



Rep. Kenneth Dunkin

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1 AMENDMENT TO SENATE BILL 1348

2 AMENDMENT NO. _____. Amend Senate Bill 1348 on page 1, by
3 replacing line 6 with the following:

4 "3, 5, and 8 as follows:

5 (210 ILCS 135/3) (from Ch. 91 1/2, par. 1703)

6 Sec. 3. As used in this Act, unless the context requires
7 otherwise:

8 (a) "Applicant" means a person, group of persons,
9 association, partnership or corporation that applies for a
10 license as a community mental health or developmental services
11 agency under this Act.

12 (b) "Community mental health or developmental services
13 agency" or "agency" means a public or private agency,
14 association, partnership, corporation or organization which,
15 pursuant to this Act, certifies community-integrated living
16 arrangements for persons with mental illness or persons with a
17 developmental disability.

1 (c) "Department" means the Department of Human Services (as
2 successor to the Department of Mental Health and Developmental
3 Disabilities).

4 (d) "Community-integrated living arrangement" means a
5 living arrangement certified by a community mental health or
6 developmental services agency under this Act where 8 or fewer
7 recipients with mental illness or recipients with a
8 developmental disability who reside under the supervision of
9 the agency. Examples of community integrated living
10 arrangements include but are not limited to the following:

11 (1) "Adult foster care", a living arrangement for
12 recipients in residences of families unrelated to them, for
13 the purpose of providing family care for the recipients on
14 a full-time basis;

15 (2) "Assisted residential care", an independent living
16 arrangement where recipients are intermittently supervised
17 by off-site staff;

18 (3) "Crisis residential care", a non-medical living
19 arrangement where recipients in need of non-medical,
20 crisis services are supervised by on-site staff 24 hours a
21 day;

22 (4) "Home individual programs", living arrangements
23 for 2 unrelated adults outside the family home;

24 (5) "Supported residential care", a living arrangement
25 where recipients are supervised by on-site staff and such
26 supervision is provided less than 24 hours a day;

1 (6) "Community residential alternatives", as defined
2 in the Community Residential Alternatives Licensing Act;
3 and

4 (7) "Special needs trust-supported residential care",
5 a living arrangement where recipients are supervised by
6 on-site staff and that supervision is provided 24 hours per
7 day or less, as dictated by the needs of the recipients,
8 and determined by service providers. As used in this item
9 (7), "special needs trust" means a trust for the benefit of
10 a disabled beneficiary as described in Section 15.1 of the
11 Trusts and Trustees Act.

12 (e) "Recipient" means a person who has received, is
13 receiving, or is in need of treatment or habilitation as those
14 terms are defined in the Mental Health and Developmental
15 Disabilities Code.

16 (f) "Unrelated" means that persons residing together in
17 programs or placements certified by a community mental health
18 or developmental services agency under this Act do not have any
19 of the following relationships by blood, marriage or adoption:
20 parent, son, daughter, brother, sister, grandparent, uncle,
21 aunt, nephew, niece, great grandparent, great uncle, great
22 aunt, stepbrother, stepsister, stepson, stepdaughter,
23 stepparent or first cousin.

24 (g) "Investigation" means a process that includes
25 determination of facts and an assessment of their significance
26 in relation to the provisions of this Act.

1 (Source: P.A. 93-274, eff. 1-1-04.)"; and

2 on page 1, between lines 16 and 17, by inserting the following:

3 "(a-5) The Department shall adopt rules for identifying and
4 addressing complaints that are nuisance, crank, or frivolous.

5 (a-10) The Department shall prioritize and address
6 complaints according to the potential non-compliance with the
7 provisions of this Act, as necessary to manage within existing
8 resources."