



Sen. Heather A. Steans

**Filed: 4/23/2018**

FISCAL NOTE ACT  
MAY APPLY

10000SB2424sam002

LRB100 17322 RLC 39021 a

1 AMENDMENT TO SENATE BILL 2424

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2424, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Developmental Disability and Mental  
6 Disability Services Act is amended by adding Article VII-A as  
7 follows:

8 (405 ILCS 80/Art. VII-A heading new)

9 VII-A. DIVERSION FROM FACILITY-BASED CARE PROGRAM

10 (405 ILCS 80/7A-1 new)

11 Sec. 7A-1. Diversion from Facility-based Care Pilot  
12 Program.

13 (a) The purposes of this Article are to:

14 (1) decrease the number of admissions to  
15 State-operated facilities;

1           (2) address the needs of individuals receiving Home and  
2           Community Based Services (HCBS) with intellectual  
3           disabilities or developmental disabilities who are at risk  
4           of facility-based care due to significant behavioral  
5           challenges, some with a dual diagnosis of mental illness,  
6           by providing a community-based residential alternative to  
7           facility-based care consistent with their individual  
8           plans, and to transition these individuals back to a  
9           traditional community-integrated living arrangement or  
10           other HCBS community setting program;

11           (3) create greater capacity within the short-term  
12           stabilization homes by allowing individuals who need an  
13           extended period of treatment to transfer to a long-term  
14           stabilization home;

15           (4) stabilize the existing community-integrated living  
16           arrangement homes where the presence of individuals with  
17           complex behavioral challenges is disruptive to their  
18           housemates; and

19           (5) add support services to enhance community service  
20           providers who serve individuals with significant  
21           behavioral challenges.

22           (b) Subject to appropriation or the availability of other  
23           funds for these purposes at the discretion of the Department,  
24           the Department shall establish the Diversion from  
25           Facility-based Care Pilot Program consisting of at least 6  
26           homes in various locations in this State in accordance with

1 this Article and the following model:

2 (1) the Diversion from Facility-based Care Model shall  
3 serve individuals with intellectual disabilities or  
4 developmental disabilities who are currently receiving  
5 HCBS services and are at risk of facility-based care due to  
6 significant behavioral challenges, some with a dual  
7 diagnosis of mental illness, for a period ranging from one  
8 to 2 years, or longer if appropriate for the individual;

9 (2) the Program shall be regulated in accordance with  
10 the community-integrated living arrangement guidelines;

11 (3) each home shall support no more than 4 residents,  
12 each having his or her own bedroom;

13 (4) if, at any point, an individual, his or her  
14 guardian, or family caregivers, in conjunction with the  
15 provider and clinical staff, believe the individual is  
16 capable of participating in a HCBS service, those  
17 opportunities shall be offered as they become available;  
18 and

19 (5) providers shall have adequate resources,  
20 experience, and qualifications to serve the population  
21 target by the Program, as determined by the Department;

22 (6) participating Program providers and the Department  
23 shall participate in an ongoing collaborative whereby best  
24 practices and treatment experiences would be shared and  
25 utilized;

26 (7) home locations shall be proposed by the provider in

1 collaboration with other community stakeholders;

2 (8) The Department, in collaboration with  
3 participating providers, by rule shall develop data  
4 collection and reporting requirements for participating  
5 community service providers. Beginning December 31, 2020  
6 the Department shall submit an annual report  
7 electronically to the General Assembly and Governor that  
8 outlines the progress and effectiveness of the pilot  
9 program. The report to the General Assembly shall be filed  
10 with the Clerk of the House of Representatives and the  
11 Secretary of the Senate in electronic form only, in the  
12 manner that the Clerk and the Secretary shall direct;

13 (9) the staffing model shall allow for a high level of  
14 community integration and engagement and family  
15 involvement; and

16 (10) appropriate day services, staff training  
17 priorities, and home modifications shall be incorporated  
18 into the Program model, as allowed by HCBS authorization.

19 (c) This Section is repealed on January 1, 2023.

20 Section 99. Effective date. This Act takes effect July 1,  
21 2019.".