



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5539

by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1705/76 new

Amends the Mental Health and Developmental Disabilities Administrative Act. Requires the Department of Human Services, by June 30, 2022, to select from the Prioritization of the Urgency of Need of Services (PUNS) database no fewer than 3,600 persons with intellectual or developmental disabilities to receive relevant State services and supports. Provides that no fewer than 600 persons shall be selected to receive services by June 30, 2019 and the numbers of persons selected shall increase each year thereafter until the list of persons in the PUNS is exhausted. Requires the Department to pursue all federal funding options for intellectual and developmental services and supports including applying for a demonstration waiver and a State Plan amendment to expand and increase the availability of services to persons with intellectual and developmental disabilities. Requires federal funding obtained under a demonstration waiver to be directed towards increasing the availability of permanent supportive housing and other community-integrated living arrangements. Requires federal funding obtained as a result of federal approval of a Medicaid State Plan amendment to fund a Illinois Children and Adult Home and Community-Based Services Pilot Program to expand and increase community-based services and housing options for adults and children eligible for services under the Department's Home and Community-Based Services Waiver programs. Provides that subject to federal approval, the availability of housing options and support services provided under a demonstration waiver or Medicaid State Plan amendment shall be fully implemented by June 30, 2022. Contains provisions on reporting requirements and other matters.

LRB100 17149 KTG 32303 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 Mental Health and Developmental  
5 Disabilities Administrative Act is amended by adding Section 76  
6 as follows:

7 (20 ILCS 1705/76 new)

8 Sec. 76. Increased intellectual and developmental services  
9 and supports; PUNS database.

10 (a) By June 30, 2022 the Department of Human Services shall  
11 select from the Prioritization of the Urgency of Need of  
12 Services (PUNS) database no fewer than 3,600 persons with  
13 intellectual or developmental disabilities to receive relevant  
14 State services and supports. No fewer than 600 persons with  
15 intellectual or developmental disabilities shall be selected  
16 to receive services under this Section by June 30, 2019. The  
17 numbers of persons selected shall increase each year as  
18 follows:

19 (1) no fewer than 800 persons selected between July 1,  
20 2019 and June 30, 2020;

21 (2) no fewer than 1,000 persons selected between July  
22 1, 2020 and June 30, 2021;

23 (3) no fewer than 1,200 persons selected between July

1 1, 2021 and June 30, 2022; and

2 (4) no fewer than 1,200 selected beginning July 1,  
3 2022, and every July 1 thereafter, until the list of  
4 persons in the PUNS database awaiting State services is  
5 exhausted.

6 (b) The Department shall fund services provided to persons  
7 selected from the database by pursuing all federal funding  
8 options for intellectual and developmental services and  
9 supports, including, but not limited to, applying to the  
10 federal Centers for Medicare and Medicaid Services for:

11 (1) a demonstration waiver under Section 1115 of the  
12 Social Security Act to expand housing options and relevant  
13 support services for persons with intellectual or  
14 developmental disabilities; and

15 (2) approval of a Title XIX State Plan amendment to  
16 implement the Community First Choice Option in accordance  
17 with Section 1915(k) of the Social Security Act.

18 (c) All federal funding obtained as a result of federal  
19 approval of a demonstration waiver under Section 1115 of the  
20 Social Security Act shall be used to expand and increase the  
21 availability of support services for persons with intellectual  
22 or developmental disabilities, including, but not limited to,  
23 housing options, employment opportunities, direct service  
24 provider workers, day programming, and all other support  
25 services necessary for persons with intellectual or  
26 developmental disabilities. Federal funding used to expand

1 housing options shall be directed towards increasing the  
2 availability of permanent supportive housing as described in 59  
3 Ill. Adm. Code 145.20 and other community-integrated living  
4 arrangements that provide a minimum of one person per unit to  
5 no more than 8 persons per living arrangement. A person's  
6 eligibility for housing and support services under this Section  
7 shall be based on a flexible severity of needs sliding scale to  
8 be defined by the Department by rule. The Department must adopt  
9 a definition for the flexible severity of needs sliding scale  
10 no later than March 1, 2019. The initial availability of  
11 housing options and support services under this Section shall  
12 occur no later than June 30, 2019 or 60 days after the  
13 Department's receipt of federal approval for the demonstration  
14 waiver, whichever is later. Upon receipt of all necessary  
15 federal approvals, the availability of housing options and  
16 support services under this Section shall be fully implemented  
17 by June 30, 2022.

18 (d) (1) All federal funding obtained as a result of federal  
19 approval of a Title XIX State Plan amendment to implement the  
20 Community First Choice Option pursuant to Section 1915(k) of  
21 the Social Security Act shall be used to fund the Illinois  
22 Children and Adult Home and Community-Based Services Pilot  
23 Program established and maintained by the Department as  
24 provided under paragraph (2) of this subsection.

25 (2) The Department shall establish and maintain the  
26 Illinois Children and Adult Home and Community-Based Services

1 Pilot Program to expand and increase community-based services  
2 and housing options for adults and children with disabilities  
3 who are eligible for services under the Department's Home and  
4 Community-Based Services Waiver for Persons with Developmental  
5 Disabilities. The Pilot Program shall be funded with all  
6 federal moneys received as a result of federal approval of a  
7 Title XIX State Plan amendment to implement the Community First  
8 Choice Option pursuant to Section 1915(k) of the Social  
9 Security Act. The Department shall establish the program no  
10 later than June 30, 2019 or 60 days after the Department's  
11 receipt of federal approval to implement the Community First  
12 Choice Option, whichever is later. Upon receipt of all  
13 necessary federal approvals, the Illinois Children and Adult  
14 Home and Community-Based Services Pilot Program shall be fully  
15 operational by June 30, 2022.

16 (e) The Department, in consultation with all relevant State  
17 agencies, shall annually report to the General Assembly on the  
18 progress made in implementing the provisions of this Section.  
19 The Department shall submit its first report no later than May  
20 31, 2020 and every May 31 thereafter. The Department, and all  
21 relevant State agencies, shall fully implement the supports and  
22 services required under this Section by June 30, 2022.

23 (f) Implementation of this Section shall be contingent on  
24 the receipt of all necessary federal waivers or approvals. Upon  
25 receipt of all necessary federal waivers or approvals, the  
26 Department shall implement the provisions of this Section 60

1 days after the date federal approval is received or 60 days  
2 after the effective date of this amendatory Act of the 100th  
3 General Assembly, whichever is later.