



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2387

Introduced 2/26/2021, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

See Index

Amends the Rehabilitation of Persons with Disabilities Act. Provides that the Department of Human Services shall prescribe and supervise such courses of vocational training and provide such other services as may be necessary for the vocational rehabilitation of persons with one or more disabilities. Requires the Department to cooperate with State and local school authorities and other recognized agencies engaged in vocational rehabilitation services; and to cooperate with the Illinois State Board of Education and other specified entities regarding the education (rather than care and education) of children with one or more disabilities. Requires the Department to submit an annual report to the Governor on the programs, activities, and funding dedicated to vocational rehabilitation, independent living, and other community services and supports. Requires the Statewide Independent Living Council (Council) to develop a State Plan for Independent Living. Removes a provision that gives the Council the authority to appoint jointly with the vocational rehabilitation administrator a peer review committee to consider and make recommendations for grants to eligible centers for independent living. Makes changes to provisions concerning grants awards to eligible centers for independent living; periodic reviews conducted on those centers for independent living; and other matters. Repeals provisions regarding community services for persons with visual disabilities at the Illinois Center for Rehabilitation and Education. Amends the Disabilities Services Act of 2003. Repeals provisions regarding the operation of a Rapid Reintegration Pilot Program by the Department of Human Services.

LRB102 12828 KTG 18170 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 Rehabilitation of Persons with Disabilities
5 Act is amended by changing Sections 1b, 3, 5, 5a, 9, 12a, and
6 13a as follows:

7 (20 ILCS 2405/1b) (from Ch. 23, par. 3432)

8 Sec. 1b. Definitions. ~~As used in For the purpose of this~~
9 ~~Act; , the term~~

10 "Person ~~person~~ with one or more disabilities" means a any
11 person who, by reason of a physical or mental impairment, is or
12 may be expected to require assistance to achieve ~~be totally or~~
13 ~~partially incapacitated for~~ independent living or competitive
14 integrated employment.

15 "Vocational rehabilitation" ~~gainful employment; the term~~
16 ~~"rehabilitation" or "habilitation"~~ means those vocational or
17 other appropriate services that ~~which~~ increase the
18 opportunities for competitive integrated employment.

19 "Independent living" ~~independent functioning or gainful~~
20 ~~employment; the term "comprehensive rehabilitation"~~ means
21 those services necessary and appropriate to support community
22 living and independence.

23 "Director" ~~for increasing the potential for independent~~

1 ~~living or gainful employment as applicable; the term~~
2 ~~"vocational rehabilitation administrator"~~ means the head of
3 the designated State unit within the Department responsible
4 for administration of rehabilitation and independent living
5 services provided for in this Act, including but not limited
6 to the administration of the federal Rehabilitation Act of
7 1973, as amended by the Workforce Innovation and Opportunity
8 Act.; ~~the term~~

9 "Department" means the Department of Human Services. ~~and~~
10 ~~the term~~

11 "Secretary" means the Secretary of the Department of Human
12 Services.

13 (Source: P.A. 89-507, eff. 7-1-97; 90-453, eff. 8-16-97.)

14 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

15 Sec. 3. Powers and duties. The Department shall have the
16 powers and duties enumerated herein:

17 (a) To cooperate ~~co-operate~~ with the federal
18 government in the administration of the provisions of the
19 federal Rehabilitation Act of 1973, as amended by, ~~of~~ the
20 Workforce Innovation and Opportunity Act, and of the
21 federal Social Security Act to the extent and in the
22 manner provided in these Acts.

23 (b) To prescribe and supervise such courses of
24 vocational training and provide such other services as may
25 be necessary for the vocational ~~habilitation~~ and

1 rehabilitation of persons with one or more disabilities,
2 including the administrative activities under subsection
3 (e) of this Section; ~~and to cooperate~~ co-operate with
4 State and local school authorities and other recognized
5 agencies engaged in vocational ~~habilitation,~~
6 ~~rehabilitation and comprehensive~~ rehabilitation services;
7 and to cooperate with the Department of Children and
8 Family Services, the Illinois State Board of Education,
9 and others regarding the ~~care and~~ education of children
10 with one or more disabilities.

11 (c) (Blank).

12 (d) To report in writing, to the Governor, annually on
13 or before the first day of December, and at such other
14 times and in such manner and upon such subjects as the
15 Governor may require. The annual report shall contain (1)
16 information on the programs and activities dedicated to
17 vocational rehabilitation, independent living, and other
18 community services and supports administered by the
19 Director; (2) information on the development of vocational
20 rehabilitation services, independent living services, and
21 supporting services administered by the Director in the
22 State; and (3) information detailing ~~a statement of the~~
23 ~~existing condition of comprehensive rehabilitation~~
24 ~~services, habilitation and rehabilitation in the State;~~
25 ~~(2) a statement of suggestions and recommendations with~~
26 ~~reference to the development of comprehensive~~

1 ~~rehabilitation services, habilitation and rehabilitation~~
2 ~~in the State; and (3) an itemized statement of~~ the amounts
3 of money received from federal, State, and other sources,
4 and of the objects and purposes to which the respective
5 items of these several amounts have been devoted.

6 (e) (Blank).

7 (f) To establish a program of services to prevent the
8 unnecessary institutionalization of persons in need of
9 long term care and who meet the criteria for blindness or
10 disability as defined by the Social Security Act, thereby
11 enabling them to remain in their own homes. Such
12 preventive services include any or all of the following:

- 13 (1) personal assistant services;
- 14 (2) homemaker services;
- 15 (3) home-delivered meals;
- 16 (4) adult day care services;
- 17 (5) respite care;
- 18 (6) home modification or assistive equipment;
- 19 (7) home health services;
- 20 (8) electronic home response;
- 21 (9) brain injury behavioral/cognitive services;
- 22 (10) brain injury habilitation;
- 23 (11) brain injury pre-vocational services; or
- 24 (12) brain injury supported employment.

25 The Department shall establish eligibility standards
26 for such services taking into consideration the unique

1 economic and social needs of the population for whom they
2 are to be provided. Such eligibility standards may be
3 based on the recipient's ability to pay for services;
4 provided, however, that any portion of a person's income
5 that is equal to or less than the "protected income" level
6 shall not be considered by the Department in determining
7 eligibility. The "protected income" level shall be
8 determined by the Department, shall never be less than the
9 federal poverty standard, and shall be adjusted each year
10 to reflect changes in the Consumer Price Index For All
11 Urban Consumers as determined by the United States
12 Department of Labor. The standards must provide that a
13 person may not have more than \$10,000 in assets to be
14 eligible for the services, and the Department may increase
15 or decrease the asset limitation by rule. The Department
16 may not decrease the asset level below \$10,000.

17 The services shall be provided, as established by the
18 Department by rule, to eligible persons to prevent
19 unnecessary or premature institutionalization, to the
20 extent that the cost of the services, together with the
21 other personal maintenance expenses of the persons, are
22 reasonably related to the standards established for care
23 in a group facility appropriate to their condition. These
24 non-institutional services, pilot projects or experimental
25 facilities may be provided as part of or in addition to
26 those authorized by federal law or those funded and

1 administered by the Illinois Department on Aging. The
2 Department shall set rates and fees for services in a fair
3 and equitable manner. Services identical to those offered
4 by the Department on Aging shall be paid at the same rate.

5 Except as otherwise provided in this paragraph,
6 personal assistants shall be paid at a rate negotiated
7 between the State and an exclusive representative of
8 personal assistants under a collective bargaining
9 agreement. In no case shall the Department pay personal
10 assistants an hourly wage that is less than the federal
11 minimum wage. Within 30 days after July 6, 2017 (the
12 effective date of Public Act 100-23), the hourly wage paid
13 to personal assistants and individual maintenance home
14 health workers shall be increased by \$0.48 per hour.

15 Solely for the purposes of coverage under the Illinois
16 Public Labor Relations Act, personal assistants providing
17 services under the Department's Home Services Program
18 shall be considered to be public employees and the State
19 of Illinois shall be considered to be their employer as of
20 July 16, 2003 (the effective date of Public Act 93-204),
21 but not before. Solely for the purposes of coverage under
22 the Illinois Public Labor Relations Act, home care and
23 home health workers who function as personal assistants
24 and individual maintenance home health workers and who
25 also provide services under the Department's Home Services
26 Program shall be considered to be public employees, no

1 matter whether the State provides such services through
2 direct fee-for-service arrangements, with the assistance
3 of a managed care organization or other intermediary, or
4 otherwise, and the State of Illinois shall be considered
5 to be the employer of those persons as of January 29, 2013
6 (the effective date of Public Act 97-1158), but not before
7 except as otherwise provided under this subsection (f).
8 The State shall engage in collective bargaining with an
9 exclusive representative of home care and home health
10 workers who function as personal assistants and individual
11 maintenance home health workers working under the Home
12 Services Program concerning their terms and conditions of
13 employment that are within the State's control. Nothing in
14 this paragraph shall be understood to limit the right of
15 the persons receiving services defined in this Section to
16 hire and fire home care and home health workers who
17 function as personal assistants and individual maintenance
18 home health workers working under the Home Services
19 Program or to supervise them within the limitations set by
20 the Home Services Program. The State shall not be
21 considered to be the employer of home care and home health
22 workers who function as personal assistants and individual
23 maintenance home health workers working under the Home
24 Services Program for any purposes not specifically
25 provided in Public Act 93-204 or Public Act 97-1158,
26 including but not limited to, purposes of vicarious

1 liability in tort and purposes of statutory retirement or
2 health insurance benefits. Home care and home health
3 workers who function as personal assistants and individual
4 maintenance home health workers and who also provide
5 services under the Department's Home Services Program
6 shall not be covered by the State Employees Group
7 Insurance Act of 1971.

8 The Department shall execute, relative to nursing home
9 prescreening, as authorized by Section 4.03 of the
10 Illinois Act on the Aging, written inter-agency agreements
11 with the Department on Aging and the Department of
12 Healthcare and Family Services, to effect the intake
13 procedures and eligibility criteria for those persons who
14 may need long term care. On and after July 1, 1996, all
15 nursing home prescreenings for individuals 18 through 59
16 years of age shall be conducted by the Department, or a
17 designee of the Department.

18 The Department is authorized to establish a system of
19 recipient cost-sharing for services provided under this
20 Section. The cost-sharing shall be based upon the
21 recipient's ability to pay for services, but in no case
22 shall the recipient's share exceed the actual cost of the
23 services provided. Protected income shall not be
24 considered by the Department in its determination of the
25 recipient's ability to pay a share of the cost of
26 services. The level of cost-sharing shall be adjusted each

1 year to reflect changes in the "protected income" level.
2 The Department shall deduct from the recipient's share of
3 the cost of services any money expended by the recipient
4 for disability-related expenses.

5 To the extent permitted under the federal Social
6 Security Act, the Department, or the Department's
7 authorized representative, may recover the amount of
8 moneys expended for services provided to or in behalf of a
9 person under this Section by a claim against the person's
10 estate or against the estate of the person's surviving
11 spouse, but no recovery may be had until after the death of
12 the surviving spouse, if any, and then only at such time
13 when there is no surviving child who is under age 21 or
14 blind or who has a permanent and total disability. This
15 paragraph, however, shall not bar recovery, at the death
16 of the person, of moneys for services provided to the
17 person or in behalf of the person under this Section to
18 which the person was not entitled; provided that such
19 recovery shall not be enforced against any real estate
20 while it is occupied as a homestead by the surviving
21 spouse or other dependent, if no claims by other creditors
22 have been filed against the estate, or, if such claims
23 have been filed, they remain dormant for failure of
24 prosecution or failure of the claimant to compel
25 administration of the estate for the purpose of payment.
26 This paragraph shall not bar recovery from the estate of a

1 spouse, under Sections 1915 and 1924 of the Social
2 Security Act and Section 5-4 of the Illinois Public Aid
3 Code, who precedes a person receiving services under this
4 Section in death. All moneys for services paid to or in
5 behalf of the person under this Section shall be claimed
6 for recovery from the deceased spouse's estate.
7 "Homestead", as used in this paragraph, means the dwelling
8 house and contiguous real estate occupied by a surviving
9 spouse or relative, as defined by the rules and
10 regulations of the Department of Healthcare and Family
11 Services, regardless of the value of the property.

12 The Department shall submit an annual report on
13 programs and services provided under this Section. The
14 report shall be filed with the Governor and the General
15 Assembly on or before March 30 each year.

16 ~~The requirement for reporting to the General Assembly~~
17 ~~shall be satisfied by filing copies of the report as~~
18 ~~required by Section 3.1 of the General Assembly~~
19 ~~Organization Act, and filing additional copies with the~~
20 ~~State Government Report Distribution Center for the~~
21 ~~General Assembly as required under paragraph (t) of~~
22 ~~Section 7 of the State Library Act.~~

23 (g) To establish such subdivisions of the Department
24 as shall be desirable and assign to the various
25 subdivisions the responsibilities and duties placed upon
26 the Department by law.

1 (h) To cooperate and enter into any necessary
2 agreements with the Department of Employment Security for
3 the provision of job placement and job referral services
4 to clients of the Department, including job service
5 registration of such clients with Illinois Employment
6 Security offices and making job listings maintained by the
7 Department of Employment Security available to such
8 clients.

9 (i) To possess all powers reasonable and necessary for
10 the exercise and administration of the powers, duties and
11 responsibilities of the Department which are provided for
12 by law.

13 (j) (Blank).

14 (k) (Blank).

15 (l) To establish, operate, and maintain a Statewide
16 Housing Clearinghouse of information on available
17 government subsidized housing accessible to persons with
18 disabilities and available privately owned housing
19 accessible to persons with disabilities. The information
20 shall include, but not be limited to, the location, rental
21 requirements, access features and proximity to public
22 transportation of available housing. The Clearinghouse
23 shall consist of at least a computerized database for the
24 storage and retrieval of information and a separate or
25 shared toll free telephone number for use by those seeking
26 information from the Clearinghouse. Department offices and

1 personnel throughout the State shall also assist in the
2 operation of the Statewide Housing Clearinghouse.
3 Cooperation with local, State, and federal housing
4 managers shall be sought and extended in order to
5 frequently and promptly update the Clearinghouse's
6 information.

7 (m) To assure that the names and case records of
8 persons who received or are receiving services from the
9 Department, including persons receiving vocational
10 rehabilitation, home services, or other services, and
11 those attending one of the Department's schools or other
12 supervised facility shall be confidential and not be open
13 to the general public. Those case records and reports or
14 the information contained in those records and reports
15 shall be disclosed by the Director only to proper law
16 enforcement officials, individuals authorized by a court,
17 the General Assembly or any committee or commission of the
18 General Assembly, and other persons and for reasons as the
19 Director designates by rule. Disclosure by the Director
20 may be only in accordance with other applicable law.

21 (Source: P.A. 99-143, eff. 7-27-15; 100-23, eff. 7-6-17;
22 100-477, eff. 9-8-17; 100-587, eff. 6-4-18; 100-863, eff.
23 8-14-18; 100-1148, eff. 12-10-18.)

24 (20 ILCS 2405/5) (from Ch. 23, par. 3436)

25 Sec. 5. The Department is authorized to receive such gifts

1 or donations, either from public or private sources, as may be
2 offered unconditionally or under such conditions related to
3 the comprehensive vocational rehabilitation services,
4 independent living services, and other community services and
5 supports administered by the Director for ~~habilitation and~~
6 ~~rehabilitation of~~ persons with one or more disabilities, as in
7 the judgment of the Department are proper and consistent with
8 the provisions of this Act.

9 (Source: P.A. 94-91, eff. 7-1-05.)

10 (20 ILCS 2405/5a) (from Ch. 23, par. 3437)

11 Sec. 5a. The State of Illinois does hereby (1) accept the
12 provisions and benefits of the act of Congress entitled the
13 Rehabilitation Act of 1973, as amended by the Workforce
14 Innovation and Opportunity Act ~~heretofore and hereafter~~
15 ~~amended~~, (2) designate the State Treasurer as custodian of all
16 moneys received by the State from appropriations made by the
17 Congress of the United States for comprehensive vocational
18 rehabilitation services and related services for persons
19 ~~habilitation and rehabilitation of persons~~ with one or more
20 disabilities, to be kept in a fund to be known as the
21 Vocational Rehabilitation Fund, and authorize the State
22 treasurer to make disbursements therefrom upon the order of
23 the Department, and (3) empower and direct the Department to
24 cooperate with the federal government in carrying out the
25 provisions of the Rehabilitation Act of 1973, as amended by

1 the Workforce Innovation and Opportunity Act.

2 (Source: P.A. 88-500.)

3 (20 ILCS 2405/9) (from Ch. 23, par. 3440)

4 Sec. 9. Whenever, in the course of its vocational
5 rehabilitation program, ~~rehabilitation and habilitation~~
6 ~~program,~~ the Department has provided tools, equipment, initial
7 stock or other supplies to a person with one or more
8 disabilities to establish a business enterprise as a
9 self-employed person, other than a business enterprise under
10 the supervision and management of a non-profit agency, the
11 Department may, in its discretion, convey title to such tools,
12 equipment, initial stock or other supplies at any time after
13 the expiration of 6 months after such items are provided to
14 that person.

15 (Source: P.A. 86-607.)

16 (20 ILCS 2405/12a) (from Ch. 23, par. 3443a)

17 Sec. 12a. Centers for independent living.

18 (a) Purpose. Recognizing that persons with significant
19 disabilities deserve a high quality of life within their
20 communities regardless of their disabilities, ~~the Department,~~
21 ~~working with~~ the Statewide Independent Living Council, shall
22 develop a State Plan for Independent Living for approval by
23 the Department and subsequent submission to the Administrator
24 based on federally prescribed timeframes. ~~plan for submission~~

1 ~~on an annual basis to the Commissioner.~~ The Department shall
2 adopt rules for implementing the State Plan for Independent
3 Living plan in accordance with the federal Act, including
4 rules adopted under the federal Act governing the award of
5 grants.

6 (b) Definitions. As used in this Section, unless the
7 context clearly requires otherwise:

8 "Administrator" means the Administrator of the
9 Administration for Community Living in the United States
10 Department of Health and Human Services.

11 ~~"Federal Act" means the federal Rehabilitation Act of~~
12 ~~1973, as amended.~~

13 "Center for independent living" means a consumer
14 controlled, community based, cross-disability,
15 non-residential, private non-profit agency that is designated
16 and operated within a local community by individuals with
17 disabilities and provides an array of independent living
18 services.

19 "Consumer controlled" means that the center for
20 independent living vests power and authority in individuals
21 with disabilities and that at least 51% of the directors of the
22 center are persons with one or more disabilities as defined by
23 this Act.

24 ~~"Commissioner" means the Commissioner of the~~
25 ~~Rehabilitation Services Administration in the United States~~
26 ~~Department of Education.~~

1 "Council" means the Statewide Independent Living Council
2 appointed under subsection (d).

3 "Federal Act" means the federal Rehabilitation Act of
4 1973, as amended.

5 "Individual with a disability" means any individual who
6 has a physical or mental impairment that substantially limits
7 a major life activity, has a record of such an impairment, or
8 is regarded as having such an impairment.

9 "Individual with a significant disability" means an
10 individual with a significant physical or mental impairment,
11 whose ability to function independently in the family or
12 community or whose ability to obtain, maintain, or advance in
13 employment is substantially limited and for whom the delivery
14 of independent living services will improve the ability to
15 function, continue functioning, or move toward functioning
16 independently in the family or community or to continue in
17 employment.

18 "State Plan for Independent Living plan" means the
19 materials submitted by the Statewide Independent Living
20 Council, after receiving the approval of the Department, to
21 the Administrator based on federally prescribed timeframes
22 ~~Department to the Commissioner on an annual basis~~ that contain
23 the State's proposal for:

24 (1) The provision of statewide independent living
25 services.

26 (2) The development and support of a statewide network

1 of centers for independent living.

2 (3) Working relationships between (i) programs
3 providing independent living services and independent
4 living centers and (ii) the vocational rehabilitation
5 program administered by the Department under the federal
6 Act and other programs providing services for individuals
7 with disabilities.

8 (c) Authority. The unit of the Department headed by the
9 Director, or his or her designee, ~~vocational rehabilitation~~
10 ~~administrator~~ shall be designated the State unit under Title
11 VII of the federal Act and shall have the following
12 responsibilities:

13 (1) To receive, account for, and disburse funds
14 received by the State under the federal Act based on the
15 State Plan for Independent Living ~~plan~~.

16 (2) To provide administrative support services to
17 centers for independent living programs.

18 (3) To keep records, and take such actions with
19 respect to those records, as the Administrator
20 ~~Commissioner~~ finds to be necessary with respect to the
21 programs.

22 (4) To submit additional information or provide
23 assurances the Administrator ~~Commissioner~~ may require with
24 respect to the programs.

25 The ~~vocational rehabilitation administrator~~ and the
26 Chairperson of the Council is ~~are~~ responsible for jointly

1 developing ~~and signing~~ the State Plan for Independent Living
2 ~~plan~~ required by Section 704 of the federal Act. The Director,
3 or his or her designee, is responsible for approving the State
4 Plan for Independent Living prior to its submission to the
5 Administrator. The State Plan for Independent Living ~~plan~~
6 shall conform to the requirements of Section 704 of the
7 federal Act.

8 (d) Statewide Independent Living Council.

9 The Governor shall appoint a Statewide Independent Living
10 Council, comprised of 18 members, which shall be established
11 as an entity separate and distinct from the Department. The
12 composition of the Council shall include the following:

13 (1) At least one director of a center for independent
14 living chosen by the directors of centers for independent
15 living within the State.

16 (2) A representative from the unit of the Department
17 of Human Services responsible for the administration of
18 the vocational rehabilitation program and a representative
19 from another unit in the Department of Human Services that
20 provides services for individuals with disabilities and a
21 representative each from the Department on Aging, the
22 State Board of Education, and the Department of Children
23 and Family Services, all as ex officio, nonvoting
24 ~~ex officio, non-voting~~ members who shall not be counted in
25 the 18 members appointed by the Governor.

26 In addition, the Council may include the following:

1 (A) One or more representatives of centers for
2 independent living.

3 (B) One or more parents or guardians of individuals
4 with disabilities.

5 (C) One or more advocates for individuals with
6 disabilities.

7 (D) One or more representatives of private business.

8 (E) One or more representatives of organizations that
9 provide services for individuals with disabilities.

10 (F) Other appropriate individuals.

11 After soliciting recommendations from organizations
12 representing a broad range of individuals with disabilities
13 and organizations interested in individuals with disabilities,
14 the Governor shall appoint members of the Council for terms
15 beginning July 1, 1993. The Council shall be composed of
16 members (i) who provide statewide representation; (ii) who
17 represent a broad range of individuals with disabilities from
18 diverse backgrounds; (iii) who are knowledgeable about centers
19 for independent living and independent living services; and
20 (iv) a majority of whom are persons who are individuals with
21 disabilities and are not employed by any State agency or
22 center for independent living.

23 The council shall elect a chairperson from among its
24 voting membership.

25 Each member of the Council shall serve for terms of 3
26 years, except that (i) a member appointed to fill a vacancy

1 occurring before the expiration of the term for which the
2 predecessor was appointed shall be appointed for the remainder
3 of that term and (ii) terms of the members initially appointed
4 after the effective date of this amendatory Act of 1993 shall
5 be as follows: 6 of the initial members shall be appointed for
6 terms of one year, 6 shall be appointed for terms of 2 years,
7 and 6 shall be appointed for terms of 3 years. No member of the
8 council may serve more than 2 consecutive full terms.

9 Appointments to fill vacancies in unexpired terms and new
10 terms shall be filled by the Governor or by the Council if the
11 Governor delegates that power to the Council by executive
12 order. The vacancy shall not affect the power of the remaining
13 members to execute the powers and duties of the Council. The
14 Council shall have the duties enumerated in subsections (c),
15 (d), and (e) of Section 705 of the federal Act.

16 Members shall be reimbursed for their actual expenses
17 incurred in the performance of their duties, including
18 expenses for travel, child care, and personal assistance
19 services, and a member who is not employed or who must forfeit
20 wages from other employment shall be paid reasonable
21 compensation for each day the member is engaged in performing
22 the duties of the Council. The reimbursement or compensation
23 shall be paid from moneys made available to the Department
24 under Part B of Title VII of the federal Act.

25 ~~In addition to the powers and duties granted to advisory~~
26 ~~boards by Section 5 505 of the Departments of State Government~~

1 ~~Law (20 ILCS 5/5-505), the Council shall have the authority to~~
2 ~~appoint jointly with the vocational rehabilitation~~
3 ~~administrator a peer review committee to consider and make~~
4 ~~recommendations for grants to eligible centers for independent~~
5 ~~living.~~

6 (e) Grants to centers for independent living. Each center
7 for independent living that receives assistance from the
8 Department under this Section shall comply with the standards
9 and provide and comply with the assurances that are set forth
10 in the State plan and consistent with Section 725 of the
11 federal Act. Each center for independent living receiving
12 financial assistance from the Department shall provide
13 satisfactory assurances at the time and in the manner the
14 Director, or his or her designee, requires. Centers for
15 independent living receiving financial assistance from the
16 Department shall comply with grant making provisions outlined
17 in State and federal law, and with the requirements of their
18 respective grant contracts. ~~vocational rehabilitation~~
19 ~~administrator requires.~~

20 Beginning October 1, 1994, the Director, or his or her
21 designee, ~~vocational rehabilitation administrator~~ may award
22 grants to any eligible center for independent living that is
23 receiving funds under Title VII of the federal Act, unless the
24 Director, or his or her designee, ~~vocational rehabilitation~~
25 ~~administrator~~ makes a finding that the center for independent
26 living fails to comply with the standards and assurances set

1 forth in Section 725 of the federal Act.

2 If there is no center for independent living serving a
3 region of the State or the region is underserved, and the State
4 receives a federal increase in its allotment sufficient to
5 support one or more additional centers for independent living
6 in the State, the Director, or his or her designee, ~~vocational~~
7 ~~rehabilitation administrator~~ may award a grant under this
8 subsection to one or more eligible agencies, consistent with
9 the provisions of the State plan setting forth the design of
10 the State for establishing a statewide network for centers for
11 independent living.

12 In selecting from among eligible agencies in awarding a
13 grant under this subsection for a new center for independent
14 living, the Director, or his or her designee, ~~vocational~~
15 ~~rehabilitation administrator~~ and the chairperson of (or other
16 individual designated by) the Council acting on behalf of and
17 at the direction of the Council shall jointly appoint a peer
18 review committee that shall rank applications in accordance
19 with the standards and assurances set forth in Section 725 of
20 the federal Act and criteria jointly established by the
21 Director, or his or her designee, ~~vocational rehabilitation~~
22 ~~administrator~~ and the chairperson or designated individual.
23 The peer review committee shall consider the ability of the
24 applicant to operate a center for independent living and shall
25 recommend an applicant to receive a grant under this
26 subsection based on the following:

1 (1) Evidence of the need for a center for independent
2 living, consistent with the State plan.

3 (2) Any past performance of the applicant in providing
4 services comparable to independent living services.

5 (3) The applicant's plan for complying with, or
6 demonstrated success in complying with, the standards and
7 assurances set forth in Section 725 of the federal Act.

8 (4) The quality of key personnel of the applicant and
9 the involvement of individuals with significant
10 disabilities by the applicant.

11 (5) The budgets and cost effectiveness of the
12 applicant.

13 (6) The evaluation plan of the applicant.

14 (7) The ability of the applicant to carry out the
15 plan.

16 The Director, or his or her designee, ~~vocational~~
17 ~~rehabilitation administrator~~ shall award the grant on the
18 basis of the recommendation of the peer review committee if
19 the actions of the committee are consistent with federal and
20 State law.

21 (f) Evaluation and review. The Director, or his or her
22 designee, ~~vocational rehabilitation administrator~~ shall
23 periodically review each center for independent living that
24 receives funds from the Department under Title VII of the
25 federal Act, or moneys appropriated from the General Revenue
26 Fund, to determine whether the center is in compliance with

1 the standards and assurances set forth in Section 725 of the
2 federal Act, other applicable State and federal laws, and the
3 provisions of the grant contract. If the Director, or his or
4 her designee, ~~vocational rehabilitation administrator~~
5 determines that any center receiving those federal or State
6 funds is not in compliance ~~with the standards and assurances~~
7 ~~set forth in Section 725,~~ the Director, or his or her designee,
8 ~~vocational rehabilitation administrator~~ shall immediately
9 notify the center that it is out of compliance. The Director,
10 or his or her designee, shall recommend to the Secretary, or
11 his or her designee, that all funding to that center be
12 terminated ~~vocational rehabilitation administrator shall~~
13 ~~terminate all funds to that center~~ 90 days after the date of
14 notification or, in the case of a center that requests an
15 appeal, the date of any final decision, unless the center
16 submits a plan to achieve compliance within 90 days and that
17 plan is approved by the Director, or his or her designee,
18 ~~vocational rehabilitation administrator~~ or (if on appeal) by
19 the Secretary, or his or her designee ~~Commissioner.~~

20 (Source: P.A. 91-239, eff. 1-1-00; 91-540, eff. 8-13-99;
21 92-16, eff. 6-28-01.)

22 (20 ILCS 2405/13a) (from Ch. 23, par. 3444a)

23 Sec. 13a. (a) The Department shall be responsible for
24 coordinating the establishment of local Transition Planning
25 Committees. Members of the committees shall consist of

1 representatives from special education; vocational and regular
2 education; post-secondary education; parents of youth with
3 disabilities; persons with disabilities; local business or
4 industry; the Department of Human Services; public and private
5 adult service providers; case coordination; and other
6 consumer, school, and adult services as appropriate. The
7 Committee shall elect a chair and shall meet at least
8 quarterly. Each Transition Planning Committee shall:

9 (1) identify current transition services, programs,
10 and funding sources provided within the community for
11 secondary and post-secondary aged youth with disabilities
12 and their families as well as the development of
13 strategies to address unmet needs;

14 (2) facilitate the development of transition
15 interagency teams to address present and future transition
16 needs of individual students on their individual education
17 plans;

18 (3) develop a mission statement that emphasizes the
19 goals of integration and participation in all aspects of
20 community life for persons with disabilities;

21 (4) provide for the exchange of information such as
22 appropriate data, effectiveness studies, special projects,
23 exemplary programs, and creative funding of programs;

24 (5) develop consumer in-service and awareness training
25 programs in the local community; and

26 (6) assist in staff training for individual transition

1 planning and student transition needs assessment.

2 (b) Each Transition Planning Committee shall select a
3 chair from among its members who shall serve for a term of one
4 year. Each committee shall meet at least quarterly, or at such
5 other times at the call of the chair.

6 (c) (Blank). ~~Each Transition Planning Committee shall~~
7 ~~annually prepare and submit to the Interagency Coordinating~~
8 ~~Council a report which assesses the level of currently~~
9 ~~available services in the community as well as the level of~~
10 ~~unmet needs of secondary students with disabilities, makes~~
11 ~~recommendations to address unmet needs, and summarizes the~~
12 ~~steps taken to address unmet needs based on the~~
13 ~~recommendations made in previous reports.~~

14 (d) The name and affiliation of each local Transition
15 Planning Committee member ~~and the annual report~~ required under
16 subsection (c) of this Section shall be filed with the
17 administrative office of each school district served by the
18 local Transition Planning Committee, be made available to the
19 public upon request, and be sent to each member of the General
20 Assembly whose district encompasses the area served by the
21 Transition Planning Committee.

22 (Source: P.A. 92-452, eff. 8-21-01.)

23 (20 ILCS 2405/12 rep.)

24 Section 10. The Rehabilitation of Persons with
25 Disabilities Act is amended by repealing Section 12.

1 (20 ILCS 2407/Art. 4 rep.)

2 Section 15. The Disabilities Services Act of 2003 is

3 amended by repealing Article 4.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 2405/1b from Ch. 23, par. 3432

4 20 ILCS 2405/3 from Ch. 23, par. 3434

5 20 ILCS 2405/5 from Ch. 23, par. 3436

6 20 ILCS 2405/5a from Ch. 23, par. 3437

7 20 ILCS 2405/9 from Ch. 23, par. 3440

8 20 ILCS 2405/12a from Ch. 23, par. 3443a

9 20 ILCS 2405/13a from Ch. 23, par. 3444a

10 20 ILCS 2405/12 rep.

11 20 ILCS 2407/Art. 4 rep.