

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 1. Short title. This Act may be cited as the Home  
5 Modification Program Act.

6 Section 5. Findings. The General Assembly finds and  
7 declares the following:

8 (1) The national average monthly cost for a private  
9 nursing home room in 2020 was \$8,821 (\$105,852 annually).  
10 Home modifications paired with other resources can allow  
11 individuals to remain in their homes at a lower overall  
12 expense.

13 (2) According to an AARP study, 90% of people age 65  
14 and over would prefer to stay in their own homes as they  
15 get older and not go to a nursing home or assisted living  
16 facility.

17 (3) On June 22, 1999, the United States Supreme Court  
18 held in *Olmstead v. L.C.*, 119 S. Ct. 2176 (1999), that  
19 unjustified segregation of persons with disabilities  
20 constitutes discrimination in violation of Title II of the  
21 Americans with Disabilities Act. At the heart of its  
22 decision were 2 concepts. First, "institutional placement  
23 of persons who can handle and benefit from community

1 settings perpetuates unwarranted assumptions that persons  
2 so isolated are incapable of or unworthy of participating  
3 in community life". Second, "confinement in an institution  
4 severely diminishes the everyday life activities of  
5 individuals, including family relations, social contacts,  
6 work options, economic independence, educational  
7 advancement, and cultural enrichment".

8 (4) The United States has roughly 1,200,000 adults in  
9 nursing homes and over 360,000 people in psychiatric and  
10 other 24-hour care institutions across the country, and  
11 waiting lists for housing subsidies across the country  
12 average over 2,000 households per list and have a median  
13 of 1.5 years, and up to 7-year waits in some areas.

14 (5) There is an estimated shortage of 7,000,000  
15 affordable housing units and less than 5% of the units  
16 that do exist fit access standards for individuals with  
17 moderate mobility needs. In Chicago, less than 1% of units  
18 are accessible.

19 (6) With a growing shortage of nurses and caregivers,  
20 home modifications can reduce the need for home support  
21 and alleviate stress on the health care system.

22 (7) Current grant recipients of home modifications  
23 funding have not had access to the expertise needed to  
24 effectively provide resources and or services for people  
25 with disabilities. Centers for independent living possess  
26 the expertise to provide knowledgeable guidance to assist

1 people with disabilities with home modifications through  
2 accessibility audits of current or prospective homes to  
3 guarantee equal opportunity to live in the community.

4 Section 10. Purpose. The purpose of this Act is to  
5 establish a home modification funding system that is  
6 streamlined, effective, and administered by experts within the  
7 disability community.

8 Section 15. Definitions. As used in this Act:

9 "Home modification" means any change to the structure  
10 of a residential home or property to create barrier free  
11 living, provide access to and from the home, or avoid  
12 institutionalized or congregate placement for persons with  
13 a disability.

14 "Disability" means, with respect to an individual:

15 (1) a physical or mental impairment that  
16 substantially limits one or more major life activities  
17 of the individual;

18 (2) a record of such an impairment; or

19 (3) being regarded as having such an impairment.

20 An individual meets the requirement of "being regarded  
21 as having such an impairment" if the individual  
22 establishes that he or she has been subjected to an  
23 action prohibited under the Americans with  
24 Disabilities Act of 1990 because of an actual or

1           perceived physical or mental impairment whether or not  
2           the impairment limits or is perceived to limit a major  
3           life activity.

4           Section 20. Home Modification Program. The Department of  
5           Human Services shall establish a Home Modification Program to  
6           provide financial assistance to persons with disabilities for  
7           home modification projects. The Department shall designate a  
8           statewide association that represents centers for independent  
9           living to serve as the lead agency to administer the program.  
10          The Department shall provide funding to the lead agency for  
11          the program. The lead agency shall distribute any moneys it  
12          receives from the Department to the State's 22 centers for  
13          independent living, covering all 102 counties. The lead agency  
14          shall ensure that each center for independent living has  
15          access to at least \$105,000 to use for home modification  
16          projects, with the excess funds subject to reallocation during  
17          the 4th fiscal quarter of each year. The requirements of this  
18          Section are subject to the availability of appropriations to  
19          the Department of Human Services in an amount sufficient for  
20          the Department to implement and administer the Home  
21          Modification Program.

22          Section 25. Home modification standards and  
23          qualifications.

24          (a) To qualify for financial assistance under the Home

1 Modification Program, an applicant must:

2 (1) be a resident of the State of Illinois;

3 (2) be a person with a disability as defined in  
4 Section 15;

5 (3) have proof of disability from an agency other than  
6 a center for independent living;

7 (4) be a homeowner or a residential tenant who has  
8 obtained the permission of his or her landlord to make the  
9 home modification. If a tenant and landlord agree to the  
10 home modification, both parties must sign off on final  
11 approval, as well as sign a statement of non-fraudulent  
12 intent; and

13 (5) have income that does not exceed 200% of area  
14 median income.

15 An applicant may be subject to additional reasonable  
16 requirements established by the lead agency that further the  
17 purposes of this Act.

18 (b) Assessment.

19 (1) An applicant's home must undergo a thorough  
20 assessment by a trained center for independent living  
21 staff member. The staff member shall make a written report  
22 of the results of the assessment.

23 (2) The lead agency shall establish a Home  
24 Modification Subcommittee of experienced center for  
25 independent living staff to provide additional oversight,  
26 including, but not limited to:

1           (A) Reviewing the submitted assessment report and  
2           bid for at least the first 3 home modification  
3           requests from a center for independent living or when  
4           new staff is hired.

5           (B) Reviewing any request for more than \$35,000.

6           (c) Contractors.

7           (1) When selecting a contractor, a center for  
8           independent living must seek bids from at least 2  
9           contractors, choosing the lowest responsible bidder.

10          (2) All contractors must be licensed, where  
11          applicable, insured, and follow all local, State, and  
12          federal requirements.

13          Section 30. Administration of home modification funds. The  
14          lead agency shall receive an administrative fee of 3% from all  
15          moneys that are passed through the lead agency for the purpose  
16          of the Home Modification Program.