



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5878

Introduced 2/16/2012, by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

20 ILCS 505/5.36 new  
20 ILCS 1705/43a new  
105 ILCS 5/14-7.06 new

Amends the Children and Family Services Act, the Mental Health and Developmental Disabilities Administrative Act, and the School Code. Permits residential services providers that contract with the Department of Children and Family Services or the Department of Human Services to provide services to children age 5 to 22 with a developmental or intellectual disability to conduct a 60-day evaluation and residential assessment to facilitate a child's successful transition to a community-based children's group home, when indicated. Provides that the 60-day evaluation and assessment period must commence upon admission and must be conducted in a campus-based residential program where the child will be assessed and evaluated to determine his or her functioning and overall performance. Provides that specified disciplines may be completed during the evaluation and assessment period, including education or classroom support, speech or language, occupational therapy and physical therapy, and behavioral health services. Adds similar provisions to the School Code as to residential facilities that accept students age 5 to 22 with a developmental or intellectual disability for services paid for by an Illinois public State agency. Effective immediately.

LRB097 17403 KTG 62605 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning 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 5.36 as follows:

6 (20 ILCS 505/5.36 new)

7 Sec. 5.36. 60-day evaluation and assessment period for  
8 children with a developmental or intellectual disability;  
9 residential services.

10 (a) For purposes of this Section, "residential services"  
11 means child care institution care, group home care, independent  
12 living services, and transitional living services that are  
13 licensed and purchased by the Department on behalf of children  
14 under the age of 22 years who are served by the Department and  
15 who need 24-hour residential care due to a developmental or  
16 intellectual disability.

17 (b) Residential services providers that contract with the  
18 Department to provide services to children age 5 to 22 with a  
19 developmental or intellectual disability may conduct a 60-day  
20 evaluation and residential assessment to facilitate a child's  
21 successful transition to a community-based children's group  
22 home, when indicated. The 60-day evaluation and assessment  
23 period must commence upon admission and must be conducted in a

1 campus-based residential program where the child will be  
2 assessed and evaluated to determine his or her functioning and  
3 overall performance. The following disciplines may be  
4 completed during the evaluation and assessment period,  
5 including, but not limited to, admissions, education or  
6 classroom support, speech or language, occupational therapy  
7 and physical therapy, behavioral health, medical and health  
8 services, and residential services.

9 Section 10. The Mental Health and Developmental  
10 Disabilities Administrative Act is amended by adding Section  
11 43a as follows:

12 (20 ILCS 1705/43a new)

13 Sec. 43a. 60-day evaluation and assessment period for  
14 children with a developmental or intellectual disability;  
15 residential services.

16 (a) For purposes of this Section, "residential services"  
17 means child care institution care, group home care, independent  
18 living services, and transitional living services that are  
19 licensed or purchased by the Department on behalf of children  
20 under the age of 22 years who need 24-hour residential care due  
21 to a developmental or intellectual disability.

22 (b) Residential services providers that contract with the  
23 Department to provide services to children age 5 to 22 with a  
24 developmental or intellectual disability may conduct a 60-day

1 evaluation and residential assessment to facilitate a child's  
2 successful transition to a community-based children's group  
3 home, when indicated. The 60-day evaluation and assessment  
4 period must commence upon admission and must be conducted in a  
5 campus-based residential program where the child will be  
6 assessed and evaluated to determine his or her functioning and  
7 overall performance. The following disciplines may be  
8 completed during the evaluation and assessment period,  
9 including, but not limited to, admissions, education or  
10 classroom support, speech or language, occupational therapy  
11 and physical therapy, behavioral health, medical and health  
12 services, and residential services.

13 Section 15. The School Code is amended by adding Section  
14 14-7.06 as follows:

15 (105 ILCS 5/14-7.06 new)

16 Sec. 14-7.06. 60-day evaluation and assessment period for  
17 children with a developmental or intellectual disability;  
18 residential facility.

19 (a) For purposes of this Section, "developmental  
20 disability" means a disability which is attributable to: (i) an  
21 intellectual disability, cerebral palsy, epilepsy or autism;  
22 or to (ii) any other condition which results in impairment  
23 similar to that caused by an intellectual disability and which  
24 requires services similar to those required by intellectually

1 disabled persons. Such disability must originate before the age  
2 of 18 years, be expected to continue indefinitely, and  
3 constitute a substantial handicap.

4 (b) A residential facility that accepts a student age 5 to  
5 22 with a developmental or intellectual disability for services  
6 paid for by an Illinois public State agency may conduct a  
7 60-day evaluation and residential assessment to facilitate the  
8 child's successful transition to a community-based children's  
9 group home, when indicated. The 60-day evaluation and  
10 assessment period must commence upon admission and must be  
11 conducted in a campus-based residential program where the child  
12 will be assessed and evaluated to determine his or her  
13 functioning and overall performance. The following disciplines  
14 may be completed during the evaluation and assessment period,  
15 including, but not limited to, admissions, education or  
16 classroom support, speech or language, occupational therapy  
17 and physical therapy, behavioral health, medical and health  
18 services, and residential services.

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.