

1 AN ACT in relation to State government.

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

4 Section 5. The Children and Family Services Act is amended  
5 by adding Section 5.35 as follows:

6 (20 ILCS 505/5.35 new)

7 Sec. 5.35. Residential services; rates.

8 (a) In this Section, "residential services" means child  
9 care institution care, group home care, independent living  
10 services, and transitional living services that are licensed  
11 and purchased by the Department on behalf of children under the  
12 age of 22 years who are served by the Department and who need  
13 24-hour residential care due to emotional and behavior problems  
14 or severe mental illness and that are services for which the  
15 Department has rate-setting authority.

16 For the purposes of this Section, "residential services"  
17 does not include (i) residential alcohol and other drug abuse  
18 treatment services or (ii) programs serving children primarily  
19 referred because of a developmental disability or mental health  
20 needs.

21 (b) The Department shall work with representatives of  
22 residential services providers with which the Department  
23 contracts for residential services and with representatives of

1 other State agencies that purchase comparable residential  
2 services from agencies for which the Department has  
3 rate-setting authority to develop a performance-based model  
4 for these residential services. Other State agencies shall  
5 include, but not be limited to, the Department of Human  
6 Services, the Department of Juvenile Justice, and the Illinois  
7 State Board of Education. The rate paid by the other State  
8 agencies for comparable residential services shall not be less  
9 than the performance-based rates set by the Department.

10 (c) The performance-based model to be developed shall  
11 include required program components and a rate-setting  
12 methodology that incorporates the reasonable costs of the  
13 required program components, subject to the provisions and  
14 limitations prescribed in 89 Illinois Administrative Code,  
15 Chapter III, Subchapter c, Part 356, Rate-setting.

16 Section 99. Effective date. This Act takes effect July 1,  
17 2009.