

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 2. The Department of Human Services Act is amended
5 by adding Section 1-40 as follows:

6 (20 ILCS 1305/1-40 new)

7 Sec. 1-40. Alcoholism and Substance Abuse; Mental Health;
8 provider payments. For authorized Medicaid services to
9 enrolled individuals, Division of Alcoholism and Substance
10 Abuse and Division of Mental Health providers shall receive
11 payment for such authorized services, with payment occurring no
12 later than in the next fiscal year.

13 Section 5. The Community Services Act is amended by
14 changing Section 4 as follows:

15 (405 ILCS 30/4) (from Ch. 91 1/2, par. 904)

16 Sec. 4. Financing for Community Services.

17 (a) The Department of Human Services is authorized to
18 provide financial reimbursement to eligible private service
19 providers, corporations, local government entities or
20 voluntary associations for the provision of services to persons
21 with mental illness, persons with a developmental disability

1 and alcohol and drug dependent persons living in the community
2 for the purpose of achieving the goals of this Act.

3 The Department shall utilize the following funding
4 mechanisms for community services:

5 (1) Purchase of Care Contracts: services purchased on a
6 predetermined fee per unit of service basis from private
7 providers or governmental entities. Fee per service rates
8 are set by an established formula which covers some portion
9 of personnel, supplies, and other allowable costs, and
10 which makes some allowance for geographic variations in
11 costs as well as for additional program components.

12 (2) Grants: sums of money which the Department grants
13 to private providers or governmental entities pursuant to
14 the grant recipient's agreement to provide certain
15 services, as defined by departmental grant guidelines, to
16 an approximate number of service recipients. Grant levels
17 are set through consideration of personnel, supply and
18 other allowable costs, as well as other funds available to
19 the program.

20 (3) Other Funding Arrangements: funding mechanisms may
21 be established on a pilot basis in order to examine the
22 feasibility of alternative financing arrangements for the
23 provision of community services.

24 The Department shall establish and maintain an equitable
25 system of payment which allows providers to improve persons
26 with disabilities' capabilities for independence and reduces

1 their reliance on State-operated services.

2 For services classified as entitlement services under
3 federal law or guidelines, caps may not be placed on the total
4 amount of payment a provider may receive in a fiscal year and
5 the Department shall not require that a portion of the payments
6 due be made in a subsequent fiscal year based on a yearly
7 payment cap.

8 (b) The Governor shall create a commission by September 1,
9 2009, or as soon thereafter as possible, to review funding
10 methodologies, identify gaps in funding, identify revenue, and
11 prioritize use of that revenue for community developmental
12 disability services, mental health services, alcohol and
13 substance abuse services, rehabilitation services, and early
14 intervention services. The Office of the Governor shall provide
15 staff support for the commission.

16 (c) The first meeting of the commission shall be held
17 within the first month after the creation and appointment of
18 the commission, and a final report summarizing the commission's
19 recommendations must be issued within 12 months after the first
20 meeting, and no later than September 1, 2010, to the Governor
21 and the General Assembly.

22 (d) The commission shall have the following 13 voting
23 members:

24 (A) one member of the House of Representatives,
25 appointed by the Speaker of the House of Representatives;

26 (B) one member of the House of Representatives,

1 appointed by the House Minority Leader;

2 (C) one member of the Senate, appointed by the
3 President of the Senate;

4 (D) one member of the Senate, appointed by the Senate
5 Minority Leader;

6 (E) one person with a developmental disability, or a
7 family member or guardian of such a person, appointed by
8 the Governor;

9 (F) one person with a mental illness, or a family
10 member or guardian of such a person, appointed by the
11 Governor;

12 (G) two persons from unions that represent employees of
13 community providers that serve people with developmental
14 disabilities, mental illness, and alcohol and substance
15 abuse disorders, appointed by the Governor; and

16 (H) five persons from statewide associations that
17 represent community providers that provide residential,
18 day training, and other developmental disability services,
19 mental health services, alcohol and substance abuse
20 services, rehabilitation services, or early intervention
21 services, or any combination of those, appointed by the
22 Governor.

23 The commission shall also have the following ex-officio,
24 nonvoting members:

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

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

3 (K) the Administrator of the Department of Healthcare
4 and Family Services Division of Finance or his or her
5 designee;

6 (L) the Director of the Department of Human Services
7 Division of Developmental Disabilities or his or her
8 designee;

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

11 (N) the Director of the Department of Human Services
12 Division of Alcohol and Substance Abuse or his or her
13 designee.

14 (e) The funding methodologies must reflect economic
15 factors inherent in providing services and supports, recognize
16 individual disability needs, and consider geographic
17 differences, transportation costs, required staffing ratios,
18 and mandates not currently funded.

19 (f) In accepting Department funds, providers shall
20 recognize their responsibility to be accountable to the
21 Department and the State for the delivery of services which are
22 consistent with the philosophies and goals of this Act and the
23 rules and regulations promulgated under it.

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

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.