



Rep. Maurice A. West, II

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10300HB1222ham002

LRB103 05815 KTG 61385 a

1 AMENDMENT TO HOUSE BILL 1222

2 AMENDMENT NO. _____. Amend House Bill 1222 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Home
5 Modification Program Act.

6 Section 5. Findings. The General Assembly finds and
7 declares the following:

8 (1) The national average monthly cost for a private
9 nursing home room in 2020 was \$8,821 (\$105,852 annually).
10 Home modifications paired with other resources can allow
11 individuals to remain in their homes at a lower overall
12 expense.

13 (2) According to an AARP study, 90% of people age 65
14 and over would prefer to stay in their own homes as they
15 get older and not go to a nursing home or assisted living
16 facility.

1 (3) On June 22, 1999, the United States Supreme Court
2 held in *Olmstead v. L.C.*, 119 S. Ct. 2176 (1999), that
3 unjustified segregation of persons with disabilities
4 constitutes discrimination in violation of Title II of the
5 Americans with Disabilities Act. At the heart of its
6 decision were 2 concepts. First, "institutional placement
7 of persons who can handle and benefit from community
8 settings perpetuates unwarranted assumptions that persons
9 so isolated are incapable of or unworthy of participating
10 in community life". Second, "confinement in an institution
11 severely diminishes the everyday life activities of
12 individuals, including family relations, social contacts,
13 work options, economic independence, educational
14 advancement, and cultural enrichment".

15 (4) The United States has roughly 1,200,000 adults in
16 nursing homes and over 360,000 people in psychiatric and
17 other 24-hour care institutions across the country, and
18 waiting lists for housing subsidies across the country
19 average over 2,000 households per list and have a median
20 of 1.5 years, and up to 7-year waits in some areas.

21 (5) There is an estimated shortage of 7,000,000
22 affordable housing units and less than 5% of the units
23 that do exist fit access standards for individuals with
24 moderate mobility needs. In Chicago, less than 1% of units
25 are accessible.

26 (6) With a growing shortage of nurses and caregivers,

1 home modifications can reduce the need for home support
2 and alleviate stress on the health care system.

3 (7) According to a report released in 2021 by the U.S.
4 Census Bureau, nearly 3,900,000 veterans receive
5 disability compensation payments. These veterans have
6 sacrificed in service to their country and for the defense
7 of our freedoms. Home modifications will help Illinois
8 veterans to regain and maintain their own freedom to
9 utilize their homes and access the world around them.

10 (8) Current grant recipients of home modifications
11 funding have not had access to the expertise needed to
12 effectively provide resources and or services for people
13 with disabilities. Centers for independent living possess
14 the expertise to provide knowledgeable guidance to assist
15 people with disabilities with home modifications through
16 accessibility audits of current or prospective homes to
17 guarantee equal opportunity to live in the community.

18 Section 10. Purpose. The purpose of this Act is to
19 establish a home modification funding system that is
20 streamlined, effective, and administered by experts within the
21 disability community.

22 Section 15. Definitions. As used in this Act:

23 "Department" means the Department of Human Services.

24 "Disability" means, with respect to an individual:

1 (1) a physical or mental impairment that
2 substantially limits one or more major life activities
3 of the individual;

4 (2) a record of such an impairment; or

5 (3) being regarded as having such an impairment.

6 An individual meets the requirement of "being regarded
7 as having such an impairment" if the individual
8 establishes that he or she has been subjected to an
9 action prohibited under the Americans with
10 Disabilities Act of 1990 because of an actual or
11 perceived physical or mental impairment whether or not
12 the impairment limits or is perceived to limit a major
13 life activity.

14 "Home modification" means any change to the structure
15 of a residential home or property to create barrier free
16 living, provide access to and from the home, create
17 universal design, or avoid institutionalized or congregate
18 placement for persons with a disability.

19 "Older adult" means any person 60 years of age or
20 older.

21 "Universal design" means any dwelling unit designed
22 and constructed that is safe and accessible for everyone,
23 regardless of age, physical ability, or stature.

24 Section 20. Home Modification Program. Subject to the
25 availability of appropriations in an amount sufficient to

1 implement and administer the provisions of this Act, the
2 Department shall establish a Home Modification Program to
3 provide financial assistance to persons with disabilities for
4 home modification projects. The Department shall designate a
5 statewide association that represents centers for independent
6 living to serve as the lead agency to administer the program.
7 The Department shall provide funding to the lead agency for
8 the program. The lead agency shall distribute any moneys it
9 receives from the Department to the State's 22 centers for
10 independent living, covering all 102 counties. The lead agency
11 shall ensure that each center for independent living has
12 access to at least \$105,000 to use for home modification
13 projects, with the excess funds subject to reallocation during
14 the 4th fiscal quarter of each year.

15 Section 25. Home modification standards and
16 qualifications.

17 (a) To qualify for financial assistance under the Home
18 Modification Program, an applicant must meet the following
19 requirements:

20 (1) Be a resident of the State of Illinois.

21 (2) Be a person with a disability as defined in
22 Section 15. An older adult or veteran who has a disability
23 as defined in Section 15 meets this requirement.

24 (3) Have proof of disability from an agency other than
25 a center for independent living when a disability is not

1 obvious or readily apparent.

2 (4) Be a homeowner or a residential tenant who has
3 obtained the permission of his or her landlord to make the
4 home modification. If a tenant and landlord agree to the
5 home modification, both parties must sign off on final
6 approval, as well as sign a statement of non-fraudulent
7 intent.

8 (5) Have income that does not exceed 200% of area
9 median income.

10 (6) Have not applied for, and been found to be
11 currently eligible for, a separate home modification
12 program or separate substantially similar services
13 administered, coordinated, or provided by the Department
14 and its divisions. Nothing in this paragraph requires a
15 qualified applicant to apply for services through the
16 Department and its divisions.

17 (b) Assessment.

18 (1) An applicant's home must undergo a thorough
19 assessment by a trained center for independent living
20 staff member. The staff member shall make a written report
21 of the results of the assessment.

22 (2) The lead agency shall establish a Home
23 Modification Subcommittee of experienced center for
24 independent living staff to provide additional oversight,
25 including, but not limited to:

26 (A) Reviewing the submitted assessment report and

1 bid for at least the first 3 home modification
2 requests from a center for independent living or when
3 new staff is hired.

4 (B) Reviewing any request for more than \$35,000.

5 (c) Contractors.

6 (1) When selecting a contractor, a center for
7 independent living must seek bids from at least 2
8 contractors, choosing the lowest responsible bidder.

9 (2) All contractors must be licensed, where
10 applicable, insured, and follow all local, State, and
11 federal requirements, including the requirements under the
12 Illinois Accessibility Code.

13 Section 30. Administration of home modification funds. The
14 lead agency shall receive an administrative fee of 3% from all
15 moneys that are passed through the lead agency for the purpose
16 of the Home Modification Program."