



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3069

Introduced 2/19/2016, by Sen. Thomas Cullerton

SYNOPSIS AS INTRODUCED:

405 ILCS 80/Art. 12 heading new
405 ILCS 80/12-1 new
405 ILCS 80/12-5 new
405 ILCS 80/12-10 new

Amends the Developmental Disability and Mental Disability Services Act. Provides for the transition to community-based services of persons over 18 years of age with developmental disabilities in the State who qualify for Medicaid Waiver services, who reside in intermediate care facilities for persons with developmental disabilities with 9 or more residents, and who affirmatively request to receive community-based services or placement in a community-based setting and persons with developmental disabilities in the State who qualify for Medicaid Waiver services, who reside in a family home, who are in need of community-based services or placement in a community-based setting, and who affirmatively request community-based services or placement in a community-based setting. Establishes a schedule for the transition to community-based services. Provides that the Department of Human Services shall oversee the transition of persons to receive community-based services or placement in a community-based setting. Provides that nothing in these provisions forces persons who do not want community-based services or placement to move. Nor does it force providers to close beds or enter into downsizing agreements with the State against their will. Effective immediately.

LRB099 18989 RLC 43378 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 5. The Developmental Disability and Mental
5 Disability Services Act is amended by adding Article 12 as
6 follows:

7 (405 ILCS 80/Art. 12 heading new)

8 ARTICLE 12. COMMUNITY-BASED SERVICES FOR PERSONS WITH
9 DEVELOPMENTAL DISABILITIES

10 (405 ILCS 80/12-1 new)

11 Sec. 12-1. Purpose. The purpose of this Article is to
12 provide an opportunity for persons with developmental
13 disabilities who reside in private, State-funded facilities of
14 9 or more persons, or persons who are at risk of being placed
15 in those facilities, to receive community-based services or
16 placement in a community-based setting.

17 (405 ILCS 80/12-5 new)

18 Sec. 12-5. Definitions. In this Article:

19 "Adult" means a person over the age of 18 years.

20 "Department" means the Department of Human Services.

1 (405 ILCS 80/12-10 new)

2 Sec. 12-10. Community-based services for persons with
3 developmental disabilities.

4 (a) For purposes of this Article, persons with
5 developmental disabilities must meet the following terms in
6 order to qualify for services:

7 (1) Adult persons with developmental disabilities in
8 this State who qualify for Medicaid Waiver services, who
9 reside in intermediate care facilities for persons with
10 developmental disabilities with 9 or more residents, and
11 who affirmatively request to receive community-based
12 services or placement in a community-based setting.

13 (2) Adult persons with developmental disabilities in
14 this State who qualify for Medicaid Waiver services, who
15 reside in a family home, who are in need of community-based
16 services or placement in a community-based setting, and who
17 affirmatively request community-based services or
18 placement in a community-based setting.

19 (b) The Department shall oversee the transition of persons
20 described in subsection (a) of this Section to receive
21 community-based services or placement in a community-based
22 setting. The transition shall be in accordance with the
23 following schedule:

24 (1) 500 persons described in subsection (a) of this
25 Section shall begin the transition by June 15, 2016.

26 (2) An additional 500 persons described in subsection

1 (a) of this Section shall begin the transition by June 15,
2 2017.

3 (3) An additional 500 persons described in subsection
4 (a) of this Section shall begin the transition by June 15,
5 2018.

6 (4) An additional 500 persons described in subsection
7 (a) of this Section shall begin the transition by June 15,
8 2019.

9 (5) An additional 500 persons described in subsection
10 (a) of this Section shall begin the transition by June 15,
11 2020.

12 (6) After June 15, 2020, persons described in
13 subsection (a) of this Section shall receive
14 community-based services or placement in a community-based
15 setting at a reasonable pace.

16 (c) Nothing in this Article forces persons who do not want
17 community-based services or placement to move; nor does it
18 force providers to close beds or enter into downsizing
19 agreements with the State against their will.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.