



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5305

Introduced 2/3/2010, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

405 ILCS 30/4

from Ch. 91 1/2, par. 904

Amends the Community Services Act. Provides that subject to appropriation, the Department of Human Services shall develop a community based mental health and alcohol and substance abuse crisis intervention system for adults, and that the system shall seek to ensure statewide access to competent rapid response services, the avoidance of hospitalization, and a reduction in the need for transportation. Requires the Department of Human Services to submit an implementation plan to the General Assembly and the Governor at least 6 months prior to operation of the system.

LRB096 19355 KTG 34746 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Community Services Act is amended by
5 changing Section 4 as follows:

6 (405 ILCS 30/4) (from Ch. 91 1/2, par. 904)

7 Sec. 4. Financing for Community Services.

8 (a) The Department of Human Services is authorized to
9 provide financial reimbursement to eligible private service
10 providers, corporations, local government entities or
11 voluntary associations for the provision of services to persons
12 with mental illness, persons with a developmental disability
13 and alcohol and drug dependent persons living in the community
14 for the purpose of achieving the goals of this Act.

15 The Department shall utilize the following funding
16 mechanisms for community services:

17 (1) Purchase of Care Contracts: services purchased on a
18 predetermined fee per unit of service basis from private
19 providers or governmental entities. Fee per service rates
20 are set by an established formula which covers some portion
21 of personnel, supplies, and other allowable costs, and
22 which makes some allowance for geographic variations in
23 costs as well as for additional program components.

1 (2) Grants: sums of money which the Department grants
2 to private providers or governmental entities pursuant to
3 the grant recipient's agreement to provide certain
4 services, as defined by departmental grant guidelines, to
5 an approximate number of service recipients. Grant levels
6 are set through consideration of personnel, supply and
7 other allowable costs, as well as other funds available to
8 the program.

9 (3) Other Funding Arrangements: funding mechanisms may
10 be established on a pilot basis in order to examine the
11 feasibility of alternative financing arrangements for the
12 provision of community services.

13 The Department shall establish and maintain an equitable
14 system of payment which allows providers to improve persons
15 with disabilities' capabilities for independence and reduces
16 their reliance on State-operated services.

17 (b) The Governor shall create a commission by September 1,
18 2009, or as soon thereafter as possible, to review funding
19 methodologies, identify gaps in funding, identify revenue, and
20 prioritize use of that revenue for community developmental
21 disability services, mental health services, alcohol and
22 substance abuse services, rehabilitation services, and early
23 intervention services. The Office of the Governor shall provide
24 staff support for the commission.

25 (c) The first meeting of the commission shall be held
26 within the first month after the creation and appointment of

1 the commission, and a final report summarizing the commission's
2 recommendations must be issued within 12 months after the first
3 meeting, and no later than September 1, 2010, to the Governor
4 and the General Assembly.

5 (d) The commission shall have the following 13 voting
6 members:

7 (A) one member of the House of Representatives,
8 appointed by the Speaker of the House of Representatives;

9 (B) one member of the House of Representatives,
10 appointed by the House Minority Leader;

11 (C) one member of the Senate, appointed by the
12 President of the Senate;

13 (D) one member of the Senate, appointed by the Senate
14 Minority Leader;

15 (E) one person with a developmental disability, or a
16 family member or guardian of such a person, appointed by
17 the Governor;

18 (F) one person with a mental illness, or a family
19 member or guardian of such a person, appointed by the
20 Governor;

21 (G) two persons from unions that represent employees of
22 community providers that serve people with developmental
23 disabilities, mental illness, and alcohol and substance
24 abuse disorders, appointed by the Governor; and

25 (H) five persons from statewide associations that
26 represent community providers that provide residential,

1 day training, and other developmental disability services,
2 mental health services, alcohol and substance abuse
3 services, rehabilitation services, or early intervention
4 services, or any combination of those, appointed by the
5 Governor.

6 The commission shall also have the following ex-officio,
7 nonvoting members:

8 (I) the Director of the Governor's Office of Management
9 and Budget or his or her designee;

10 (J) the Chief Financial Officer of the Department of
11 Human Services or his or her designee;

12 (K) the Administrator of the Department of Healthcare
13 and Family Services Division of Finance or his or her
14 designee;

15 (L) the Director of the Department of Human Services
16 Division of Developmental Disabilities or his or her
17 designee;

18 (M) the Director of the Department of Human Services
19 Division of Mental Health or his or her designee; and

20 (N) the Director of the Department of Human Services
21 Division of Alcohol and Substance Abuse or his or her
22 designee.

23 (e) The funding methodologies must reflect economic
24 factors inherent in providing services and supports, recognize
25 individual disability needs, and consider geographic
26 differences, transportation costs, required staffing ratios,

1 and mandates not currently funded.

2 (f) In accepting Department funds, providers shall
3 recognize their responsibility to be accountable to the
4 Department and the State for the delivery of services which are
5 consistent with the philosophies and goals of this Act and the
6 rules and regulations promulgated under it.

7 (g) Subject to appropriation, the Department of Human
8 Services shall develop a community based mental health and
9 alcohol and substance abuse crisis intervention system for
10 adults. The system developed under this Section shall seek to
11 ensure statewide access to competent rapid response services,
12 the avoidance of hospitalization, and a reduction in the need
13 for transportation. The Department of Human Services shall
14 submit an implementation plan to the General Assembly and the
15 Governor at least 6 months prior to operation of the system.

16 (Source: P.A. 95-682, eff. 10-11-07; 96-652, eff. 8-24-09.)