



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2055

Introduced 2/15/2019, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

20 ILCS 1305/10-26

Amends the Department of Human Services Act. Removes language requiring the Department of Human Services to maintain a disability services database and instead requires the Department of Human Services to compile and maintain a Prioritization of Urgency of Need for Services (PUNS) database of Illinois residents with an intellectual disability or a developmental disability, including an autism spectrum disorder, and Illinois residents with an intellectual disability or a developmental disability who are also diagnosed with a physical disability or mental illness and are in need of disability services funded by the Department. Provides that the PUNS database shall be used to foster a fair and orderly process for: (i) processing applications for services funded by the Department, (ii) verifying information, (iii) keeping individuals and families who have applied for services informed of available services and anticipated wait times, (iv) determining unmet need, and (v) informing the General Assembly and the Governor of unmet need statewide and within each representative district. Requires the Secretary of Human Services to seek input from specified advisory bodies and committees with regard to the establishment, maintenance, and administration of PUNS. Contains provisions concerning the type of information to be collected and maintained for PUNS; the Department's development of a web-based verification and information-update application; notice of services to individuals listed in the PUNS database; and other matters.

LRB101 07276 KTG 52315 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Human Services Act is amended
5 by changing Section 10-26 as follows:

6 (20 ILCS 1305/10-26)

7 Sec. 10-26. Prioritization of Urgency Of Need for Services.
8 ~~Disability database.~~

9 (a) The Department of Human Services shall compile and
10 maintain a database of Illinois residents with an intellectual
11 disability or a developmental disability, including an autism
12 spectrum disorder, and Illinois residents with an intellectual
13 disability or a developmental disability who are also diagnosed
14 with a physical disability or mental illness and are in need of
15 disability services funded by the Department. The database
16 shall be referred to as the Prioritization of Urgency of Need
17 for Services (PUNS) and shall include, but not be limited to,
18 children and youth, individuals transitioning from special
19 education to post-secondary activities, individuals living at
20 home or in the community, individuals in State-operated
21 developmental centers, individuals in private nursing and
22 residential facilities, individuals in intermediate care
23 facilities for persons with developmental disabilities, and

1 individuals in community-integrated living arrangements. PUNS
2 shall be used to foster a fair and orderly process for
3 processing applications for services funded by the Department,
4 verifying information, keeping individuals and families who
5 have applied for services informed of available services and
6 anticipated wait times, determining unmet need, and informing
7 the General Assembly and the Governor of unmet need statewide
8 and within each representative district. The Secretary of Human
9 Services shall seek input from advisory bodies to the
10 Department, including advisory councils and committees working
11 with the Department in the areas of intellectual disabilities,
12 developmental disabilities, and autism spectrum disorders,
13 with regard to the establishment, maintenance, and
14 administration of PUNS. Independent Service Coordination
15 agencies shall be the points of entry for individuals and
16 families applying for services and supports funded by the
17 Department. The information collected and maintained for PUNS
18 shall include, but is not limited to, the following: (i) the
19 types of services of which the individual is potentially in
20 need; (ii) demographic and identifying information about the
21 individual; (iii) factors indicating need, including
22 diagnoses, assessment information, age of primary caregivers,
23 and current living situation; (iv) if applicable, the date
24 information about the individual is submitted for inclusion in
25 PUNS and the types of services sought by the individual; and
26 (v) the representative district in which the individual

1 resides. In collecting and maintaining information under this
2 Section, the Department shall give consideration to
3 cost-effective appropriate services for individuals. The
4 ~~Department of Human Services shall compile and maintain a~~
5 ~~cross disability database of Illinois residents with a~~
6 ~~disability who are potentially in need of disability services~~
7 ~~funded by the Department. The database shall consist of~~
8 ~~individuals with mental illness, physical disabilities,~~
9 ~~developmental disabilities, and autism spectrum disorders and~~
10 ~~shall include, but not be limited to, individuals transitioning~~
11 ~~from special education to adulthood, individuals in~~
12 ~~State-operated facilities, individuals in private nursing and~~
13 ~~residential facilities, and individuals in community~~
14 ~~integrated living arrangements. Within 30 days after the~~
15 ~~effective date of this amendatory Act of the 93rd General~~
16 ~~Assembly, the Secretary of Human Services shall seek input from~~
17 ~~advisory bodies to the Department, including advisory councils~~
18 ~~and committees working with the Department in the areas of~~
19 ~~mental illness, physical disabilities, and developmental~~
20 ~~disabilities. The database shall be operational by July 1,~~
21 ~~2004. The information collected and maintained for the~~
22 ~~disability database shall include, but is not limited to, the~~
23 ~~following: (i) the types of services of which the individual is~~
24 ~~potentially in need; (ii) demographic and identifying~~
25 ~~information about the individual; (iii) factors indicating~~
26 ~~need, including diagnoses, assessment information, age of~~

1 ~~primary caregivers, and current living situation; (iv) if~~
2 ~~applicable, the date information about the individual is~~
3 ~~submitted for inclusion in the database and the types of~~
4 ~~services sought by the individual; and (v) the representative~~
5 ~~district in which the individual resides. In collecting and~~
6 ~~maintaining information under this Section, the Department~~
7 ~~shall give consideration to cost effective appropriate~~
8 ~~services for individuals.~~

9 (a-1) The Department shall respond to inquiries about
10 anticipated PUNS selection dates and make available a
11 Department e-mail address for such inquiries. In addition, the
12 Department shall offer a web-based verification and
13 information-update application. The Department shall also
14 ensure that individuals in PUNS are contacted regarding their
15 PUNS status and available services at least 2 times each year
16 via e-mail or letter, based on the delivery preference of the
17 individual. Such services and supports may include housing,
18 home-based services, employment and training, respite care,
19 and day programs.

20 (a-2) The Department shall seek any available federal
21 funding to upgrade its technology in order to implement an
22 effective and efficient system of operating and maintaining
23 PUNS and making the web-based verification and
24 information-update application developed in accordance with
25 subsection (a-1) available to individuals listed in PUNS.

26 (a-3) The Department shall collaborate with the State Board

1 of Education to ensure that students with disabilities and
2 their parents are informed of PUNS consistent with Section
3 2-3.163 of the School Code.

4 (b) This amendatory Act of the 93rd General Assembly does
5 not create any new entitlement to a service, program, or
6 benefit, but shall not affect any entitlement to a service,
7 program, or benefit created by any other law. Except for a
8 service, program, or benefit that is an entitlement, a service,
9 program, or benefit provided as a result of the collection and
10 maintenance of the disability database shall be subject to
11 appropriations made by the General Assembly.

12 (b-5) This amendatory Act of the 101st General Assembly
13 does not create any new entitlement to a service, program, or
14 benefit, but shall not affect any entitlement to a service,
15 program, or benefit created by any other law. Except for a
16 service, program, or benefit that is an entitlement, a service,
17 program, or benefit provided as a result of the collection and
18 maintenance of PUNS shall be subject to appropriations made by
19 the General Assembly.

20 (c) The Department, consistent with applicable federal and
21 State law, shall make general information from PUNS ~~the~~
22 ~~disability database~~ available to the public such as: (i) the
23 number of individuals potentially in need of each type of
24 service, program, or benefit and (ii) the general
25 characteristics of those individuals. The Department shall
26 protect the confidentiality of each individual in PUNS ~~the~~

1 ~~database~~ when releasing PUNS ~~database~~ information by not
2 disclosing any personally identifying information.

3 (d) The Department shall allow legal residents who are
4 dependents of a military service member and who are absent from
5 the State due to the member's military service to be added to
6 PUNS ~~the database~~ to indicate the need for services upon return
7 to the State. Should an individual in such a situation be
8 selected from PUNS ~~the database~~ to receive services, the
9 individual shall have 6 months from the date of the selection
10 notification to apply for services and another 6 months to
11 commence using such services. In the event an individual is
12 receiving services funded by the Department and the services
13 are disrupted due to the military service member's need for the
14 individual to leave the State because of his or her military
15 service, the services shall be resumed upon the individual's
16 return to the State if the dependent is otherwise eligible. No
17 payment pursuant to this Section or Section 12-4.47 of the
18 Illinois Public Aid Code shall be made for home and community
19 based services provided outside the State of Illinois. A
20 dependent of a military service member shall be required to
21 provide the Department with:

22 (1) a copy of the military service member's DD-214 or
23 other equivalent discharge paperwork; and

24 (2) proof of the military service member's legal
25 residence in the State, as prescribed by the Department.

26 (Source: P.A. 98-1000, eff. 8-18-14.)