



1 decision by maximizing the level of funds for both  
2 developmental disability and mental health services and  
3 supports in order to maintain and create an array of  
4 residential and supportive services for people with  
5 mental health needs and developmental disabilities  
6 whenever they are transferred into another facility or a  
7 community-based setting.

8 (b) In this Section:

9 "Office of Developmental Disabilities" means the Office  
10 of Developmental Disabilities within the Department of Human  
11 Services.

12 "Office of Mental Health" means the Office of Mental  
13 Health within the Department of Human Services.

14 (c) On and after the effective date of this amendatory  
15 Act of the 92nd General Assembly, every appropriation of  
16 State moneys relating to funding for the Office of  
17 Developmental Disabilities or the Office of Mental Health  
18 must comply with this Section.

19 (d) Whenever any appropriation, or any portion of an  
20 appropriation, for any fiscal year relating to the funding of  
21 any State-operated facility operated by the Office of  
22 Developmental Disabilities or any mental health facility  
23 operated by the Office of Mental Health is reduced because of  
24 any of the reasons set forth in the following items (1)  
25 through (3), to the extent that savings are realized from  
26 these items, those moneys must be directed toward providing  
27 other services and supports for persons with developmental  
28 disabilities or mental health needs:

29 (1) The closing of any such State-operated facility  
30 for the developmentally disabled or mental health  
31 facility.

32 (2) Reduction in the number of available beds in  
33 any such State-operated facility for the developmentally  
34 disabled or mental health facility.

1           (3) Reduction in the number of staff employed in  
2           any such State-operated facility for the developmentally  
3           disabled or mental health facility.

4           (e) The purposes of redirecting this funding shall  
5           include, but not be limited to, providing the following  
6           services and supports for individuals with developmental  
7           disabilities and mental health needs:

8           (1) Residence in the most integrated setting  
9           possible, whether independent living in a private  
10           residence, a Community Integrated Living Arrangement  
11           (CILA), a supported residential program, an Intermediate  
12           Care Facility for persons with Developmental Disabilities  
13           (ICFDD), a supervised residential program, or supportive  
14           housing, as appropriate.

15           (2) Rehabilitation and support services, including  
16           assertive community treatment, case management,  
17           supportive and supervised day treatment, and psychosocial  
18           rehabilitation.

19           (3) Vocational or developmental training, as  
20           appropriate, that contributes to the person's  
21           independence and employment potential.

22           (4) Employment or supported employment, as  
23           appropriate, free from discrimination pursuant to the  
24           Constitution and laws of this State.

25           (5) In-home family supports, such as respite  
26           services and client and family supports.

27           (6) Periodic reevaluation, as needed.

28           (f) An appropriation may not circumvent the purposes of  
29           this Section by transferring moneys within the funding system  
30           for services and supports for the developmentally disabled  
31           and mentally ill and then compensating for this transfer by  
32           redirecting other moneys away from these services to provide  
33           funding for some other governmental purpose or to relieve  
34           other State funding expenditures.

1 (405 ILCS 30/4.5 new)

2 Sec. 4.5. Funding Reinvestment Advisory Task Force.

3 (a) The Governor, in coordination with the Secretary of  
4 Human Services, shall appoint a task force to assist the  
5 Department of Human Services in implementing Section 4.4. The  
6 task force shall consist of the following members:

7 (1) One Representative recommended by the Speaker  
8 of the House of Representatives.

9 (2) One Representative recommended by the Minority  
10 Leader of the House of Representatives.

11 (3) One Senator recommended by the President of the  
12 Senate.

13 (4) One Senator recommended by the Minority Leader  
14 of the Senate.

15 (5) One representative from the Office of  
16 Developmental Disabilities within the Department of Human  
17 Services.

18 (6) One representative from the Office of Mental  
19 Health within the Department of Human Services.

20 (7) One representative from the Office of  
21 Rehabilitation Services within the Department of Human  
22 Services.

23 (8) One representative from the Department of  
24 Public Aid.

25 (9) One community-based provider for individuals  
26 with developmental disabilities.

27 (10) One community-based recreational provider for  
28 individuals with developmental disabilities.

29 (11) One community-based provider for individuals  
30 with mental health needs.

31 (12) One member representing entities that provide  
32 funding for mental health services.

33 (13) Three members representing the advocate  
34 community for the developmentally disabled.

1           (14) Three members representing the advocate  
2           community for the mentally ill.

3           (b) In addition to assisting the Department in  
4           implementing Section 4.4, the task force shall also assist  
5           in, but not be limited to, the following:

6           (1) Quantifying the amount of money appropriated by  
7           the legislature for expenditures relating to care for a  
8           person in a State-operated facility for persons with  
9           developmental disabilities or a mental health facility.

10          (2) Quantifying the amount of money appropriated by  
11          the legislature for expenditures relating to care for a  
12          person in a community-based setting.

13          (3) Identifying ways in which funding may be  
14          redirected in total or in part to alternative services  
15          and supports an individual transferring out of an  
16          institution may be seeking.

17          (4) Identifying other state models and practices  
18          that allow money to follow the individual throughout the  
19          system of services and supports for individuals with  
20          developmental disabilities and mental health needs.

21          (5) Identifying ways in which the Department can  
22          maximize Medicaid funding and capture more federal  
23          financial participation (FFP) for the purpose of  
24          expanding developmental disability and mental health  
25          services and supports.

26          (c) The task force shall be established no later than  
27          June 1, 2002 and shall submit a written report of its  
28          findings to the General Assembly and the Office of the  
29          Governor no later than January 1, 2003.

30           Section 99. Effective date. This Act takes effect upon  
31           becoming law."