

1 AN ACT concerning public aid.

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

4 Section 5. The Department of Human Services Act is amended
5 by changing Section 10-26 as follows:

6 (20 ILCS 1305/10-26)

7 Sec. 10-26. Disability database.

8 (a) The Department of Human Services shall compile and
9 maintain a cross-disability database of Illinois residents
10 with a disability who are potentially in need of disability
11 services funded by the Department. The database shall consist
12 of individuals with mental illness, physical disabilities, ~~and~~
13 developmental disabilities, and autism spectrum disorders and
14 shall include, but not be limited to, individuals transitioning
15 from special education to adulthood, individuals in
16 State-operated facilities, individuals in private nursing and
17 residential facilities, and individuals in community
18 integrated living arrangements. Within 30 days after the
19 effective date of this amendatory Act of the 93rd General
20 Assembly, the Secretary of Human Services shall seek input from
21 advisory bodies to the Department, including advisory councils
22 and committees working with the Department in the areas of
23 mental illness, physical disabilities, and developmental

1 disabilities. The database shall be operational by July 1,
2 2004. The information collected and maintained for the
3 disability database shall include, but is not limited to, the
4 following: (i) the types of services of which the individual is
5 potentially in need; (ii) demographic and identifying
6 information about the individual; (iii) factors indicating
7 need, including diagnoses, assessment information, age of
8 primary caregivers, and current living situation; (iv) if
9 applicable, the date information about the individual is
10 submitted for inclusion in the database and the types of
11 services sought by the individual; and (v) the representative
12 district in which the individual resides. In collecting and
13 maintaining information under this Section, the Department
14 shall give consideration to cost-effective appropriate
15 services for individuals.

16 (b) This amendatory Act of the 93rd General Assembly does
17 not create any new entitlement to a service, program, or
18 benefit, but shall not affect any entitlement to a service,
19 program, or benefit created by any other law. Except for a
20 service, program, or benefit that is an entitlement, a service,
21 program, or benefit provided as a result of the collection and
22 maintenance of the disability database shall be subject to
23 appropriations made by the General Assembly.

24 (c) The Department, consistent with applicable federal and
25 State law, shall make general information from the disability
26 database available to the public such as: (i) the number of

1 individuals potentially in need of each type of service,
2 program, or benefit and (ii) the general characteristics of
3 those individuals. The Department shall protect the
4 confidentiality of each individual in the database when
5 releasing database information by not disclosing any
6 personally identifying information.

7 (Source: P.A. 93-503, eff. 8-11-03.)

8 Section 10. The Developmental Disability and Mental
9 Disability Services Act is amended by adding Section 5-4 as
10 follows:

11 (405 ILCS 80/5-4 new)

12 Sec. 5-4. Home and Community-Based Services Waivers;
13 autism spectrum disorder. A person diagnosed with an autism
14 spectrum disorder may be assessed for eligibility for services
15 under Home and Community-Based Services Waivers for persons
16 with developmental disabilities, without regard to whether
17 that person is also diagnosed with mental retardation, so long
18 as the person otherwise meets applicable level-of-care
19 criteria under those waivers. This amendatory Act of the 95th
20 General Assembly does not create any new entitlement to a
21 service, program, or benefit, but shall not affect any
22 entitlement to a service, program, or benefit created by any
23 other law.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.