



Rep. Charles E. Meier

**Filed: 3/19/2014**

09800HB5481ham001

LRB098 17982 RLC 56498 a

1 AMENDMENT TO HOUSE BILL 5481

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5481 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Community Services Act is amended by  
5 changing Section 4.6 as follows:

6 (405 ILCS 30/4.6)

7 Sec. 4.6. Closure and sale of State mental health or  
8 developmental disabilities facility.

9 (a) Whenever a State mental health facility operated by the  
10 Department of Human Services is closed and the real estate on  
11 which the facility is located is sold by the State, then, to  
12 the extent that net proceeds are realized from the sale of that  
13 real estate, those net proceeds must be directed toward  
14 providing other services and supports for persons with mental  
15 health needs. To that end, those net proceeds shall be  
16 deposited into the Community Mental Health Medicaid Trust Fund.

1           (b) Whenever a State developmental disabilities facility  
2 operated by the Department of Human Services is closed and the  
3 real estate on which the facility is located is sold by the  
4 State, then, to the extent that net proceeds are realized from  
5 the sale of that real estate, those net proceeds must be  
6 directed toward providing other services and supports for  
7 persons with developmental disabilities needs. To that end,  
8 those net proceeds shall be deposited into the Community  
9 Developmental Disability Services Medicaid Trust Fund.

10           (c) In determining whether any net proceeds are realized  
11 from a sale of real estate described in subsection (a) or (b),  
12 the Division of Developmental Disabilities and the Division of  
13 Mental Health of the Department of Human Services shall each  
14 determine the money, if any, that shall be made available to  
15 ensure that life, safety, and care concerns, including  
16 infrastructure, are addressed so as to provide for persons with  
17 developmental disabilities or mental illness at the remaining  
18 respective State-operated facilities that will be expected to  
19 serve the individuals previously served at the closed facility.

20           (d) The purposes for which the net proceeds from a sale of  
21 real estate as provided in this Section may be used include,  
22 but are not limited to, the following:

23                 (1) Providing for individuals with developmental  
24 disabilities and mental health needs the services and  
25 supports described in subsection (e) of Section 4.4.

26                 (2) In the case of the closure of a mental health

1 facility, the construction of a new facility to serve the  
2 needs of persons with mental health needs.

3 (3) In the case of the closure of a developmental  
4 disabilities facility, construction of a new facility to  
5 serve the needs of persons with developmental disabilities  
6 needs.

7 (e) Whenever any net proceeds are realized from a sale of  
8 real estate as provided in this Section, the Department of  
9 Human Services shall share and discuss its plan or plans for  
10 using those net proceeds with advocates, advocacy  
11 organizations, and advisory groups whose mission includes  
12 advocacy for persons with developmental disabilities or  
13 persons with mental illness.

14 (f) Consistent with the provisions of Sections 4.4 and 4.5  
15 of this Act, whenever a State mental health facility operated  
16 by the Department of Human Services is closed, the Department  
17 of Human Services, at the direction of the Governor, shall  
18 transfer funds from the closed facility to the appropriate line  
19 item providing appropriation authority for the new venue of  
20 care to facilitate the transition of services to the new venue  
21 of care, provided that the new venue of care is a Department of  
22 Human Services funded provider or facility.

23 (g) As used in this Section, the term "mental health  
24 facility" has the meaning ascribed to that term in the Mental  
25 Health and Developmental Disabilities Code.

26 (h) The Department of Human Services shall submit a report

1 to the General Assembly on or before June 1, 2014 that  
2 describes:

3 (1) the new venues of care for the former residents of  
4 the Jacksonville Developmental Center;

5 (2) costs to the Department of Human Services as a  
6 result of the closure of the Jacksonville Developmental  
7 Center;

8 (3) cost savings or increases to the Department of  
9 Human Services due to the new venues of care for the former  
10 residents of the Jacksonville Developmental Center;

11 (4) the injuries or deaths to former residents of the  
12 Jacksonville Developmental Center in their new venues of  
13 care; and

14 (5) the current location of all former residents of the  
15 Jacksonville Developmental Center.

16 (Source: P.A. 98-403, eff. 1-1-14.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law."