



Sen. Laura Fine

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1 AMENDMENT TO SENATE BILL 3431

2 AMENDMENT NO. _____. Amend Senate Bill 3431 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Rehabilitation of Persons with
5 Disabilities Act is amended by changing Sections 1b, 3, 5, 5a,
6 9, 12a, and 13a as follows:

7 (20 ILCS 2405/1b) (from Ch. 23, par. 3432)

8 Sec. 1b. Definitions. As used in ~~For the purpose of this~~
9 Act: ~~, the term~~

10 "Person ~~person~~ with one or more disabilities" means a ~~any~~
11 person who, by reason of a physical or mental impairment, is or
12 may be expected to require assistance to achieve ~~be totally or~~
13 ~~partially incapacitated for~~ independent living or competitive
14 integrated employment.

15 "Vocational rehabilitation" ~~gainful employment; the term~~
16 "~~rehabilitation~~" or "~~habilitation~~" means those vocational or

1 other appropriate services that ~~which~~ increase the
2 opportunities for competitive integrated employment.

3 "Independent living" ~~independent functioning or gainful~~
4 ~~employment; the term "comprehensive rehabilitation"~~ means
5 those services necessary and appropriate to support community
6 living and independence.

7 "Director" ~~for increasing the potential for independent~~
8 ~~living or gainful employment as applicable; the term~~
9 ~~"vocational rehabilitation administrator"~~ means the head of
10 the designated State unit within the Department responsible for
11 administration of rehabilitation and independent living
12 services provided for in this Act, including but not limited to
13 the administration of the federal Rehabilitation Act of 1973,
14 as amended by the Workforce Innovation and Opportunity Act.~~†~~
15 ~~the term~~

16 "Department" means the Department of Human Services. ~~† and~~
17 ~~the term~~

18 "Secretary" means the Secretary of the Department of Human
19 Services.

20 (Source: P.A. 89-507, eff. 7-1-97; 90-453, eff. 8-16-97.)

21 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

22 Sec. 3. Powers and duties. The Department shall have the
23 powers and duties enumerated herein:

24 (a) To cooperate ~~co-operate~~ with the federal
25 government in the administration of the provisions of the

1 federal Rehabilitation Act of 1973, as amended ~~by, of~~ the
2 Workforce Innovation and Opportunity Act, and of the
3 federal Social Security Act to the extent and in the manner
4 provided in these Acts.

5 (b) To prescribe and supervise such courses of
6 vocational training and provide such other services as may
7 be necessary for the vocational ~~habilitation~~ and
8 rehabilitation of persons with one or more disabilities,
9 including the administrative activities under subsection
10 (e) of this Section; ~~and~~ to cooperate ~~co-operate~~ with
11 State and local school authorities and other recognized
12 agencies engaged in vocational ~~habilitation,~~
13 ~~rehabilitation and comprehensive~~ rehabilitation services;
14 and to cooperate with the Department of Children and Family
15 Services, the Illinois State Board of Education, and others
16 regarding the ~~care and~~ education of children with one or
17 more disabilities.

18 (c) (Blank).

19 (d) To report in writing, to the Governor, annually on
20 or before the first day of December, and at such other
21 times and in such manner and upon such subjects as the
22 Governor may require. The annual report shall contain (1)
23 information on the programs and activities dedicated to
24 vocational rehabilitation, independent living, and other
25 community services and supports administered by the
26 Director; (2) information on the development of vocational

1 rehabilitation services, independent living services, and
2 supporting services administered by the Director in the
3 State; and (3) information detailing a statement of the
4 ~~existing condition of comprehensive rehabilitation~~
5 ~~services, habilitation and rehabilitation in the State;~~
6 ~~(2) a statement of suggestions and recommendations with~~
7 ~~reference to the development of comprehensive~~
8 ~~rehabilitation services, habilitation and rehabilitation~~
9 ~~in the State; and (3) an itemized statement of the amounts~~
10 of money received from federal, State, and other sources,
11 and of the objects and purposes to which the respective
12 items of these several amounts have been devoted.

13 (e) (Blank).

14 (f) To establish a program of services to prevent the
15 unnecessary institutionalization of persons in need of
16 long term care and who meet the criteria for blindness or
17 disability as defined by the Social Security Act, thereby
18 enabling them to remain in their own homes. Such preventive
19 services include any or all of the following:

20 (1) personal assistant services;

21 (2) homemaker services;

22 (3) home-delivered meals;

23 (4) adult day care services;

24 (5) respite care;

25 (6) home modification or assistive equipment;

26 (7) home health services;

- 1 (8) electronic home response;
- 2 (9) brain injury behavioral/cognitive services;
- 3 (10) brain injury habilitation;
- 4 (11) brain injury pre-vocational services; or
- 5 (12) brain injury supported employment.

6 The Department shall establish eligibility standards
7 for such services taking into consideration the unique
8 economic and social needs of the population for whom they
9 are to be provided. Such eligibility standards may be based
10 on the recipient's ability to pay for services; provided,
11 however, that any portion of a person's income that is
12 equal to or less than the "protected income" level shall
13 not be considered by the Department in determining
14 eligibility. The "protected income" level shall be
15 determined by the Department, shall never be less than the
16 federal poverty standard, and shall be adjusted each year
17 to reflect changes in the Consumer Price Index For All
18 Urban Consumers as determined by the United States
19 Department of Labor. The standards must provide that a
20 person may not have more than \$10,000 in assets to be
21 eligible for the services, and the Department may increase
22 or decrease the asset limitation by rule. The Department
23 may not decrease the asset level below \$10,000.

24 The services shall be provided, as established by the
25 Department by rule, to eligible persons to prevent
26 unnecessary or premature institutionalization, to the

1 extent that the cost of the services, together with the
2 other personal maintenance expenses of the persons, are
3 reasonably related to the standards established for care in
4 a group facility appropriate to their condition. These
5 non-institutional services, pilot projects or experimental
6 facilities may be provided as part of or in addition to
7 those authorized by federal law or those funded and
8 administered by the Illinois Department on Aging. The
9 Department shall set rates and fees for services in a fair
10 and equitable manner. Services identical to those offered
11 by the Department on Aging shall be paid at the same rate.

12 Except as otherwise provided in this paragraph,
13 personal assistants shall be paid at a rate negotiated
14 between the State and an exclusive representative of
15 personal assistants under a collective bargaining
16 agreement. In no case shall the Department pay personal
17 assistants an hourly wage that is less than the federal
18 minimum wage. Within 30 days after July 6, 2017 (the
19 effective date of Public Act 100-23), the hourly wage paid
20 to personal assistants and individual maintenance home
21 health workers shall be increased by \$0.48 per hour.

22 Solely for the purposes of coverage under the Illinois
23 Public Labor Relations Act, personal assistants providing
24 services under the Department's Home Services Program
25 shall be considered to be public employees and the State of
26 Illinois shall be considered to be their employer as of

1 July 16, 2003 (the effective date of Public Act 93-204),
2 but not before. Solely for the purposes of coverage under
3 the Illinois Public Labor Relations Act, home care and home
4 health workers who function as personal assistants and
5 individual maintenance home health workers and who also
6 provide services under the Department's Home Services
7 Program shall be considered to be public employees, no
8 matter whether the State provides such services through
9 direct fee-for-service arrangements, with the assistance
10 of a managed care organization or other intermediary, or
11 otherwise, and the State of Illinois shall be considered to
12 be the employer of those persons as of January 29, 2013
13 (the effective date of Public Act 97-1158), but not before
14 except as otherwise provided under this subsection (f). The
15 State shall engage in collective bargaining with an
16 exclusive representative of home care and home health
17 workers who function as personal assistants and individual
18 maintenance home health workers working under the Home
19 Services Program concerning their terms and conditions of
20 employment that are within the State's control. Nothing in
21 this paragraph shall be understood to limit the right of
22 the persons receiving services defined in this Section to
23 hire and fire home care and home health workers who
24 function as personal assistants and individual maintenance
25 home health workers working under the Home Services Program
26 or to supervise them within the limitations set by the Home

1 Services Program. The State shall not be considered to be
2 the employer of home care and home health workers who
3 function as personal assistants and individual maintenance
4 home health workers working under the Home Services Program
5 for any purposes not specifically provided in Public Act
6 93-204 or Public Act 97-1158, including but not limited to,
7 purposes of vicarious liability in tort and purposes of
8 statutory retirement or health insurance benefits. Home
9 care and home health workers who function as personal
10 assistants and individual maintenance home health workers
11 and who also provide services under the Department's Home
12 Services Program shall not be covered by the State
13 Employees Group Insurance Act of 1971.

14 The Department shall execute, relative to nursing home
15 prescreening, as authorized by Section 4.03 of the Illinois
16 Act on the Aging, written inter-agency agreements with the
17 Department on Aging and the Department of Healthcare and
18 Family Services, to effect the intake procedures and
19 eligibility criteria for those persons who may need long
20 term care. On and after July 1, 1996, all nursing home
21 prescreenings for individuals 18 through 59 years of age
22 shall be conducted by the Department, or a designee of the
23 Department.

24 The Department is authorized to establish a system of
25 recipient cost-sharing for services provided under this
26 Section. The cost-sharing shall be based upon the

1 recipient's ability to pay for services, but in no case
2 shall the recipient's share exceed the actual cost of the
3 services provided. Protected income shall not be
4 considered by the Department in its determination of the
5 recipient's ability to pay a share of the cost of services.
6 The level of cost-sharing shall be adjusted each year to
7 reflect changes in the "protected income" level. The
8 Department shall deduct from the recipient's share of the
9 cost of services any money expended by the recipient for
10 disability-related expenses.

11 To the extent permitted under the federal Social
12 Security Act, the Department, or the Department's
13 authorized representative, may recover the amount of
14 moneys expended for services provided to or in behalf of a
15 person under this Section by a claim against the person's
16 estate or against the estate of the person's surviving
17 spouse, but no recovery may be had until after the death of
18 the surviving spouse, if any, and then only at such time
19 when there is no surviving child who is under age 21 or
20 blind or who has a permanent and total disability. This
21 paragraph, however, shall not bar recovery, at the death of
22 the person, of moneys for services provided to the person
23 or in behalf of the person under this Section to which the
24 person was not entitled; provided that such recovery shall
25 not be enforced against any real estate while it is
26 occupied as a homestead by the surviving spouse or other

1 dependent, if no claims by other creditors have been filed
2 against the estate, or, if such claims have been filed,
3 they remain dormant for failure of prosecution or failure
4 of the claimant to compel administration of the estate for
5 the purpose of payment. This paragraph shall not bar
6 recovery from the estate of a spouse, under Sections 1915
7 and 1924 of the Social Security Act and Section 5-4 of the
8 Illinois Public Aid Code, who precedes a person receiving
9 services under this Section in death. All moneys for
10 services paid to or in behalf of the person under this
11 Section shall be claimed for recovery from the deceased
12 spouse's estate. "Homestead", as used in this paragraph,
13 means the dwelling house and contiguous real estate
14 occupied by a surviving spouse or relative, as defined by
15 the rules and regulations of the Department of Healthcare
16 and Family Services, regardless of the value of the
17 property.

18 The Department shall submit an annual report on
19 programs and services provided under this Section. The
20 report shall be filed with the Governor and the General
21 Assembly on or before March 30 each year.

22 ~~The requirement for reporting to the General Assembly~~
23 ~~shall be satisfied by filing copies of the report as~~
24 ~~required by Section 3.1 of the General Assembly~~
25 ~~Organization Act, and filing additional copies with the~~
26 ~~State Government Report Distribution Center for the~~

1 ~~General Assembly as required under paragraph (t) of Section~~
2 ~~7 of the State Library Act.~~

3 (g) To establish such subdivisions of the Department as
4 shall be desirable and assign to the various subdivisions
5 the responsibilities and duties placed upon the Department
6 by law.

7 (h) To cooperate and enter into any necessary
8 agreements with the Department of Employment Security for
9 the provision of job placement and job referral services to
10 clients of the Department, including job service
11 registration of such clients with Illinois Employment
12 Security offices and making job listings maintained by the
13 Department of Employment Security available to such
14 clients.

15 (i) To possess all powers reasonable and necessary for
16 the exercise and administration of the powers, duties and
17 responsibilities of the Department which are provided for
18 by law.

19 (j) (Blank).

20 (k) (Blank).

21 (l) To establish, operate, and maintain a Statewide
22 Housing Clearinghouse of information on available
23 government subsidized housing accessible to persons with
24 disabilities and available privately owned housing
25 accessible to persons with disabilities. The information
26 shall include, but not be limited to, the location, rental

1 requirements, access features and proximity to public
2 transportation of available housing. The Clearinghouse
3 shall consist of at least a computerized database for the
4 storage and retrieval of information and a separate or
5 shared toll free telephone number for use by those seeking
6 information from the Clearinghouse. Department offices and
7 personnel throughout the State shall also assist in the
8 operation of the Statewide Housing Clearinghouse.
9 Cooperation with local, State, and federal housing
10 managers shall be sought and extended in order to
11 frequently and promptly update the Clearinghouse's
12 information.

13 (m) To assure that the names and case records of
14 persons who received or are receiving services from the
15 Department, including persons receiving vocational
16 rehabilitation, home services, or other services, and
17 those attending one of the Department's schools or other
18 supervised facility shall be confidential and not be open
19 to the general public. Those case records and reports or
20 the information contained in those records and reports
21 shall be disclosed by the Director only to proper law
22 enforcement officials, individuals authorized by a court,
23 the General Assembly or any committee or commission of the
24 General Assembly, and other persons and for reasons as the
25 Director designates by rule. Disclosure by the Director may
26 be only in accordance with other applicable law.

1 (Source: P.A. 99-143, eff. 7-27-15; 100-23, eff. 7-6-17;
2 100-477, eff. 9-8-17; 100-587, eff. 6-4-18; 100-863, eff.
3 8-14-18; 100-1148, eff. 12-10-18.)

4 (20 ILCS 2405/5) (from Ch. 23, par. 3436)

5 Sec. 5. The Department is authorized to receive such gifts
6 or donations, either from public or private sources, as may be
7 offered unconditionally or under such conditions related to the
8 comprehensive vocational rehabilitation services, independent
9 living services, and other community services and supports
10 administered by the Director for ~~habilitation~~ and
11 ~~rehabilitation~~ of persons with one or more disabilities, as in
12 the judgment of the Department are proper and consistent with
13 the provisions of this Act.

14 (Source: P.A. 94-91, eff. 7-1-05.)

15 (20 ILCS 2405/5a) (from Ch. 23, par. 3437)

16 Sec. 5a. The State of Illinois does hereby (1) accept the
17 provisions and benefits of the act of Congress entitled the
18 Rehabilitation Act of 1973, as amended by the Workforce
19 Innovation and Opportunity Act ~~heretofore and hereafter~~
20 ~~amended~~, (2) designate the State Treasurer as custodian of all
21 moneys received by the State from appropriations made by the
22 Congress of the United States for comprehensive vocational
23 rehabilitation services and related services for persons
24 ~~habilitation and rehabilitation of persons~~ with one or more

1 disabilities, to be kept in a fund to be known as the
2 Vocational Rehabilitation Fund, and authorize the State
3 treasurer to make disbursements therefrom upon the order of the
4 Department, and (3) empower and direct the Department to
5 cooperate with the federal government in carrying out the
6 provisions of the Rehabilitation Act of 1973, as amended by the
7 Workforce Innovation and Opportunity Act.

8 (Source: P.A. 88-500.)

9 (20 ILCS 2405/9) (from Ch. 23, par. 3440)

10 Sec. 9. Whenever, in the course of its vocational
11 rehabilitation program, ~~rehabilitation and habilitation~~
12 ~~program~~, the Department has provided tools, equipment, initial
13 stock or other supplies to a person with one or more
14 disabilities to establish a business enterprise as a
15 self-employed person, other than a business enterprise under
16 the supervision and management of a non-profit agency, the
17 Department may, in its discretion, convey title to such tools,
18 equipment, initial stock or other supplies at any time after
19 the expiration of 6 months after such items are provided to
20 that person.

21 (Source: P.A. 86-607.)

22 (20 ILCS 2405/12a) (from Ch. 23, par. 3443a)

23 Sec. 12a. Centers for independent living.

24 (a) Purpose. Recognizing that persons with significant

1 disabilities deserve a high quality of life within their
2 communities regardless of their disabilities, ~~the Department,~~
3 ~~working with~~ the Statewide Independent Living Council, shall
4 develop a State Plan for Independent Living for approval by the
5 Department and subsequent submission to the Administrator
6 based on federally prescribed timeframes. ~~plan for submission~~
7 ~~on an annual basis to the Commissioner.~~ The Department shall
8 adopt rules for implementing the State Plan for Independent
9 Living ~~plan~~ in accordance with the federal Act, including rules
10 adopted under the federal Act governing the award of grants.

11 (b) Definitions. As used in this Section, unless the
12 context clearly requires otherwise:

13 "Administrator" means the Administrator of the
14 Administration for Community Living in the United States
15 Department of Health and Human Services.

16 ~~"Federal Act" means the federal Rehabilitation Act of 1973,~~
17 ~~as amended.~~

18 "Center for independent living" means a consumer
19 controlled, community based, cross-disability,
20 non-residential, private non-profit agency that is designated
21 and operated within a local community by individuals with
22 disabilities and provides an array of independent living
23 services.

24 "Consumer controlled" means that the center for
25 independent living vests power and authority in individuals
26 with disabilities and that at least 51% of the directors of the

1 center are persons with one or more disabilities as defined by
2 this Act.

3 ~~"Commissioner" means the Commissioner of the~~
4 ~~Rehabilitation Services Administration in the United States~~
5 ~~Department of Education.~~

6 "Council" means the Statewide Independent Living Council
7 appointed under subsection (d).

8 "Federal Act" means the federal Rehabilitation Act of 1973,
9 as amended.

10 "Individual with a disability" means any individual who has
11 a physical or mental impairment that substantially limits a
12 major life activity, has a record of such an impairment, or is
13 regarded as having such an impairment.

14 "Individual with a significant disability" means an
15 individual with a significant physical or mental impairment,
16 whose ability to function independently in the family or
17 community or whose ability to obtain, maintain, or advance in
18 employment is substantially limited and for whom the delivery
19 of independent living services will improve the ability to
20 function, continue functioning, or move toward functioning
21 independently in the family or community or to continue in
22 employment.

23 "State Plan for Independent Living plan" means the
24 materials submitted by the Statewide Independent Living
25 Council, after receiving the approval of the Department, to the
26 Administrator based on federally prescribed timeframes

1 ~~Department to the Commissioner on an annual basis~~ that contain
2 the State's proposal for:

3 (1) The provision of statewide independent living
4 services.

5 (2) The development and support of a statewide network
6 of centers for independent living.

7 (3) Working relationships between (i) programs
8 providing independent living services and independent
9 living centers and (ii) the vocational rehabilitation
10 program administered by the Department under the federal
11 Act and other programs providing services for individuals
12 with disabilities.

13 (c) Authority. The unit of the Department headed by the
14 Director, or his or her designee, ~~vocational rehabilitation~~
15 ~~administrator~~ shall be designated the State unit under Title
16 VII of the federal Act and shall have the following
17 responsibilities:

18 (1) To receive, account for, and disburse funds
19 received by the State under the federal Act based on the
20 State Plan for Independent Living ~~plan~~.

21 (2) To provide administrative support services to
22 centers for independent living programs.

23 (3) To keep records, and take such actions with respect
24 to those records, as the Administrator ~~Commissioner~~ finds
25 to be necessary with respect to the programs.

26 (4) To submit additional information or provide

1 assurances the Administrator ~~Commissioner~~ may require with
2 respect to the programs.

3 The ~~vocational rehabilitation administrator and the~~
4 Chairperson of the Council is ~~are~~ responsible for ~~jointly~~
5 developing ~~and signing~~ the State Plan for Independent Living
6 ~~plan~~ required by Section 704 of the federal Act. The Director,
7 or his or her designee, is responsible for approving the State
8 Plan for Independent Living prior to its submission to the
9 Administrator. The State Plan for Independent Living ~~plan~~ shall
10 conform to the requirements of Section 704 of the federal Act.

11 (d) Statewide Independent Living Council.

12 The Governor shall appoint a Statewide Independent Living
13 Council, comprised of 18 members, which shall be established as
14 an entity separate and distinct from the Department. The
15 composition of the Council shall include the following:

16 (1) At least one director of a center for independent
17 living chosen by the directors of centers for independent
18 living within the State.

19 (2) A representative from the unit of the Department of
20 Human Services responsible for the administration of the
21 vocational rehabilitation program and a representative
22 from another unit in the Department of Human Services that
23 provides services for individuals with disabilities and a
24 representative each from the Department on Aging, the State
25 Board of Education, and the Department of Children and
26 Family Services, all as ex officio, nonvoting ~~ex officio,~~

1 ~~non-voting~~ members who shall not be counted in the 18
2 members appointed by the Governor.

3 In addition, the Council may include the following:

4 (A) One or more representatives of centers for
5 independent living.

6 (B) One or more parents or guardians of individuals
7 with disabilities.

8 (C) One or more advocates for individuals with
9 disabilities.

10 (D) One or more representatives of private business.

11 (E) One or more representatives of organizations that
12 provide services for individuals with disabilities.

13 (F) Other appropriate individuals.

14 After soliciting recommendations from organizations
15 representing a broad range of individuals with disabilities and
16 organizations interested in individuals with disabilities, the
17 Governor shall appoint members of the Council for terms
18 beginning July 1, 1993. The Council shall be composed of
19 members (i) who provide statewide representation; (ii) who
20 represent a broad range of individuals with disabilities from
21 diverse backgrounds; (iii) who are knowledgeable about centers
22 for independent living and independent living services; and
23 (iv) a majority of whom are persons who are individuals with
24 disabilities and are not employed by any State agency or center
25 for independent living.

26 The council shall elect a chairperson from among its voting

1 membership.

2 Each member of the Council shall serve for terms of 3
3 years, except that (i) a member appointed to fill a vacancy
4 occurring before the expiration of the term for which the
5 predecessor was appointed shall be appointed for the remainder
6 of that term and (ii) terms of the members initially appointed
7 after the effective date of this amendatory Act of 1993 shall
8 be as follows: 6 of the initial members shall be appointed for
9 terms of one year, 6 shall be appointed for terms of 2 years,
10 and 6 shall be appointed for terms of 3 years. No member of the
11 council may serve more than 2 consecutive full terms.

12 Appointments to fill vacancies in unexpired terms and new
13 terms shall be filled by the Governor or by the Council if the
14 Governor delegates that power to the Council by executive
15 order. The vacancy shall not affect the power of the remaining
16 members to execute the powers and duties of the Council. The
17 Council shall have the duties enumerated in subsections (c),
18 (d), and (e) of Section 705 of the federal Act.

19 Members shall be reimbursed for their actual expenses
20 incurred in the performance of their duties, including expenses
21 for travel, child care, and personal assistance services, and a
22 member who is not employed or who must forfeit wages from other
23 employment shall be paid reasonable compensation for each day
24 the member is engaged in performing the duties of the Council.
25 The reimbursement or compensation shall be paid from moneys
26 made available to the Department under Part B of Title VII of

1 the federal Act.

2 ~~In addition to the powers and duties granted to advisory~~
3 ~~boards by Section 5-505 of the Departments of State Government~~
4 ~~Law (20 ILCS 5/5-505), the Council shall have the authority to~~
5 ~~appoint jointly with the vocational rehabilitation~~
6 ~~administrator a peer review committee to consider and make~~
7 ~~recommendations for grants to eligible centers for independent~~
8 ~~living.~~

9 (e) Grants to centers for independent living. Each center
10 for independent living that receives assistance from the
11 Department under this Section shall comply with the standards
12 and provide and comply with the assurances that are set forth
13 in the State plan and consistent with Section 725 of the
14 federal Act. Each center for independent living receiving
15 financial assistance from the Department shall provide
16 satisfactory assurances at the time and in the manner the
17 Director, or his or her designee, requires. Centers for
18 independent living receiving financial assistance from the
19 Department shall comply with grant making provisions outlined
20 in State and federal law, and with the requirements of their
21 respective grant contracts. ~~vocational rehabilitation~~
22 ~~administrator requires.~~

23 Beginning October 1, 1994, the Director, or his or her
24 designee, ~~vocational rehabilitation administrator~~ may award
25 grants to any eligible center for independent living that is
26 receiving funds under Title VII of the federal Act, unless the

1 Director, or his or her designee, ~~vocational rehabilitation~~
2 ~~administrator~~ makes a finding that the center for independent
3 living fails to comply with the standards and assurances set
4 forth in Section 725 of the federal Act.

5 If there is no center for independent living serving a
6 region of the State or the region is underserved, and the State
7 receives a federal increase in its allotment sufficient to
8 support one or more additional centers for independent living
9 in the State, the Director, or his or her designee, ~~vocational~~
10 ~~rehabilitation administrator~~ may award a grant under this
11 subsection to one or more eligible agencies, consistent with
12 the provisions of the State plan setting forth the design of
13 the State for establishing a statewide network for centers for
14 independent living.

15 In selecting from among eligible agencies in awarding a
16 grant under this subsection for a new center for independent
17 living, the Director, or his or her designee, ~~vocational~~
18 ~~rehabilitation administrator~~ and the chairperson of (or other
19 individual designated by) the Council acting on behalf of and
20 at the direction of the Council shall jointly appoint a peer
21 review committee that shall rank applications in accordance
22 with the standards and assurances set forth in Section 725 of
23 the federal Act and criteria jointly established by the
24 Director, or his or her designee, ~~vocational rehabilitation~~
25 ~~administrator~~ and the chairperson or designated individual.
26 The peer review committee shall consider the ability of the

1 applicant to operate a center for independent living and shall
2 recommend an applicant to receive a grant under this subsection
3 based on the following:

4 (1) Evidence of the need for a center for independent
5 living, consistent with the State plan.

6 (2) Any past performance of the applicant in providing
7 services comparable to independent living services.

8 (3) The applicant's plan for complying with, or
9 demonstrated success in complying with, the standards and
10 assurances set forth in Section 725 of the federal Act.

11 (4) The quality of key personnel of the applicant and
12 the involvement of individuals with significant
13 disabilities by the applicant.

14 (5) The budgets and cost effectiveness of the
15 applicant.

16 (6) The evaluation plan of the applicant.

17 (7) The ability of the applicant to carry out the plan.

18 The Director, or his or her designee, ~~vocational~~
19 ~~rehabilitation administrator~~ shall award the grant on the basis
20 of the recommendation of the peer review committee if the
21 actions of the committee are consistent with federal and State
22 law.

23 (f) Evaluation and review. The Director, or his or her
24 designee, ~~vocational rehabilitation administrator~~ shall
25 periodically review each center for independent living that
26 receives funds from the Department under Title VII of the

1 federal Act, or moneys appropriated from the General Revenue
2 Fund, to determine whether the center is in compliance with the
3 standards and assurances set forth in Section 725 of the
4 federal Act, other applicable State and federal laws, and the
5 provisions of the grant contract. If the Director, or his or
6 her designee, vocational rehabilitation administrator
7 determines that any center receiving those federal or State
8 funds is not in compliance ~~with the standards and assurances~~
9 ~~set forth in Section 725~~, the Director, or his or her designee,
10 ~~vocational rehabilitation administrator~~ shall immediately
11 notify the center that it is out of compliance. The Director,
12 or his or her designee, shall recommend to the Secretary, or
13 his or her designee, that all funding to that center be
14 terminated ~~vocational rehabilitation administrator shall~~
15 ~~terminate all funds to that center~~ 90 days after the date of
16 notification or, in the case of a center that requests an
17 appeal, the date of any final decision, unless the center
18 submits a plan to achieve compliance within 90 days and that
19 plan is approved by the Director, or his or her designee,
20 ~~vocational rehabilitation administrator~~ or (if on appeal) by
21 the Secretary, or his or her designee ~~Commissioner~~.

22 (Source: P.A. 91-239, eff. 1-1-00; 91-540, eff. 8-13-99; 92-16,
23 eff. 6-28-01.)

24 (20 ILCS 2405/13a) (from Ch. 23, par. 3444a)

25 Sec. 13a. (a) The Department shall be responsible for

1 coordinating the establishment of local Transition Planning
2 Committees. Members of the committees shall consist of
3 representatives from special education; vocational and regular
4 education; post-secondary education; parents of youth with
5 disabilities; persons with disabilities; local business or
6 industry; the Department of Human Services; public and private
7 adult service providers; case coordination; and other
8 consumer, school, and adult services as appropriate. The
9 Committee shall elect a chair and shall meet at least
10 quarterly. Each Transition Planning Committee shall:

11 (1) identify current transition services, programs,
12 and funding sources provided within the community for
13 secondary and post-secondary aged youth with disabilities
14 and their families as well as the development of strategies
15 to address unmet needs;

16 (2) facilitate the development of transition
17 interagency teams to address present and future transition
18 needs of individual students on their individual education
19 plans;

20 (3) develop a mission statement that emphasizes the
21 goals of integration and participation in all aspects of
22 community life for persons with disabilities;

23 (4) provide for the exchange of information such as
24 appropriate data, effectiveness studies, special projects,
25 exemplary programs, and creative funding of programs;

26 (5) develop consumer in-service and awareness training

1 programs in the local community; and

2 (6) assist in staff training for individual transition
3 planning and student transition needs assessment.

4 (b) Each Transition Planning Committee shall select a chair
5 from among its members who shall serve for a term of one year.
6 Each committee shall meet at least quarterly, or at such other
7 times at the call of the chair.

8 (c) (Blank). ~~Each Transition Planning Committee shall~~
9 ~~annually prepare and submit to the Interagency Coordinating~~
10 ~~Council a report which assesses the level of currently~~
11 ~~available services in the community as well as the level of~~
12 ~~unmet needs of secondary students with disabilities, makes~~
13 ~~recommendations to address unmet needs, and summarizes the~~
14 ~~steps taken to address unmet needs based on the recommendations~~
15 ~~made in previous reports.~~

16 (d) The name and affiliation of each local Transition
17 Planning Committee member ~~and the annual report~~ required under
18 subsection (c) of this Section shall be filed with the
19 administrative office of each school district served by the
20 local Transition Planning Committee, be made available to the
21 public upon request, and be sent to each member of the General
22 Assembly whose district encompasses the area served by the
23 Transition Planning Committee.

24 (Source: P.A. 92-452, eff. 8-21-01.)

25 (20 ILCS 2405/12 rep.)

1 Section 10. The Rehabilitation of Persons with
2 Disabilities Act is amended by repealing Section 12.

3 (20 ILCS 2407/Art. 4 rep.)

4 Section 15. The Disabilities Services Act of 2003 is
5 amended by repealing Article 4."