



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1674

Introduced 2/8/2023, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

405 ILCS 80/Art. VII-A heading  
405 ILCS 80/7A-1  
405 ILCS 80/7A-2 new  
405 ILCS 80/7A-3 new  
405 ILCS 80/7A-4 new

Amends the Developmental Disability and Mental Disability Services Act. Provides that the Department of Human Services shall establish the Long-Term Stabilization Support Program consisting of at least 8 homes across the State and the Short-Term Stabilization Support Program consisting of at least 10 homes across the State. Provides for the requirements of each program. Provides that the Department shall submit an annual report to the General Assembly and Governor that outlines the progress and effectiveness of the programs beginning December 31, 2025. Provides that the Department shall adopt rules to develop and implement the programs. Provides for the repeal of the Article on January 1, 2028.

LRB103 29556 SPS 55951 b

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 changing the heading of  
6 Article VII-A and Section 7A-1 and by adding Sections 7A-2,  
7 7A-3, and 7A-4 as follows:

8 (405 ILCS 80/Art. VII-A heading)

9 ARTICLE VII-A. STABILIZATION SUPPORT PILOT PROGRAMS ~~DIVERSION~~  
10 ~~FROM FACILITY-BASED CARE PROGRAM~~

11 (Source: P.A. 100-924, eff. 7-1-19; 101-81, eff. 7-12-19.)

12 (405 ILCS 80/7A-1)

13 (Section scheduled to be repealed on January 1, 2025)

14 Sec. 7A-1. Stabilization Support Pilot Programs ~~Diversion~~  
15 ~~from Facility based Care Pilot Program.~~

16 (a) The purposes of this Article are to:

17 (1) decrease the number of admissions to and  
18 transitions from State developmental centers  
19 ~~State-operated facilities;~~

20 (2) address the needs of individuals receiving Home  
21 and Community Based Services (HCBS) with intellectual  
22 disabilities or developmental disabilities who are at risk

1 of facility-based care due to significant behavioral  
2 challenges, ~~some with a dual diagnosis of mental illness,~~  
3 by providing a community-based residential alternative to  
4 facility-based care consistent with their personal  
5 ~~individual~~ plans, and to transition these individuals back  
6 to home and community-based services programming ~~a~~  
7 ~~traditional community integrated living arrangement or~~  
8 ~~other HCBS community setting program;~~

9 (3) (blank); ~~create greater capacity within the~~  
10 ~~short term stabilization homes by allowing individuals who~~  
11 ~~need an extended period of treatment to transfer to a~~  
12 ~~long term stabilization home;~~

13 (4) stabilize the existing community-integrated living  
14 arrangement system ~~homes~~ where the presence of individuals  
15 with complex behavioral challenges is disruptive to their  
16 housemates; ~~and~~

17 (5) add support services to enhance community service  
18 providers who serve individuals with significant  
19 behavioral challenges; and ~~—~~

20 (6) increase the number of individuals transitioning  
21 out of State developmental centers into home and  
22 community-based services programming.

23 (b) (Blank). ~~Subject to appropriation or the availability~~  
24 ~~of other funds for these purposes at the discretion of the~~  
25 ~~Department, the Department shall establish the Diversion from~~  
26 ~~Facility based Care Pilot Program consisting of at least 6~~

1 ~~homes in various locations in this State in accordance with~~  
2 ~~this Article and the following model:~~

3 ~~(1) the Diversion from Facility based Care Model shall~~  
4 ~~serve individuals with intellectual disabilities or~~  
5 ~~developmental disabilities who are currently receiving~~  
6 ~~HCBS services and are at risk of facility based care due~~  
7 ~~to significant behavioral challenges, some with a dual~~  
8 ~~diagnosis of mental illness, for a period ranging from one~~  
9 ~~to 2 years, or longer if appropriate for the individual;~~

10 ~~(2) the Program shall be regulated in accordance with~~  
11 ~~the community integrated living arrangement guidelines;~~

12 ~~(3) each home shall support no more than 4 residents,~~  
13 ~~each having his or her own bedroom;~~

14 ~~(4) if, at any point, an individual, his or her~~  
15 ~~guardian, or family caregivers, in conjunction with the~~  
16 ~~provider and clinical staff, believe the individual is~~  
17 ~~capable of participating in a HCBS service, those~~  
18 ~~opportunities shall be offered as they become available;~~  
19 ~~and~~

20 ~~(5) providers shall have adequate resources,~~  
21 ~~experience, and qualifications to serve the population~~  
22 ~~target by the Program, as determined by the Department;~~

23 ~~(6) participating Program providers and the Department~~  
24 ~~shall participate in an ongoing collaborative whereby best~~  
25 ~~practices and treatment experiences would be shared and~~  
26 ~~utilized;~~

1 ~~(7) home locations shall be proposed by the provider~~  
2 ~~in collaboration with other community stakeholders;~~

3 ~~(8) The Department, in collaboration with~~  
4 ~~participating providers, by rule shall develop data~~  
5 ~~collection and reporting requirements for participating~~  
6 ~~community service providers. Beginning December 31, 2020~~  
7 ~~the Department shall submit an annual report~~  
8 ~~electronically to the General Assembly and Governor that~~  
9 ~~outlines the progress and effectiveness of the pilot~~  
10 ~~program. The report to the General Assembly shall be filed~~  
11 ~~with the Clerk of the House of Representatives and the~~  
12 ~~Secretary of the Senate in electronic form only, in the~~  
13 ~~manner that the Clerk and the Secretary shall direct;~~

14 ~~(9) the staffing model shall allow for a high level of~~  
15 ~~community integration and engagement and family~~  
16 ~~involvement; and~~

17 ~~(10) appropriate day services, staff training~~  
18 ~~priorities, and home modifications shall be incorporated~~  
19 ~~into the Program model, as allowed by HCBS authorization.~~

20 (c) (Blank). ~~This Section is repealed on January 1, 2025.~~

21 (Source: P.A. 102-1109, eff. 12-21-22.)

22 (405 ILCS 80/7A-2 new)

23 Sec. 7A-2. Long-Term Stabilization Support Program.

24 (a) Subject to appropriation or the availability of other  
25 funds for these purposes at the discretion of the Department,

1 the Department shall establish the Long-Term Stabilization  
2 Support Program consisting of at least 8 homes across the  
3 State in accordance with this Article and the following  
4 requirements:

5 (1) The Long-Term Stabilization Support Program shall  
6 serve individuals with intellectual disabilities or  
7 developmental disabilities who are currently receiving  
8 home and community-based services and are at risk of  
9 facility-based care due to significant behavioral  
10 challenges and individuals transitioning out of State  
11 developmental centers for a period of up to 2 years, or  
12 longer if appropriate for the individual.

13 (2) The program shall be regulated by the Department  
14 in accordance with the community-integrated living  
15 arrangement guidelines set forth under the  
16 Community-Integrated Living Arrangement Licensure and  
17 Certification Act and any applicable rules or policies.

18 (3) Each home shall support no more than 4 residents,  
19 each having his or her own bedroom.

20 (4) If an individual is in need of this program, it  
21 must be reflected in his or her individual plan.

22 (5) The individual, in conjunction with his or her  
23 guardian, if applicable, may change his or her home and  
24 community-based services, including his or her  
25 participation in this program. If an individual, his or  
26 her guardian, if applicable, or family caregivers, in

1 conjunction with the provider and clinical staff, believe  
2 the individual is capable of participating in home and  
3 community-based services, those opportunities shall be  
4 offered as services become available.

5 (6) The Department shall ensure providers have  
6 adequate resources, experience, and qualifications to  
7 serve the population targeted by this program.

8 (7) The Department shall lead the providers in an  
9 ongoing collaboration, whereby best practices and  
10 treatment experiences shall be shared and utilized.

11 (8) The providers shall propose home locations in  
12 collaboration with other community stakeholders.

13 (b) The Department shall submit an annual report  
14 electronically to the General Assembly and Governor that  
15 outlines the progress and effectiveness of this program  
16 beginning December 31, 2025. The report to the General  
17 Assembly shall be filed with the Clerk of the House of  
18 Representatives and the Secretary of the Senate in electronic  
19 form only, in the manner that the Clerk and the Secretary shall  
20 direct.

21 (c) The Department shall adopt rules to develop and  
22 implement this program.

23 (405 ILCS 80/7A-3 new)

24 Sec. 7A-3. Short-Term Stabilization Support Program.

25 (a) Subject to appropriation or the availability of other

1 funds for these purposes at the discretion of the Department,  
2 the Department shall establish the Short-Term Stabilization  
3 Support Program consisting of at least 10 homes across the  
4 State, in accordance with this Article and the following  
5 requirements:

6 (1) The Short-Term Stabilization Support Program shall  
7 serve individuals with intellectual disabilities or  
8 developmental disabilities who are currently receiving  
9 home and community-based services and are at risk of  
10 facility-based care due to significant behavioral  
11 challenges for a period ranging up to 90 days with an  
12 option to extend if appropriate for the individual.

13 (2) The program shall be regulated by the Department  
14 in accordance with the community-integrated living  
15 arrangement guidelines set forth under the  
16 Community-Integrated Living Arrangement Licensure and  
17 Certification Act and any applicable rules or policies or  
18 shall be regulated by the Department of Children and  
19 Family Services in accordance with child group home  
20 guidelines set forth under the Children and Family  
21 Services Act and any applicable rules or policies.

22 (3) Each home shall support no more than 4 residents,  
23 each having his or her own bedroom.

24 (4) If an individual is in need of this program, it  
25 must be reflected in his or her individual plan.

26 (5) The individual, in conjunction with his or her



1 guardian, if applicable, may change his or her home and  
2 community-based services, including his or her  
3 participation in this program. If an individual, his or  
4 her guardian, if applicable, or family caregivers, in  
5 conjunction with the provider and clinical staff, believe  
6 the individual is capable of participating in home and  
7 community-based services, those opportunities shall be  
8 offered as services become available.

9 (6) The Department shall ensure providers have  
10 adequate resources, experience, and qualifications to  
11 serve the population targeted by this program.

12 (7) The Department shall lead the providers in an  
13 ongoing collaboration, whereby best practices and  
14 treatment experiences shall be shared and utilized.

15 (8) The providers shall propose home locations in  
16 collaboration with other community stakeholders.

17 (b) The Department shall submit an annual report  
18 electronically to the General Assembly and Governor that  
19 outlines the progress and effectiveness of this program  
20 beginning December 31, 2025. The report to the General  
21 Assembly shall be filed with the Clerk of the House of  
22 Representatives and the Secretary of the Senate in electronic  
23 form only, in the manner that the Clerk and the Secretary shall  
24 direct.

25 (c) The Department shall adopt rules to develop and  
26 implement this program.

1 (405 ILCS 80/7A-4 new)

2 Sec. 7A-4. Repealer. This Article is repealed January 1,

3 2028.