

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 5. The Mental Health and Developmental  
5 Disabilities Administrative Act is amended by adding Section 73  
6 as follows:

7 (20 ILCS 1705/73 new)

8 Sec. 73. Report; Williams v. Quinn consent decree.

9 (a) Annual Report.

10 (1) No later than December 31, 2011, and on December  
11 31st of each of the following 4 years, the Department of  
12 Human Services shall prepare and submit an annual report to  
13 the General Assembly concerning the implementation of the  
14 Williams v. Quinn consent decree and other efforts to move  
15 persons with mental illnesses from institutional settings  
16 to community-based settings. This report shall include:

17 (A) The number of persons who have been moved from  
18 long-term care facilities to community-based settings  
19 during the previous year and the number of persons  
20 projected to be moved during the next year.

21 (B) Any implementation or compliance reports  
22 prepared by the State for the Court or the  
23 court-appointed monitor in Williams v. Quinn.

1           (C) Any reports from the court-appointed monitor  
2           or findings by the Court reflecting the Department's  
3           compliance or failure to comply with the Williams v.  
4           Quinn consent decree and any other order issued during  
5           that proceeding.

6           (D) Statistics reflecting the number and types of  
7           community-based services provided to persons who have  
8           been moved from long-term care facilities to  
9           community-based settings.

10           (E) Any additional community-based services which  
11           are or will be needed in order to ensure maximum  
12           community integration as provided for by the Williams  
13           v. Quinn consent decree, and the Department's plan for  
14           providing these services.

15           (F) Any and all costs associated with  
16           transitioning residents from institutional settings to  
17           community-based settings, including, but not limited  
18           to, the cost of residential services, the cost of  
19           outpatient treatment, and the cost of all community  
20           support services facilitating the community-based  
21           setting.

22           (2) The requirement for reporting to the General  
23           Assembly shall be satisfied by filing copies of the report  
24           with the Speaker, Minority Leader, and Clerk of the House  
25           of Representatives; the President, Minority Leader, and  
26           Secretary of the Senate; and the Legislative Research Unit,

1 as required by Section 3.1 of the General Assembly  
2 Organization Act, and by filing additional copies with the  
3 State Government Report Distribution Center for the  
4 General Assembly as required under paragraph (t) of Section  
5 7 of the State Library Act.

6 (b) Department rule. The Department of Human Services shall  
7 draft and promulgate a new rule governing community-based  
8 residential settings. The new rule for community-based  
9 residential settings shall include settings that offer to  
10 persons with serious mental illness (i) community-based  
11 residential recovery-oriented mental health care, treatment,  
12 and services; and (ii) community-based residential mental  
13 health and co-occurring substance use disorder care,  
14 treatment, and services.

15 Community-based residential settings shall honor a  
16 consumer's choice as well as a consumer's right to live in the:

17 (1) Least restrictive environment.

18 (2) Most appropriate integrated setting.

19 (3) Least restrictive environment and most appropriate  
20 integrated setting designed to assist the individual in  
21 living in a safe, appropriate, and therapeutic  
22 environment.

23 (4) Least restrictive environment and most appropriate  
24 integrated setting that affords the person the opportunity  
25 to live similarly to persons without serious mental  
26 illness.

1       The new rule for community-based residential settings  
2       shall be drafted in such a manner as to delineate  
3       State-supported care, treatment, and services appropriately  
4       governed within the new rule, and shall continue eligibility  
5       for eligible individuals in programs governed by Title 59, Part  
6       132 of the Illinois Administrative Code. The Department shall  
7       draft a new rule for community-based residential settings by  
8       January 1, 2012. The new rule must include, but shall not be  
9       limited to, standards for:

10               (i) Administrative requirements.

11               (ii) Monitoring, review, and reporting.

12               (iii) Certification requirements.

13               (iv) Life safety.

14               Section 99. Effective date. This Act takes effect upon  
15       becoming law.