



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0517

Introduced 1/27/2005, by Rep. Julie Hamos - Eileen Lyons - Sara Feigenholtz - Patricia R. Bellock - David R. Leitch

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1705/15f new  
305 ILCS 5/5-5e new

Amends the Mental Health and Developmental Disabilities Administrative Act and the Illinois Public Aid Code. Provides that the Department of Human Services shall develop a program of transition services, with appropriate follow-up, in selected areas of the State, to be expanded statewide as funding becomes available, to provide assistance to persons who: (i) have been diagnosed with mental illness or a co-occurring mental illness and substance abuse disorder; (ii) reside in a facility licensed under the Nursing Home Care Act or in an institution for mental diseases; and (iii) desire to move to and are able to reside in community residential placements that meet their needs and reflect their preferences. Provides that under the Medicaid program, the Department of Public Aid shall apply for any necessary waivers pursuant to the Social Security Act to facilitate transition services for persons with mental illness and to develop supportive living facilities for persons with mental illness. Provides that any such waiver application shall be developed in cooperation with the Department of Human Services, the Department of Public Health, the Guardianship and Advocacy Commission, other State agencies as appropriate, operators of nursing facilities, and others. Effective immediately.

LRB094 06443 DRJ 37117 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning health.

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

4 Section 5. The Mental Health and Developmental  
5 Disabilities Administrative Act is amended by adding Section  
6 15f as follows:

7 (20 ILCS 1705/15f new)

8 Sec. 15f. Transition services for persons with mental  
9 illness.

10 (a) The Department of Human Services shall provide  
11 assistance to persons who: (i) have been diagnosed with mental  
12 illness or a co-occurring mental illness and substance abuse  
13 disorder; (ii) reside in a facility licensed under the Nursing  
14 Home Care Act or in an institution for mental diseases; and  
15 (iii) desire to move to and are able to reside in community  
16 residential placements that meet their needs and reflect their  
17 preferences. At any time during the process of providing such  
18 assistance, a resident or his or her representative may decline  
19 further assistance. For purposes of this Section, an  
20 "institution for mental diseases" or "IMD" means a facility  
21 licensed under the Nursing Home Care Act, in which services to  
22 residents are ineligible for federal financial participation  
23 under the Medicaid program because mental illness is the  
24 specific reason for being in the facility for more than 50% of  
25 the residents over 21 years of age and under 65 years of age.

26 (b) To provide assistance under this Section, the  
27 Department shall develop a program of transition services, with  
28 appropriate follow-up, in selected areas of the State, to be  
29 expanded statewide as funding becomes available. The  
30 Department shall adopt rules to provide for: resident  
31 eligibility for assistance under this Section; uniform  
32 assessment of a resident's health, cognitive, social, and

1 financial needs; development of comprehensive service  
2 transition plans for eligible residents; and the level of  
3 services that must be available before a resident's transition  
4 into the community.

5 (c) Any nursing facility providing medical assistance  
6 under Title XIX of the Social Security Act and any IMD shall  
7 admit the Department's representative providing transition  
8 services under this Section and shall cooperate in facilitating  
9 the discharge and transition of residents.

10 (d) The Department shall adopt rules and implement  
11 transition services under this Section in cooperation with the  
12 Department of Public Aid, the Department of Public Health, the  
13 Guardianship and Advocacy Commission, other State agencies as  
14 appropriate, nursing facility and IMD operators, community  
15 mental health agency representatives, and supportive housing  
16 providers.

17 Section 10. The Illinois Public Aid Code is amended by  
18 adding Section 5-5e as follows:

19 (305 ILCS 5/5-5e new)

20 Sec. 5-5e. Persons with mental illness; transition  
21 services and supportive living facilities. The Department of  
22 Public Aid shall apply for any necessary waivers pursuant to  
23 Section 1915(c) of the Social Security Act to facilitate  
24 transition services for persons with mental illness and to  
25 develop supportive living facilities for persons with mental  
26 illness. Any such waiver application shall be developed in  
27 cooperation with the Department of Human Services, the  
28 Department of Public Health, the Guardianship and Advocacy  
29 Commission, other State agencies as appropriate, operators of  
30 facilities licensed under the Nursing Home Care Act, operators  
31 of institutions for mental diseases, community mental health  
32 agency representatives, and supportive housing providers. For  
33 purposes of this Section, "institution for mental diseases"  
34 means a facility licensed under the Nursing Home Care Act, in

1 which services to residents are ineligible for federal  
2 financial participation under the Medicaid program because  
3 mental illness is the specific reason for being in the facility  
4 for more than 50% of the residents over 21 years of age and  
5 under 65 years of age.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.