Executive Order, the same shall be made, given, furnished, or served in the same manner to or upon the new Division of Behavioral Health and Recovery.
- g. This Executive Order shall not affect any act done, ratified, or canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding DMH or SUPR before this Executive Order takes effect; such actions or proceedings may be defended, prosecuted, and continued by the Division of Behavioral Health and Recovery.

III. SAVINGS CLAUSE

This Executive Order does not contravene, and shall not be construed to contravene any contracts, agreements, or collective bargaining agreements.

IV. PRIOR EXECUTIVE ORDERS

This Executive Order supersedes any contrary provision of any other prior Executive Order.

V. SEVERABILITY

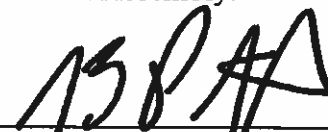
If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VI. FILING AND DELIVERY

This Executive Order shall be filed with the Secretary of State. A copy of this Executive Order shall be delivered to the Secretary of the Senate and to the Clerk of the House of Representatives and, for the purpose of preparing revisory legislation, to the Legislative Reference Bureau.

VII. EFFECTIVE DATE

Provided that neither house of the General Assembly disapproves of this Executive Order by the record vote of a majority of the members elected, this Executive Order shall take effect 60 days after its delivery to the General Assembly.


JB Fritzker Governor

Issued by the Governor: February 14, 2025
Filed with the Secretary of State: February 14, 2025

FILED
INDEX DEPARTMENT
FEB 14 2025
IN THE OFFICE OF
SECRETARY OF STATE