



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1222

Introduced 1/31/2023, by Rep. Maurice A. West, II - Jeff Keicher

SYNOPSIS AS INTRODUCED:

New Act

Creates the Home Modification Program Act. Provides that the purpose of the Act is to establish a home modification funding system that is streamlined, effective, and administered by experts within the disability community. Provides that, subject to appropriation, the Department of Human Services shall establish a Home Modification Program to provide financial assistance to persons with disabilities for home modification projects. Requires the Department to designate a statewide association that represents centers for independent living to serve as the lead agency to administer the Program. Requires the Department to provide funding for the Program. Requires the lead agency to distribute any moneys it receives from the Department to the State's 22 centers for independent living, covering all 102 counties. Provides that the lead agency shall ensure that each center for independent living has access to at least \$105,000 to use for home modification projects, with the excess funds subject to reallocation during the 4th fiscal quarter of each year. Contains provisions concerning eligibility requirements for applicants under the Program; standards and qualifications for home modification projects; the lead agency's establishment of a Home Modification Subcommittee to provide additional oversight of the home modification projects; and an administrative fee to the lead agency.

LRB103 05815 KTG 50835 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 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.

17 (3) On June 22, 1999, the United States Supreme Court
18 held in *Olmstead v. L.C.*, 119 S. Ct. 2176 (1999), that
19 unjustified segregation of persons with disabilities
20 constitutes discrimination in violation of Title II of the
21 Americans with Disabilities Act. At the heart of its
22 decision were 2 concepts. First, "institutional placement
23 of persons who can handle and benefit from community

1 settings perpetuates unwarranted assumptions that persons
2 so isolated are incapable of or unworthy of participating
3 in community life". Second, "confinement in an institution
4 severely diminishes the everyday life activities of
5 individuals, including family relations, social contacts,
6 work options, economic independence, educational
7 advancement, and cultural enrichment".

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

14 (5) There is an estimated shortage of 7,000,000
15 affordable housing units and less than 5% of the units
16 that do exist fit access standards for individuals with
17 moderate mobility needs. In Chicago, less than 1% of units
18 are accessible.

19 (6) With a growing shortage of nurses and caregivers,
20 home modifications can reduce the need for home support
21 and alleviate stress on the health care system.

22 (7) Current grant recipients of home modifications
23 funding have not had access to the expertise needed to
24 effectively provide resources and or services for people
25 with disabilities. Centers for independent living possess
26 the expertise to provide knowledgeable guidance to assist

1 people with disabilities with home modifications through
2 accessibility audits of current or prospective homes to
3 guarantee equal opportunity to live in the community.

4 Section 10. Purpose. The purpose of this Act is to
5 establish a home modification funding system that is
6 streamlined, effective, and administered by experts within the
7 disability community.

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

9 "Department" means the Department of Human Services.

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

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

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

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

16 An individual meets the requirement of "being regarded
17 as having such an impairment" if the individual
18 establishes that he or she has been subjected to an
19 action prohibited under the Americans with
20 Disabilities Act of 1990 because of an actual or
21 perceived physical or mental impairment whether or not
22 the impairment limits or is perceived to limit a major
23 life activity.

24 "Home modification" means any change to the structure

1 of a residential home or property to create barrier free
2 living, provide access to and from the home, or avoid
3 institutionalized or congregate placement for persons with
4 a disability.

5 Section 20. Home Modification Program. Subject to the
6 availability of appropriations in an amount sufficient to
7 implement and administer the provisions of this Act, the
8 Department shall establish a Home Modification Program to
9 provide financial assistance to persons with disabilities for
10 home modification projects. The Department shall designate a
11 statewide association that represents centers for independent
12 living to serve as the lead agency to administer the program.
13 The Department shall provide funding to the lead agency for
14 the program. The lead agency shall distribute any moneys it
15 receives from the Department to the State's 22 centers for
16 independent living, covering all 102 counties. The lead agency
17 shall ensure that each center for independent living has
18 access to at least \$105,000 to use for home modification
19 projects, with the excess funds subject to reallocation during
20 the 4th fiscal quarter of each year.

21 Section 25. Home modification standards and
22 qualifications.

23 (a) To qualify for financial assistance under the Home
24 Modification Program, an applicant must:

- 1 (1) be a resident of the State of Illinois;
- 2 (2) be a person with a disability as defined in
3 Section 15;
- 4 (3) have proof of disability from an agency other than
5 a center for independent living;
- 6 (4) be a homeowner or a residential tenant who has
7 obtained the permission of his or her landlord to make the
8 home modification. If a tenant and landlord agree to the
9 home modification, both parties must sign off on final
10 approval, as well as sign a statement of non-fraudulent
11 intent; and
- 12 (5) have income that does not exceed 200% of area
13 median income.

14 An applicant may be subject to additional reasonable
15 requirements established by the lead agency that further the
16 purposes of this Act.

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.

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