



Sen. Heather A. Steans

Filed: 4/11/2011

09700SB1623sam002

LRB097 08881 KTG 54327 a

1 AMENDMENT TO SENATE BILL 1623

2 AMENDMENT NO. _____. Amend Senate Bill 1623, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

8 (20 ILCS 1705/73 new)

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

10 (a) Annual Report.

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

1 to community-based settings. This report shall include:

2 (A) The number of persons who have been moved from
3 long-term care facilities to community-based settings
4 during the previous year and the number of persons
5 projected to be moved during the next year.

6 (B) Any implementation or compliance reports
7 prepared by the State for the Court or the
8 court-appointed monitor in Williams v. Quinn.

9 (C) Any reports from the court-appointed monitor
10 or findings by the Court reflecting the Department's
11 compliance or failure to comply with the Williams v.
12 Quinn consent decree and any other order issued during
13 that proceeding.

14 (D) Statistics reflecting the number and types of
15 community-based services provided to persons who have
16 been moved from long-term care facilities to
17 community-based settings.

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

23 (F) Any and all costs associated with
24 transitioning residents from institutional settings to
25 community-based settings, including, but not limited
26 to, the cost of residential services, the cost of

1 outpatient treatment, and the cost of all community
2 support services facilitating the community-based
3 setting.

4 (2) The requirement for reporting to the General
5 Assembly shall be satisfied by filing copies of the report
6 with the Speaker, Minority Leader, and Clerk of the House
7 of Representatives; the President, Minority Leader, and
8 Secretary of the Senate; and the Legislative Research Unit,
9 as required by Section 3.1 of the General Assembly
10 Organization Act, and by filing additional copies with the
11 State Government Report Distribution Center for the
12 General Assembly as required under paragraph (t) of Section
13 7 of the State Library Act.

14 (b) Department rule. The Department of Human Services shall
15 draft and promulgate a new rule governing community-based
16 residential settings. The new rule for community-based
17 residential settings shall include settings that offer to
18 persons with serious mental illness (i) community-based
19 residential recovery-oriented mental health care, treatment,
20 and services; and (ii) community-based residential mental
21 health and co-occurring substance use disorder care,
22 treatment, and services.

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

25 (1) Least restrictive environment.

26 (2) Most appropriate integrated setting.

1 (3) Least restrictive environment and most appropriate
2 integrated setting designed to assist the individual in
3 living in a safe, appropriate, and therapeutic
4 environment.

5 (4) Least restrictive environment and most appropriate
6 integrated setting that affords the person the opportunity
7 to live similarly to persons without serious mental
8 illness.

9 The new rule for community-based residential settings
10 shall be drafted in such a manner as to delineate
11 State-supported care, treatment, and services appropriately
12 governed within the new rule, and shall continue eligibility
13 for eligible individuals in programs governed by Title 59, Part
14 132 of the Illinois Administrative Code. The Department shall
15 draft a new rule for community-based residential settings by
16 January 1, 2012. The new rule must include, but shall not be
17 limited to, standards for:

18 (i) Administrative requirements.

19 (ii) Monitoring, review, and reporting.

20 (iii) Certification requirements.

21 (iv) Life safety.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."