



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1623

Introduced 2/9/2011, by Sen. Heather A. Steans

SYNOPSIS AS INTRODUCED:

New Act

Creates the Community Mental Health Services Accountability Act. Requires the Department of Human Services to draft and present no later than July 1, 2011 new administrative rules governing all community residential mental health services that are currently governed by the Illinois Administrative Code. Requires the new rules to include, but not be limited to, standards for environmental management of living arrangements; administrative requirements; monitoring and review; and licensure requirements. Contains provisions concerning the drafting and presentation of rules stipulating life safety standards; rules designed for supportive housing facilities; and the creation of an Outcome Monitoring Pilot Program. Effective immediately.

LRB097 08881 KTG 49011 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 1. Short title. This Act may be cited as the
5 Community Mental Health Services Accountability Act.

6 Section 5. Legislative findings.

7 (a) The General Assembly finds that the community mental
8 health delivery system has changed significantly since
9 administrative rules were enacted to govern and regulate
10 community mental health settings.

11 (b) A continued push for deinstitutionalization has
12 heightened the need for more accountability within the
13 community mental health system to ensure that appropriate
14 services are being delivered in safe settings.

15 (c) To ensure that scarce taxpayers' dollars are being
16 spent conscientiously, the State of Illinois needs to develop a
17 system by which expenditures are identified and the true cost
18 of community mental health services is transparent and
19 comprehensible.

20 (d) To further ensure that State resources are being used
21 effectively, the State should require reporting on measurable
22 outcomes and goals within the community mental health system.

23 (e) Supportive housing for those with mental illness is a

1 unique community arrangement within the broad spectrum of
2 community mental health services and is treated as such within
3 the Department of Human Services' budget. Since this is the
4 case, a unique and separate set of regulations is necessary for
5 supportive housing services.

6 Section 10. Oversight. The Department of Human Services
7 shall draft and present new administrative rules governing all
8 community residential mental health services that are
9 currently governed by Title 59, Part 132 of the Illinois
10 Administrative Code. These new rules shall supplant Title 59,
11 Part 132 of the Illinois Administrative Code for those
12 providing residential service to individuals with severe
13 mental illness and shall be submitted no later than July 1,
14 2011. These new rules shall be substantially similar to the
15 rules governing community integrated living arrangements
16 contained in Title 59, Part 115 of the Illinois Administrative
17 Code. The new rules governing community residential mental
18 health providers shall not take the place of Title 59, Part 115
19 of the Illinois Administrative Code for those providers
20 designated as community integrated living arrangements but
21 will apply new standards to those providing residential
22 services governed by Title 59, Part 132 of the Illinois
23 Administrative Code prior to the effective date of this Act.
24 The new rules to be submitted by the Department must include,
25 but is not limited to, standards for:

- 1 (1) Environmental management of living arrangements.
- 2 (2) Administrative requirements.
- 3 (3) Monitoring and review.
- 4 (4) Licensure requirements.

5 Section 15. Life safety standards. The Department shall
6 draft and present rules stipulating life safety standards for
7 all community residential mental health services by July 1,
8 2011. These rules shall prohibit an individual seeking
9 residential mental health services from being placed in any
10 facility that is known to have life safety violations. The
11 Department shall further adopt rules prohibiting any entity
12 serving those with severe mental illness from knowingly
13 recommending housing in any setting that has known building
14 code violations or is in violation of any local or State life
15 safety codes.

16 Section 20. Supportive housing. The Department shall draft
17 rules specifically designed for supportive housing facilities
18 that receive funds from the Department for this purpose. The
19 administrative rules shall be prepared and presented by the
20 Department by July 1, 2011. The rules to be proposed shall
21 include a requirement that prior to supportive housing services
22 being delivered, a projected cost analysis shall be conducted
23 to determine if the cost of supportive housing would exceed the
24 cost of any other community residential placement. The cost

1 analysis shall include the cost of supportive housing, all
2 community-based services to be received by the resident,
3 transportation, and all other services and supports. The rules
4 governing supportive housing shall also include, but not be
5 limited to, standards for the following:

- 6 (1) Environmental management of living arrangements.
- 7 (2) Administrative requirements.
- 8 (3) Monitoring and review.
- 9 (4) Licensure requirements.
- 10 (5) Life safety standards.

11 Section 25. Dispensing public information. The Department
12 shall make any and all surveys conducted on the outcomes and
13 perceptions of the State's mental health delivery system
14 available to the public on the Department's website. These
15 surveys shall be posted beginning July 1, 2011 and shall be
16 listed under a link entitled "publications" within the Division
17 of Mental Health's portion of the Department's website.

18 Section 30. Outcome Monitoring Pilot Program. The
19 Department shall create a pilot program, in conjunction with
20 the Department of Healthcare and Family Services, in which the
21 Department shall identify at least 1,000 clients residing in
22 Cook County and served by agencies covered under this Act. The
23 Department shall follow and track any and all services provided
24 to these individuals, including, but not limited to:

1 (1) The type of residential setting in which the
2 individual is living.

3 (2) Any type of inpatient or outpatient services the
4 individual may be receiving.

5 (3) Any type of state-subsidized supports the
6 individual may be receiving.

7 Upon identifying the 1,000 participants in this
8 informative project, the Department shall document the
9 residential and community services each individual receives at
10 the beginning of this project and shall continue to record any
11 changes to these services over the course of the year. The
12 tracking of changes shall include any change in housing or
13 residential services, any change in community supports
14 received, and any changes to medical care received over the
15 course of a year. The Department shall also track the cost of
16 the various services received by each individual in the program
17 including residential costs, community supports, counseling,
18 and medical costs.

19 The Department shall compile the data collected under this
20 pilot program and submit a report to the General Assembly no
21 later than March 1, 2013. This report shall include individual
22 costs by participant without identifying any participant by
23 name. The report shall also identify the services received by
24 each individual during the course of the yearlong study. The
25 Report shall identify what percentages of different services
26 are received by the population that participates in this study.

1 Nothing in this Act shall be construed to infringe upon
2 the privacy rights of those encompassed by the project and the
3 Department is prohibited from identifying those who were
4 documented in the course of this project.

5 Nothing in this Act shall be construed to compel any
6 individual from participating in this project. Any individual
7 may request not to be included in this project.

8 This pilot program shall commence no later than January 1,
9 2012.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.