



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1687

by Rep. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

20 ILCS 1705/15g new
405 ILCS 30/6 new

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that the Department of Human Services shall, no later than July 1, 2012, establish a policy to provide independent individualized assessments of individuals with developmental disabilities residing in State-operated facilities who desire, or whose parents or guardians desire, to pursue transfer to an integrated community-based residential setting. Provides that the policy shall include identifying the clinical, habilitative, and social needs of each individual that shall be incorporated into a transition plan. Amends the Community Services Act. Requires the Department of Human Services to conduct a geographic analysis of supports and services for individuals with developmental disabilities or mental illness no later than July 1, 2012. Provides that the analysis shall also identify gaps between required supports and services by region of the State; and that the Department shall prepare a final report by no later than January 1, 2013 that shall be made available to the Governor and the appropriate standing committees in the Senate and the House, and that shall be made available to the public on the Department's website a minimum of one week prior to presentation of the report to the General Assembly. Effective immediately.

LRB097 09792 KTG 49939 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 15g as follows:

7 (20 ILCS 1705/15g new)

8 Sec. 15g. State-operated facilities; individualized
9 assessments.

10 (a) For purposes of this Section:

11 "Department" means the Department of Human Services.

12 "Independent individualized assessment" means a dignified
13 and thoughtful determination of an individual's clinical,
14 habilitative, and social needs.

15 "Integrated-community based residential setting" includes
16 a private residence, community-integrated living arrangements,
17 supported residential programs, supervised residential
18 programs, or supportive housing programs.

19 "Pre-admission screening agency" means an entity that
20 contracts with the Department to provide coordination services
21 as outlined in Section 10 of the Disabilities Service Act of
22 2003. A pre-admission screening agency is also known as an
23 independent service coordination agency.

1 "State-operated facilities" means the facilities listed in
2 Section 4 of this Act.

3 (b) Long-term care rebalancing. Pursuant to Public Act
4 96-1501, the State of Illinois has established a long-term care
5 rebalancing initiative. This amendatory Act of the 97th General
6 Assembly seeks to further the goals of that initiative by
7 ensuring that individuals with developmental disabilities
8 residing in State-operated facilities have a choice in
9 determining whether to continue residing in a State-operated
10 facility or transfer to an integrated community-based
11 residential setting.

12 (c) Independent assessment of individuals residing in
13 State-operated facilities. By no later than July 1, 2012, the
14 Department shall establish a policy to provide independent
15 individualized assessments of individuals with developmental
16 disabilities residing in State-operated facilities who desire,
17 or whose parents or guardians desire, to pursue transfer to an
18 integrated community-based residential setting. The policy
19 shall include identifying the clinical, habilitative, and
20 social needs of each individual that shall be incorporated into
21 a transition plan. The independent individualized assessments
22 shall be provided by pre-admission screening agencies under
23 contract with the Department. Furthermore, the Department
24 shall utilize the pre-admission screening agency providing
25 services in the geographic region of each State-operated
26 facility.

1 Section 10. The Community Services Act is amended by adding
2 Section 6 as follows:

3 (405 ILCS 30/6 new)

4 Sec. 6. Geographic analysis of supports and services in
5 community settings.

6 (a) For purposes of this Section:

7 "Direct support professionals" means direct support
8 workers, direct care workers, personal assistants, personal
9 attendants, and paraprofessionals that provide assistance to
10 individuals with developmental disabilities or mental illness
11 in the form of daily living, and provide the habilitation,
12 rehabilitation, and training needs of these individuals.

13 "Licensed professionals" means, but is not limited to,
14 dentists, dental hygienists, dental assistants, advance
15 practical nurses, licensed practical nurses, registered
16 nurses, psychiatrists, psychologists, and qualified mental
17 health professionals.

18 "Residential services" means private residences,
19 community-integrated living arrangements, supported
20 residential programs, supervised residential programs, or
21 supportive housing programs.

22 "Supports and services" means direct support
23 professionals, licensed professionals, and residential
24 services.

1 (b) Long-term care rebalancing. Pursuant to Public Act
2 96-1501, the State of Illinois has established a long-term care
3 rebalancing initiative. This amendatory Act of the 97th General
4 Assembly seeks to further the goals of that initiative by
5 ensuring that individuals with developmental disabilities or
6 mental illness who utilize long-term care services under the
7 medical assistance program and other long-term care related
8 benefit programs administered by the State have meaningful
9 access to a reasonable array of community-based and
10 institutional program options. Furthermore, the General
11 Assembly declares that it is the policy of the State to ensure
12 that the clinical, habilitative, and social needs of
13 individuals with developmental disabilities or mental illness
14 who chose to reside in integrated community-based settings can
15 have those needs met in integrated community-based settings. In
16 order to meaningfully comply with this policy, the General
17 Assembly must have an understanding of the existing capacity in
18 integrated-community based settings, including direct support
19 professionals and licensed professionals, such as dentists,
20 nurses, and psychiatrists, as well as residential capacity to
21 provide for these needs.

22 (c) By no later than July 1, 2012, the Department shall
23 conduct a geographic analysis of supports and services for
24 individuals with developmental disabilities or mental illness.
25 This analysis shall also identify gaps between required
26 supports and services by region of the State. The Department

1 shall prepare a final report by no later than January 1, 2013
2 that shall be made available to the Governor and shall be
3 presented by the Department to the appropriate standing
4 committees in the Senate, as determined by and on a date
5 determined by the President of the Senate, and the House of
6 Representatives, as determined by and on a date determined by
7 the Speaker of the House. The final report shall be made
8 available to the public and shall be published on the
9 Department's website in an appropriate location a minimum of
10 one week prior to presentation of the report to the General
11 Assembly.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.