



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4599

Introduced 1/31/2024, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

New Act

Creates the Home Modification Program Act. Provides that the purpose of the Act is to establish a home modification funding system that is streamlined, effective, and administered by experts within the disability community. Provides that, subject to appropriation, the Department of Human Services shall establish a Home Modification Program to provide financial assistance to persons with disabilities for home modification projects. Requires the Department to designate a statewide association that represents centers for independent living to serve as the lead agency to administer the program. Requires the Department to provide funding for the Program. Requires the lead agency to distribute any moneys it receives from the Department to the State's 22 centers for independent living, covering all 102 counties. Provides that the lead agency shall ensure that each center for independent living has access to at least \$105,000 to use for home modification projects, with the excess funds subject to reallocation during the 4th fiscal quarter of each year. Contains provisions concerning eligibility requirements for applicants under the Program; the lead agency's establishment of a Home Modification Subcommittee to provide additional oversight of the home modification projects; and an administrative fee to the lead agency.

LRB103 37401 KTG 67523 b

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) According to a report released in 2021 by the U.S.
23 Census Bureau, nearly 3,900,000 veterans receive
24 disability compensation payments. These veterans have
25 sacrificed in service to their country and for the defense
26 of our freedoms. Home modifications will help Illinois

1 veterans to regain and maintain their own freedom to
2 utilize their homes and access the world around them.

3 (8) Current grant recipients of home modifications
4 funding have not had access to the expertise needed to
5 effectively provide resources and or services for people
6 with disabilities. Centers for independent living possess
7 the expertise to provide knowledgeable guidance to assist
8 people with disabilities with home modifications through
9 accessibility audits of current or prospective homes to
10 guarantee equal opportunity to live in the community.

11 Section 10. Purpose. The purpose of this Act is to
12 establish a home modification funding system that is
13 streamlined, effective, and administered by experts within the
14 disability community.

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

16 "Department" means the Department of Human Services.

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

18 (1) a physical or mental impairment that
19 substantially limits one or more major life activities
20 of the individual;

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

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

23 An individual meets the requirement of "being regarded
24 as having such an impairment" if the individual

1 establishes that he or she has been subjected to an
2 action prohibited under the Americans with
3 Disabilities Act of 1990 because of an actual or
4 perceived physical or mental impairment whether or not
5 the impairment limits or is perceived to limit a major
6 life activity.

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

12 "Older adult" means any person 60 years of age or
13 older.

14 "Universal design" means any dwelling unit designed
15 and constructed that is safe and accessible for everyone,
16 regardless of age, physical ability, or stature.

17 Section 20. Home Modification Program. Subject to the
18 availability of appropriations in an amount sufficient to
19 implement and administer the provisions of this Act, the
20 Department shall establish a Home Modification Program to
21 provide financial assistance to persons with disabilities for
22 home modification projects. The Department shall designate a
23 statewide association that represents centers for independent
24 living to serve as the lead agency to administer the program.
25 The Department shall provide funding to the lead agency for

1 the program. The lead agency shall distribute any moneys it
2 receives from the Department to the State's 22 centers for
3 independent living, covering all 102 counties. The lead agency
4 shall ensure that each center for independent living has
5 access to at least \$105,000 to use for home modification
6 projects, with the excess funds subject to reallocation during
7 the 4th fiscal quarter of each year.

8 Section 25. Home modification standards and
9 qualifications.

10 (a) To qualify for financial assistance under the Home
11 Modification Program, an applicant must meet the following
12 requirements:

13 (1) Be a resident of the State of Illinois.

14 (2) Be a person with a disability as defined in
15 Section 15. An older adult or veteran who has a disability
16 as defined in Section 15 meets this requirement.

17 (3) Have proof of disability from an agency other than
18 a center for independent living when a disability is not
19 obvious or readily apparent.

20 (4) Be a homeowner or a residential tenant who has
21 obtained the permission of his or her landlord to make the
22 home modification. If a tenant and landlord agree to the
23 home modification, both parties must sign off on final
24 approval, as well as sign a statement of non-fraudulent
25 intent.

1 (5) Have income that does not exceed 200% of area
2 median income.

3 (6) Have not applied for, and been found to be
4 currently eligible for, a separate home modification
5 program or separate substantially similar services
6 administered, coordinated, or provided by the Department
7 and its divisions. Nothing in this paragraph requires a
8 qualified applicant to apply for services through the
9 Department and its divisions.

10 (b) Assessment.

11 (1) An applicant's home must undergo a thorough
12 assessment by a trained center for independent living
13 staff member. The staff member shall make a written report
14 of the results of the assessment.

15 (2) The lead agency shall establish a Home
16 Modification Subcommittee of experienced center for
17 independent living staff to provide additional oversight,
18 including, but not limited to:

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

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

24 (c) Contractors.

25 (1) When selecting a contractor, a center for
26 independent living must seek bids from at least 2

1 contractors, choosing the lowest responsible bidder.

2 (2) All contractors must be licensed, where
3 applicable, insured, and follow all local, State, and
4 federal requirements, including the requirements under the
5 Illinois Accessibility Code.

6 Section 30. Administration of home modification funds. The
7 lead agency shall receive an administrative fee of 3% from all
8 moneys that are passed through the lead agency for the purpose
9 of the Home Modification Program.