



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5050

Introduced 2/18/2020, by Rep. Mike Murphy

#### SYNOPSIS AS INTRODUCED:

210 ILCS 135/3	from Ch. 91 1/2, par. 1703
225 ILCS 10/2.16	from Ch. 23, par. 2212.16
225 ILCS 10/3.5 rep.	

Amends the Community-Integrated Living Arrangements Licensure and Certification Act. In the definition of "community-living arrangement", includes a living arrangement where 10 or fewer persons under 22 years of age reside and receive services under the supervision of the community mental health or developmental services agency that was licensed under the Child Care Act of 1969 as a Children's Group Home 17D up to and including July 1, 2020 (a group home). Amends the Child Care Act of 1969 to exclude those group homes from the definition of "group home" under that Act. Further amends the Child Care Act of 1969 to repeal provisions regarding group homes for adolescents diagnosed with autism. Effective July 1, 2020.

LRB101 17460 CPF 66870 b

1 AN ACT concerning regulation.

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

4 Section 5. The Community-Integrated Living Arrangements  
5 Licensure and Certification Act is amended by changing Section  
6 3 as follows:

7 (210 ILCS 135/3) (from Ch. 91 1/2, par. 1703)

8 Sec. 3. As used in this Act, unless the context requires  
9 otherwise:

10 (a) "Applicant" means a person, group of persons,  
11 association, partnership or corporation that applies for a  
12 license as a community mental health or developmental services  
13 agency under this Act.

14 (b) "Community mental health or developmental services  
15 agency" or "agency" means a public or private agency,  
16 association, partnership, corporation or organization which,  
17 pursuant to this Act, certifies community-integrated living  
18 arrangements for persons with mental illness or persons with a  
19 developmental disability.

20 (c) "Department" means the Department of Human Services (as  
21 successor to the Department of Mental Health and Developmental  
22 Disabilities).

23 (d) "Community-integrated living arrangement" means a

1 living arrangement certified by a community mental health or  
2 developmental services agency under this Act where 8 or fewer  
3 recipients with mental illness or recipients with a  
4 developmental disability who reside under the supervision of  
5 the agency. Examples of community-integrated living  
6 arrangements include but are not limited to the following:

7 (1) "Adult foster care", a living arrangement for  
8 recipients in residences of families unrelated to them, for  
9 the purpose of providing family care for the recipients on  
10 a full-time basis;

11 (2) "Assisted residential care", an independent living  
12 arrangement where recipients are intermittently supervised  
13 by off-site staff;

14 (3) "Crisis residential care", a non-medical living  
15 arrangement where recipients in need of non-medical,  
16 crisis services are supervised by on-site staff 24 hours a  
17 day;

18 (4) "Home individual programs", living arrangements  
19 for 2 unrelated adults outside the family home;

20 (5) "Supported residential care", a living arrangement  
21 where recipients are supervised by on-site staff and such  
22 supervision is provided less than 24 hours a day;

23 (6) "Community residential alternatives", as defined  
24 in the Community Residential Alternatives Licensing Act;  
25 and

26 (7) "Special needs trust-supported residential care",

1 a living arrangement where recipients are supervised by  
2 on-site staff and that supervision is provided 24 hours per  
3 day or less, as dictated by the needs of the recipients,  
4 and determined by service providers. As used in this item  
5 (7), "special needs trust" means a trust for the benefit of  
6 a beneficiary with a disability as described in Section  
7 1213 of the Illinois Trust Code.

8 (8) "Group home", a living arrangement where 10 or  
9 fewer persons under 22 years of age reside and receive  
10 services under the supervision of the agency that was  
11 licensed under the Child Care Act of 1969 as a Children's  
12 Group Home 17D up to and including July 1, 2020.

13 (e) "Recipient" means a person who has received, is  
14 receiving, or is in need of treatment or habilitation as those  
15 terms are defined in the Mental Health and Developmental  
16 Disabilities Code.

17 (f) "Unrelated" means that persons residing together in  
18 programs or placements certified by a community mental health  
19 or developmental services agency under this Act do not have any  
20 of the following relationships by blood, marriage or adoption:  
21 parent, son, daughter, brother, sister, grandparent, uncle,  
22 aunt, nephew, niece, great grandparent, great uncle, great  
23 aunt, stepbrother, stepsister, stepson, stepdaughter,  
24 stepparent or first cousin.

25 (Source: P.A. 101-48, eff. 1-1-20.)

1 Section 10. The Child Care Act of 1969 is amended by  
2 changing Section 2.16 as follows:

3 (225 ILCS 10/2.16) (from Ch. 23, par. 2212.16)

4 Sec. 2.16. "Group home" means a child care facility which  
5 provides care for no more than 10 children placed by and under  
6 the supervision of a licensed child welfare agency with these  
7 homes being owned or rented, staffed, maintained and otherwise  
8 operated by the agency. "Group home" does not include a living  
9 arrangement where 10 or fewer persons under 22 years of age  
10 reside that was licensed under this Act as a Children's Group  
11 Home 17D up to and including July 1, 2020.

12 (Source: P.A. 79-1016.)

13 (225 ILCS 10/3.5 rep.)

14 Section 15. The Child Care Act of 1969 is amended by  
15 repealing Section 3.5.

16 Section 99. Effective date. This Act takes effect July 1,  
17 2020.