

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Department of Human Services Act is amended by changing Section 10-26 as follows:

(20 ILCS 1305/10-26)

Sec. 10-26. The PUNS database ~~Disability database.~~

(a) The Department of Human Services shall compile and maintain a database of Illinois residents with an intellectual disability or a developmental disability, including an autism spectrum disorder, and Illinois residents with an intellectual disability or a developmental disability who are also diagnosed with a physical disability or mental illness and are in need of developmental disability services funded by the Department. The database shall be referred to as the Prioritization of Urgency of Need for Services (PUNS) and shall include, but not be limited to, children and youth, individuals transitioning from special education to post-secondary activities, individuals living at home or in the community, individuals in private nursing and residential facilities, and individuals in intermediate care facilities for persons with developmental disabilities. Individuals who are receiving services under any home and community-based services waiver program authorized

under Section 1915(c) of the Social Security Act may remain on the PUNS database until they are offered services through a PUNS selection or demonstrate the need for and are awarded alternative services.

(b) The PUNS database shall be used to foster a fair and orderly process for processing applications for developmental disabilities services funded by the Department, verifying information, keeping individuals and families who have applied for services informed of available services and anticipated wait times, determining unmet need, and informing the General Assembly and the Governor of unmet need statewide and within each representative district.

(c) Independent service coordination agencies shall be the points of entry for individuals and families applying for developmental disability services funded by the Department. The information collected and maintained for PUNS shall include, but is not limited to, the following: (i) the types of services of which the individual is potentially in need; (ii) demographic and identifying information about the individual; (iii) factors indicating need, including diagnoses, assessment information, ages of primary caregivers, and current living situation; (iv) the date information about the individual is submitted for inclusion in PUNS, and the types of services sought by the individual; and (v) the representative district in which the individual resides. In collecting and maintaining information under this Section, the Department shall give

consideration to cost-effective appropriate services for individuals.

(d) The Department shall respond to inquiries about anticipated PUNS selection dates and make available a Department e-mail address for such inquiries. Subject to appropriation, the Department shall offer a web-based verification and information-update application. The Department shall make all reasonable efforts to contact individuals on the PUNS database at least 2 times each year and provide information about the PUNS process, information regarding services that may be available to them prior to the time they are selected from PUNS, and advice on preparing for and seeking developmental disability services. At least one of the contacts must be from an independent service coordination agency. The Department may contact individuals on the PUNS database through a newsletter prepared by the Division of Developmental Disabilities. The Department shall provide information about PUNS to the general public on its website.

(e) This amendatory Act of the 101st General Assembly does not create any new entitlement to a service, program, or benefit but shall not affect any entitlement to a service, program, or benefit created by any other law. Except for a service, program, or benefit that is an entitlement, a service, program, or benefit provided as a result of the collection and maintenance of PUNS shall be subject to appropriations made by the General Assembly.

(f) The Department, consistent with applicable federal and State law, shall make general information about PUNS available to the public such as: (i) the number of individuals potentially in need of each type of service, program, or benefit; and (ii) the general characteristics of those individuals. The Department shall protect the confidentiality of each individual in PUNS when releasing database information by not disclosing any personally identifying information.

(g) The Department shall allow an individual who is:

(1) a legal resident;

(2) a dependent of a military service member; and

(3) absent from the State due to the member's military service;

to be added to PUNS to indicate the need for services upon return to the State. If the individual is selected from PUNS to receive services, the individual shall have 6 months from the date of the selection notification to apply for services and another 6 months to commence using the services. If an individual is receiving services funded by the Department and the services are disrupted due to the military service member's need for the individual to leave the State because of the member's military service, the services shall be resumed upon the individual's return to the State if the individual is otherwise eligible. No payment made in accordance with this Section or Section 12-4.47 of the Illinois Public Aid Code shall be made for home and community based services provided

outside the State of Illinois. The individual is required to provide the following to the Department:

(i) a copy of the military service member's DD-214 or other equivalent discharge paperwork; and

(ii) proof of the military service member's legal residence in the State, as prescribed by the Department.

~~(a) The Department of Human Services shall compile and maintain a cross disability database of Illinois residents with a disability who are potentially in need of disability services funded by the Department. The database shall consist of individuals with mental illness, physical disabilities, developmental disabilities, and autism spectrum disorders and shall include, but not be limited to, individuals transitioning from special education to adulthood, individuals in State-operated facilities, individuals in private nursing and residential facilities, and individuals in community integrated living arrangements. Within 30 days after the effective date of this amendatory Act of the 93rd General Assembly, the Secretary of Human Services shall seek input from advisory bodies to the Department, including advisory councils and committees working with the Department in the areas of mental illness, physical disabilities, and developmental disabilities. The database shall be operational by July 1, 2004. The information collected and maintained for the disability database shall include, but is not limited to, the following: (i) the types of services of which the individual is~~

~~potentially in need; (ii) demographic and identifying information about the individual; (iii) factors indicating need, including diagnoses, assessment information, age of primary caregivers, and current living situation; (iv) if applicable, the date information about the individual is submitted for inclusion in the database and the types of services sought by the individual; and (v) the representative district in which the individual resides. In collecting and maintaining information under this Section, the Department shall give consideration to cost effective appropriate services for individuals.~~

~~(b) This amendatory Act of the 93rd General Assembly does not create any new entitlement to a service, program, or benefit, but shall not affect any entitlement to a service, program, or benefit created by any other law. Except for a service, program, or benefit that is an entitlement, a service, program, or benefit provided as a result of the collection and maintenance of the disability database shall be subject to appropriations made by the General Assembly.~~

~~(c) The Department, consistent with applicable federal and State law, shall make general information from the disability database available to the public such as: (i) the number of individuals potentially in need of each type of service, program, or benefit and (ii) the general characteristics of those individuals. The Department shall protect the confidentiality of each individual in the database when~~

~~releasing database information by not disclosing any personally identifying information.~~

~~(d) The Department shall allow legal residents who are dependents of a military service member and who are absent from the State due to the member's military service to be added to the database to indicate the need for services upon return to the State. Should an individual in such a situation be selected from the database to receive services, the individual shall have 6 months from the date of the selection notification to apply for services and another 6 months to commence using such services. In the event an individual is receiving services funded by the Department and the services are disrupted due to the military service member's need for the individual to leave the State because of his or her military service, the services shall be resumed upon the individual's return to the State if the dependent is otherwise eligible. No payment pursuant to this Section or Section 12-4.47 of the Illinois Public Aid Code shall be made for home and community based services provided outside the State of Illinois. A dependent of a military service member shall be required to provide the Department with:~~

~~(1) a copy of the military service member's DD-214 or other equivalent discharge paperwork; and~~

~~(2) proof of the military service member's legal residence in the State, as prescribed by the Department.~~

(Source: P.A. 98-1000, eff. 8-18-14.)

Public Act 101-0284

HB3483 Enrolled

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