



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4993

by Rep. Margaret A. DeLaRosa

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1340/Act rep.	
20 ILCS 1705/64 rep.	
20 ILCS 2410/7	from Ch. 23, par. 3417
325 ILCS 27/Act rep.	
405 ILCS 5/5-111	from Ch. 91 1/2, par. 5-111
405 ILCS 5/5-113	from Ch. 91 1/2, par. 5-113
405 ILCS 5/6-101	from Ch. 91 1/2, par. 6-101
405 ILCS 5/5-112 rep.	
725 ILCS 207/90	

Amends the Mental Health and Developmental Disabilities Code. In provisions concerning appeals of the Department of Human Services' determination of services charges, removes all references to the Board of Reimbursement Appeals and instead provides that appeal hearings shall be conducted in accordance with specified Department rules and provisions under the Illinois Administrative Procedure Act and that a final administrative decision is subject to judicial review. Makes conforming changes to the Sexually Violent Persons Commitment Act. Repeals the Regional Integrated Behavioral Health Networks Act and the Afterschool Youth Development Project Act. Amends the Mental Health and Developmental Disabilities Administrative Act by repealing a provision on the establishment of the Advisory Committee on Geriatric Services. Amends the Bureau for the Blind Act. In a provision concerning the Blind Services Planning Council, extends the term limits for Council members to 4 (rather than 3) years in subsequent terms after their initial term; and provides that no member shall serve more than 3 (rather than 2) terms.

LRB104 18723 KTG 32166 b

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 (20 ILCS 1340/Act rep.)

5 Section 5. The Regional Integrated Behavioral Health  
6 Networks Act is repealed.

7 (20 ILCS 1705/64 rep.)

8 Section 10. The Mental Health and Developmental  
9 Disabilities Administrative Act is amended by repealing  
10 Section 64.

11 Section 15. The Bureau for the Blind Act is amended by  
12 changing Section 7 as follows:

13 (20 ILCS 2410/7) (from Ch. 23, par. 3417)

14 Sec. 7. Council. There shall be created within the  
15 Department a Blind Services Planning Council which shall  
16 review the actions of the Bureau for the Blind and provide  
17 advice and consultation to the Secretary on services to blind  
18 people. The Council shall be composed of 11 members appointed  
19 by the Governor. All members shall be selected because of  
20 their ability to provide worthwhile consultation or services  
21 to the blind. No fewer than 6 members shall be blind. A

1 relative balance between the number of males and females shall  
2 be maintained. Broad representation shall be sought by  
3 appointment, with 2 members from each of the major statewide  
4 consumer organizations of the blind and one member from a  
5 specific service area including, but not limited to, the  
6 Hadley School for the Blind, Chicago Lighthouse,  
7 Department-approved Low Vision Aids Clinics, Vending  
8 Facilities Operators, the Association for the Education and  
9 Rehabilitation of the Blind and Visually Impaired (AER), blind  
10 homemakers, outstanding competitive employers of blind people,  
11 providers and recipients of income maintenance programs,  
12 in-home care programs, subsidized housing, nursing homes, and  
13 homes for the blind.

14 Initially, 4 members shall be appointed for terms of one  
15 year, 4 for terms of 2 years, and 3 for terms of 3 years with a  
16 partial term of 18 months or more counting as a full term.  
17 Subsequent terms shall be 4 ~~3~~ years each. No member shall serve  
18 more than 3 ~~2~~ terms. No Department employee shall be a member  
19 of the Council.

20 Members shall be removed for cause, including, but not  
21 limited to, demonstrated incompetence, unethical behavior, and  
22 unwillingness or inability to serve.

23 Members shall serve without pay but shall be reimbursed  
24 for actual expenses incurred in the performance of their  
25 duties.

26 Members shall be governed by appropriate and applicable

1 State and federal statutes and regulations on matters such as  
2 ethics, confidentiality, freedom of information, travel, and  
3 civil rights.

4 Department staff may attend meetings but shall not be a  
5 voting member of the Council. The Council shall elect a  
6 chairperson and a recording secretary from among its number.  
7 Sub-committees and ad hoc committees may be created to  
8 concentrate on specific program components or initiative  
9 areas.

10 The Council shall perform the following functions:

11 (a) Facilitate communication and cooperative efforts  
12 between the Department and all agencies which have any  
13 responsibility to deliver services to blind and visually  
14 impaired persons.

15 (b) Identify needs and problems related to blind and  
16 visually impaired persons, including children, adults, and  
17 seniors, and make recommendations to the Secretary, Bureau  
18 Director, and Governor.

19 (c) Recommend programmatic and fiscal priorities  
20 governing the provision of services and awarding of grants  
21 or contracts by the Department to any person or agency,  
22 public or private.

23 (d) Conduct, encourage, and advise independent  
24 research by qualified evaluators to improve services to  
25 blind and visually impaired persons, including those with  
26 multiple disabilities.

1 (e) Participate in the development and review of  
2 proposed and amended rules and regulations of the  
3 Department relating to services for the blind and visually  
4 impaired.

5 (f) Review and comment on all budgets (drafted and  
6 submitted) relating to services for blind and visually  
7 impaired persons.

8 (g) Promote policies and programs to educate the  
9 public and elicit public support for services to blind and  
10 visually impaired persons.

11 (h) Encourage creative and innovative programs to  
12 strengthen, expand, and improve services for blind and  
13 visually impaired persons, including outreach services.

14 (i) Perform such other duties as may be required by  
15 the Governor, Secretary, and Bureau Director.

16 The Council shall supersede and replace all advisory  
17 committees now functioning within the Bureau of Rehabilitation  
18 Services for the Blind, with the exception of federally  
19 mandated advisory groups.

20 (Source: P.A. 104-417, eff. 8-15-25.)

21 (325 ILCS 27/Act rep.)

22 Section 20. The Afterschool Youth Development Project Act  
23 is repealed.

24 Section 25. The Mental Health and Developmental

1 Disabilities Code is amended by changing Sections 5-111,  
2 5-113, and 6-101 as follows:

3 (405 ILCS 5/5-111) (from Ch. 91 1/2, par. 5-111)

4 Sec. 5-111. Any person who has been issued a Notice of  
5 Determination of sums due as services charges may petition the  
6 Department for a review of that determination. The petition  
7 must be in writing and filed with the Department within 90 days  
8 from the date of the Notice of Determination. The Department  
9 shall provide for a hearing to be held on the charges for the  
10 period covered by the petition. The Department may after such  
11 hearing, cancel, modify or increase such former determination  
12 to an amount not to exceed the maximum provided for such person  
13 by this Act. The hearing shall be conducted in accordance with  
14 the Department's rules under 89 Ill. Adm. Code 508 and Article  
15 10 of the Illinois Administrative Procedure Act. A final  
16 administrative decision of the Department is subject to  
17 judicial review under Section 6-101. ~~The Department at its~~  
18 ~~expense shall take testimony and preserve a record of all~~  
19 ~~proceedings at the hearing upon any petition for a release~~  
20 ~~from or modification of such determination. The petition and~~  
21 ~~other documents in the nature of pleadings and motions filed~~  
22 ~~in the case, a transcript of testimony, findings of the~~  
23 ~~Department, and orders of the Secretary constitute the record.~~  
24 ~~The Secretary shall furnish a transcript of such record to any~~  
25 ~~person upon payment therefor of 75¢ per page for each original~~

1 ~~transcript and 25¢ per page for each copy thereof. Any person~~  
2 ~~aggrieved by the decision of the Department upon such hearing~~  
3 ~~may, within 30 days thereafter, file a petition with the~~  
4 ~~Department for review of such decision by the Board of~~  
5 ~~Reimbursement Appeals. The Board of Reimbursement Appeals may~~  
6 ~~approve action taken by the Department or may remand the case~~  
7 ~~to the Secretary with recommendations for redetermination of~~  
8 ~~charges.~~

9 (Source: P.A. 89-507, eff. 7-1-97.)

10 (405 ILCS 5/5-113) (from Ch. 91 1/2, par. 5-113)

11 Sec. 5-113. Following a final administrative decision and  
12 upon ~~Upon receiving a petition for review under Section 5-111,~~  
13 ~~the Department shall thereupon notify the Board of~~  
14 ~~Reimbursement Appeals which shall render its decision thereon~~  
15 ~~within 30 days after the petition is filed and certify such~~  
16 ~~decision to the Department. Concurrence of a majority of the~~  
17 ~~Board is necessary in any such decision. Upon request of the~~  
18 ~~Department, the State's Attorney of the county in which a~~  
19 ~~responsible relative or a recipient who is liable under this~~  
20 ~~Act for payment of sums representing services charges resides,~~  
21 ~~shall institute appropriate legal action against any such~~  
22 ~~responsible relative, or the recipient, or within the time~~  
23 ~~provided by law shall file a claim against the estate of such~~  
24 ~~recipient who fails or refuses to pay those charges. The court~~  
25 ~~shall order the payment of sums due for services charges for~~

1 such period or periods of time as the circumstances require,  
2 except that no responsible relative may be held liable for  
3 charges for services furnished to a recipient if such charges  
4 were assessed more than 5 years prior to the time the action is  
5 filed; but such 5 year limitation does not apply to the  
6 liability of a recipient or recipient's estate. Such order may  
7 be entered against any or all such defendants and may be based  
8 upon the proportionate ability of each defendant to contribute  
9 to the payment of sums representing services charges including  
10 the actual charges for services in facilities outside the  
11 Department where the Department has paid such charges. Orders  
12 for the payment of money may be enforced by attachment as for  
13 contempt against the persons of the defendants and, in  
14 addition, as other judgments for the payment of money, and  
15 costs may be adjudged against the defendants and apportioned  
16 among them.

17 (Source: P.A. 80-1414.)

18 (405 ILCS 5/6-101) (from Ch. 91 1/2, par. 6-101)

19 Sec. 6-101. Any person affected by a final administrative  
20 decision of the Department ~~or the Board of Reimbursement~~  
21 ~~Appeals~~, pursuant to this Act, may have such decisions  
22 reviewed only under and in accordance with the Administrative  
23 Review Law, as now or hereafter amended. The Administrative  
24 Review Law, as amended, and the rules adopted pursuant  
25 thereto, apply to and govern all proceedings for the judicial

1 review of final administrative decisions of the Department  
2 hereunder. The term "administrative decision" is defined as in  
3 Section 3-101 of the Code of Civil Procedure.

4 (Source: P.A. 82-783.)

5 (405 ILCS 5/5-112 rep.)

6 Section 30. The Mental Health and Developmental  
7 Disabilities Code is amended by repealing Section 5-112.

8 Section 35. The Sexually Violent Persons Commitment Act is  
9 amended by changing Section 90 as follows:

10 (725 ILCS 207/90)

11 Sec. 90. Committed persons ability to pay for services.  
12 Each person committed or detained under this Act who receives  
13 services provided directly or funded by the Department and the  
14 estate of that person is liable for the payment of sums  
15 representing charges for services to the person at a rate to be  
16 determined by the Department. Services charges against that  
17 person take effect on the date of admission or the effective  
18 date of this Section. The Department in its rules may  
19 establish a maximum rate for the cost of services. In the case  
20 of any person who has received residential services from the  
21 Department, whether directly from the Department or through a  
22 public or private agency or entity funded by the Department,  
23 the liability shall be the same regardless of the source of

1 services. When the person is placed in a facility outside the  
2 Department, the facility shall collect reimbursement from the  
3 person. The Department may supplement the contribution of the  
4 person to private facilities after all other sources of income  
5 have been utilized; however the supplement shall not exceed  
6 the allowable rate under Title XVIII or Title XIX of the  
7 Federal Social Security Act for those persons eligible for  
8 those respective programs. The Department may pay the actual  
9 costs of services or maintenance in the facility and may  
10 collect reimbursement for the entire amount paid from the  
11 person or an amount not to exceed the maximum. Lesser or  
12 greater amounts may be accepted by the Department when  
13 conditions warrant that action or when offered by persons not  
14 liable under this Act. Nothing in this Section shall preclude  
15 the Department from applying federal benefits that are  
16 specifically provided for the care and treatment of a person  
17 with a disability toward the cost of care provided by a State  
18 facility or private agency. The Department may investigate the  
19 financial condition of each person committed under this Act,  
20 may make determinations of the ability of each such person to  
21 pay sums representing services charges, and for those purposes  
22 may set a standard as a basis of judgment of ability to pay.  
23 The Department shall by rule make provisions for unusual and  
24 exceptional circumstances in the application of that standard.  
25 The Department may issue to any person liable under this Act a  
26 statement of amount due as treatment charges requiring him or

1 her to pay monthly, quarterly, or otherwise as may be  
2 arranged, an amount not exceeding that required under this  
3 Act, plus fees to which the Department may be entitled under  
4 this Act.

5 (a) Whenever an individual is covered, in part or in  
6 whole, under any type of insurance arrangement, private or  
7 public, for services provided by the Department, the proceeds  
8 from the insurance shall be considered as part of the  
9 individual's ability to pay notwithstanding that the insurance  
10 contract was entered into by a person other than the  
11 individual or that the premiums for the insurance were paid  
12 for by a person other than the individual. Remittances from  
13 intermediary agencies under Title XVIII of the Federal Social  
14 Security Act for services to committed persons shall be  
15 deposited with the State Treasurer and placed in the Mental  
16 Health Fund. Payments received from the Department of  
17 Healthcare and Family Services under Title XIX of the Federal  
18 Social Security Act for services to those persons shall be  
19 deposited with the State Treasurer and shall be placed in the  
20 General Revenue Fund.

21 (b) Any person who has been issued a Notice of  
22 Determination of sums due as services charges may petition the  
23 Department for a review of that determination. The petition  
24 must be in writing and filed with the Department within 90 days  
25 from the date of the Notice of Determination. The Department  
26 shall provide for a hearing to be held on the charges for the

1 period covered by the petition. The Department may after the  
2 hearing, cancel, modify, or increase the former determination  
3 to an amount not to exceed the maximum provided for the person  
4 by this Act. The hearing shall be conducted in accordance with  
5 the Department's rules under 89 Ill. Adm. Code 508 and Article  
6 10 of the Illinois Administrative Procedure Act. Any person  
7 affected by a final administrative decision of the Department,  
8 pursuant to this Section, may have such decision reviewed only  
9 under and in accordance with the Administrative Review Law.  
10 The Administrative Review Law and the rules adopted pursuant  
11 thereto apply to and govern all proceedings for the judicial  
12 review of final administrative decisions of the Department  
13 under this Section. As used in this subsection,  
14 "administrative decision" has the same meaning ascribed to  
15 that term in Section 3-101 of the Code of Civil Procedure. The  
16 ~~Department at its expense shall take testimony and preserve a~~  
17 ~~record of all proceedings at the hearing upon any petition for~~  
18 ~~a release from or modification of the determination. The~~  
19 ~~petition and other documents in the nature of pleadings and~~  
20 ~~motions filed in the case, a transcript of testimony, findings~~  
21 ~~of the Department, and orders of the Secretary constitute the~~  
22 ~~record. The Secretary shall furnish a transcript of the record~~  
23 ~~to any person upon payment of 75¢ per page for each original~~  
24 ~~transcript and 25¢ per page for each copy of the transcript.~~  
25 ~~Any person aggrieved by the decision of the Department upon a~~  
26 ~~hearing may, within 30 days thereafter, file a petition with~~

1 ~~the Department for review of the decision by the Board of~~  
2 ~~Reimbursement Appeals established in the Mental Health and~~  
3 ~~Developmental Disabilities Code. The Board of Reimbursement~~  
4 ~~Appeals may approve action taken by the Department or may~~  
5 ~~remand the case to the Secretary with recommendation for~~  
6 ~~redetermination of charges.~~

7       (c) Following a final administrative decision and upon  
8 ~~Upon receiving a petition for review under subsection (b) of~~  
9 ~~this Section, the Department shall thereupon notify the Board~~  
10 ~~of Reimbursement Appeals which shall render its decision~~  
11 ~~thereon within 30 days after the petition is filed and certify~~  
12 ~~such decision to the Department. Concurrence of a majority of~~  
13 ~~the Board is necessary in any such decision. Upon request of~~  
14 the Department, the State's Attorney of the county in which a  
15 client who is liable under this Act for payment of sums  
16 representing services charges resides, shall institute  
17 appropriate legal action against any such client, or within  
18 the time provided by law shall file a claim against the estate  
19 of the client who fails or refuses to pay those charges. The  
20 court shall order the payment of sums due for services charges  
21 for such period or periods of time as the circumstances  
22 require. The order may be entered against any defendant and  
23 may be based upon the proportionate ability of each defendant  
24 to contribute to the payment of sums representing services  
25 charges including the actual charges for services in  
26 facilities outside the Department where the Department has

1 paid those charges. Orders for the payment of money may be  
2 enforced by attachment as for contempt against the persons of  
3 the defendants and, in addition, as other judgments for the  
4 payment of money, and costs may be adjudged against the  
5 defendants and apportioned among them.

6 (d) The money collected shall be deposited into the Mental  
7 Health Fund.

8 (Source: P.A. 99-143, eff. 7-27-15.)