



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB0940

Introduced 2/7/2017, by Sen. Thomas Cullerton

#### SYNOPSIS AS INTRODUCED:

405 ILCS 80/Art. 12 heading new  
405 ILCS 80/12-1 new  
405 ILCS 80/12-5 new  
405 ILCS 80/12-10 new

Amends the Developmental Disability and Mental Disability Services Act. Provides for the transition to community-based services of persons over 18 years of age with developmental disabilities in the State who qualify for Medicaid Waiver services, who reside in intermediate care facilities for persons with developmental disabilities with 9 or more residents, and who affirmatively request to receive community-based services or placement in a community-based setting and persons with developmental disabilities in the State who qualify for Medicaid Waiver services, who reside in a family home, who are in need of community-based services or placement in a community-based setting, and who affirmatively request community-based services or placement in a community-based setting. Establishes a schedule for the transition to community-based services. Provides that the Department of Human Services shall oversee the transition of persons to receive community-based services or placement in a community-based setting. Provides that nothing in these provisions forces persons who do not want community-based services or placement to move, nor does it force providers to close beds or enter into downsizing agreements with the State against their will. Effective immediately.

LRB100 08041 RLC 18126 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 Developmental Disability and Mental  
5 Disability Services Act is amended by adding Article 12 as  
6 follows:

7 (405 ILCS 80/Art. 12 heading new)

8 ARTICLE 12. COMMUNITY-BASED SERVICES FOR PERSONS WITH  
9 DEVELOPMENTAL DISABILITIES

10 (405 ILCS 80/12-1 new)

11 Sec. 12-1. Purpose. The purpose of this Article is to  
12 provide an opportunity for persons with developmental  
13 disabilities who reside in private, State-funded facilities of  
14 9 or more persons, or persons who are at risk of being placed  
15 in those facilities, to receive community-based services or  
16 placement in a community-based setting.

17 (405 ILCS 80/12-5 new)

18 Sec. 12-5. Definitions. In this Article:

19 "Adult" means a person over the age of 18 years.

20 "Department" means the Department of Human Services.

1 (405 ILCS 80/12-10 new)

2 Sec. 12-10. Community-based services for persons with  
3 developmental disabilities.

4 (a) For purposes of this Article, persons with  
5 developmental disabilities must meet the following terms in  
6 order to qualify for services:

7 (1) Adult persons with developmental disabilities in  
8 this State who qualify for Medicaid Waiver services, who  
9 reside in intermediate care facilities for persons with  
10 developmental disabilities with 9 or more residents, and  
11 who affirmatively request to receive community-based  
12 services or placement in a community-based setting.

13 (2) Adult persons with developmental disabilities in  
14 this State who qualify for Medicaid Waiver services, who  
15 reside in a family home, who are in need of community-based  
16 services or placement in a community-based setting, and who  
17 affirmatively request community-based services or  
18 placement in a community-based setting.

19 (b) The Department shall oversee the transition of persons  
20 described in subsection (a) of this Section to receive  
21 community-based services or placement in a community-based  
22 setting. The transition shall be in accordance with the  
23 following schedule:

24 (1) 500 persons described in subsection (a) of this  
25 Section shall begin the transition by June 15, 2017.

26 (2) An additional 500 persons described in subsection

1       (a) of this Section shall begin the transition by June 15,  
2       2018.

3       (3) An additional 500 persons described in subsection  
4       (a) of this Section shall begin the transition by June 15,  
5       2019.

6       (4) An additional 500 persons described in subsection  
7       (a) of this Section shall begin the transition by June 15,  
8       2020.

9       (5) An additional 500 persons described in subsection  
10       (a) of this Section shall begin the transition by June 15,  
11       2021.

12       (6) After June 15, 2021, persons described in  
13       subsection (a) of this Section shall receive  
14       community-based services or placement in a community-based  
15       setting at a reasonable pace.

16       (c) Nothing in this Article forces persons who do not want  
17       community-based services or placement to move, nor does it  
18       force providers to close beds or enter into downsizing  
19       agreements with the State against their will.

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