



Sen. Heather A. Steans

Filed: 4/11/2013

FISCAL NOTE ACT
MAY APPLY

09800SB1655sam001

LRB098 06406 RLC 44384 a

1 AMENDMENT TO SENATE BILL 1655

2 AMENDMENT NO. _____. Amend Senate Bill 1655 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Developmental Disability and Mental
5 Disability Services Act is amended by adding Article 11 as
6 follows:

7 (405 ILCS 80/Art. XI heading new)

8 ARTICLE XI. DEVELOPMENTAL DISABILITIES REGULATORY ADVISORY

9 BOARD

10 (405 ILCS 80/11-1 new)

11 Sec. 11-1. Developmental Disabilities Regulatory Advisory
12 Board.

13 (a) The Director of the Division of Developmental
14 Disabilities within the Department shall appoint a
15 Developmental Disabilities Regulatory Advisory Board, whose

1 members are capable of actively participating on the Advisory
2 Board, to consult with the Department regarding Parts 115, 116,
3 119, and 120 of Title 59 of the Illinois Administrative Code,
4 as provided in this Section.

5 (b) The Advisory Board shall be composed of the following
6 persons:

7 (1) The Director of the Division of Developmental
8 Disabilities, or his or her designee, shall serve as an
9 ex-officio member and shall serve as chairperson of the
10 Advisory Board.

11 (2) One representative of the Department of Healthcare
12 and Family Services and one representative of the Office of
13 the State Fire Marshal, each of whom shall serve as
14 ex-officio members.

15 (3) Five persons selected from recommendations of
16 organizations whose membership consists of providers
17 within the developmental disabilities service delivery
18 system.

19 (4) Two persons who are guardians or family members of
20 persons with developmental disabilities and who do not have
21 responsibility for management or formation of policy
22 regarding the programs subject to review of the Advisory
23 Board.

24 (5) Two persons who receive developmental disabilities
25 services funded by the Division.

26 (6) Two persons selected from the recommendations of

1 consumer organizations that engage solely in advocacy or
2 legal representation on behalf of persons with
3 developmental disabilities and their immediate families.

4 (7) One person who is a representative of a labor
5 organization which represents direct support persons,
6 working within one of the programs subject to review of the
7 Advisory Board.

8 (c) The Advisory Board shall meet as frequently as the
9 chairperson deems necessary, but not less than once each
10 calendar year. Upon request of 6 or more members, the
11 chairperson shall call a meeting of the Advisory Board. A
12 member of the Advisory Board may designate a replacement to
13 serve at the Advisory Board meeting in place of the member by
14 submitting a letter of designation to the chairperson prior to
15 or at the Advisory Board meeting.

16 (d) The Advisory Board shall advise the Department of Human
17 Services Division of Developmental Disabilities on the format
18 and content of any amendments to rules referenced in subsection
19 (a) proposed by the Division of Developmental Disabilities. Any
20 of these rules, except emergency rules adopted under Section
21 5-45 of the Illinois Administrative Procedure Act, adopted
22 without obtaining the advice of the Advisory Board are null and
23 void. If the Department fails to follow the advice of the
24 Advisory Board on proposed rules, the Department shall, prior
25 to the adoption of the rules, transmit a written explanation of
26 the reason therefor to the Advisory Board.

1 (e) During its review of proposed rules as requested by the
2 Department, the Advisory Board shall discuss the economic
3 impact of those rules.

4 (f) If the Advisory Board, having been asked for its
5 advice, fails to advise the Department within 45 days, the
6 rules shall be considered acted upon.

7 (g) The Department shall provide staff and technical
8 support to the Advisory Board to perform its functions under
9 this Section.

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