



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/5/2004, by Mattie Hunter

SYNOPSIS AS INTRODUCED:

405 ILCS 30/3

from Ch. 91 1/2, par. 903

Amends the Community Services Act. Provides for accreditation for providers of developmental disabilities treatment services. Effective immediately.

LRB093 18155 AMC 43848 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning community services.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Community Services Act is amended by
5 changing Section 3 as follows:

6 (405 ILCS 30/3) (from Ch. 91 1/2, par. 903)

7 Sec. 3. Responsibilities for Community Services. Pursuant
8 to this Act, the Department of Human Services shall facilitate
9 the establishment of a comprehensive and coordinated array of
10 community services based upon a federal, State and local
11 partnership. In order to assist in implementation of this Act,
12 the Department shall prescribe and publish rules and
13 regulations. The Department may request the assistance of other
14 State agencies, local government entities, direct services
15 providers and others in the development of these regulations or
16 other policies related to community services.

17 The Department shall assume the following roles and
18 responsibilities for community services:

19 (a) Service Priorities. Within the service categories
20 described in Section 2 of this Act, establish and publish
21 priorities for community services to be rendered, and priority
22 populations to receive these services.

23 (b) Planning. By January 1, 1994 and by January 1 of each
24 third year thereafter, prepare and publish a Plan which
25 describes goals and objectives for community services
26 state-wide and for regions and subregions needs assessment,
27 steps and time-tables for implementation of the goals also
28 shall be included; programmatic goals and objectives for
29 community services shall cover the service categories defined
30 in Section 2 of this Act; the Department shall insure local
31 participation in the planning process.

32 (c) Public Information and Education. Develop programs

1 aimed at improving the relationship between communities and
2 their disabled residents; prepare and disseminate public
3 information and educational materials on the prevention of
4 developmental disabilities, mental illness, and alcohol or
5 drug dependence, and on available treatment and habilitation
6 services for persons with these disabilities.

7 (d) Quality Assurance. Promulgate minimum program
8 standards, rules and regulations to insure that Department
9 funded services maintain acceptable quality and assure
10 enforcement of these standards through regular monitoring of
11 services and through program evaluation; this applies except
12 where this responsibility is explicitly given by law to another
13 State agency.

14 (d-5) Accreditation requirements for providers of mental
15 health, ~~and~~ substance abuse, and developmental disabilities
16 treatment services. Except when the federal or State statutes
17 authorizing a program, or the federal regulations implementing
18 a program, are to the contrary, accreditation shall be accepted
19 by the Department in lieu of the Department's facility or
20 program certification or licensure onsite review requirements
21 and shall be accepted as a substitute for the Department's
22 administrative and program monitoring requirements, except as
23 required by subsection (d-10), in the case of:

24 (1) Any organization from which the Department
25 purchases mental health, ~~or~~ substance abuse, or
26 developmental disabilities services and that is accredited
27 under any of the following: the Comprehensive
28 Accreditation Manual for Behavioral Health Care (Joint
29 Commission on Accreditation of Healthcare Organizations
30 (JCAHO)); the Comprehensive Accreditation Manual for
31 Hospitals (JCAHO); the Standards Manual for the Council on
32 Accreditation for Children and Family Services (Council on
33 Accreditation for Children and Family Services (COA)); or
34 the Standards Manual for Organizations Serving People with
35 Disabilities (the Rehabilitation Accreditation Commission
36 (CARF)).

1 (2) Any mental health facility or program licensed or
2 certified by the Department, or any substance abuse service
3 licensed by the Department, that is accredited under any of
4 the following: the Comprehensive Accreditation Manual for
5 Behavioral Health Care (JCAHO); the Comprehensive
6 Accreditation Manual for Hospitals (JCAHO); the Standards
7 Manual for the Council on Accreditation for Children and
8 Family Services (COA); or the Standards Manual for
9 Organizations Serving People with Disabilities (CARF).

10 (3) Any network of providers from which the Department
11 purchases mental health, ~~or~~ substance abuse, or
12 developmental disabilities services and that is accredited
13 under any of the following: the Comprehensive
14 Accreditation Manual for Behavioral Health Care (JCAHO);
15 the Comprehensive Accreditation Manual for Hospitals
16 (JCAHO); the Standards Manual for the Council on
17 Accreditation for Children and Family Services (COA); the
18 Standards Manual for Organizations Serving People with
19 Disabilities (CARF); or the National Committee for Quality
20 Assurance. A provider organization that is part of an
21 accredited network shall be afforded the same rights under
22 this subsection.

23 (d-10) For mental health, ~~and~~ substance abuse, and
24 developmental disabilities services, the Department may
25 develop standards or promulgate rules that establish
26 additional standards for monitoring and licensing accredited
27 programs, services, and facilities that the Department has
28 determined are not covered by the accreditation standards and
29 processes. These additional standards for monitoring and
30 licensing accredited programs, services, and facilities and
31 the associated monitoring must not duplicate the standards and
32 processes already covered by the accrediting bodies.

33 (d-15) The Department shall be given proof of compliance
34 with fire and health safety standards, which must be submitted
35 as required by rule.

36 (d-20) The Department, by accepting the survey or

1 inspection of an accrediting organization, does not forfeit its
2 rights to perform inspections at any time, including contract
3 monitoring to ensure that services are provided in accordance
4 with the contract. The Department reserves the right to monitor
5 a provider of mental health, ~~and~~ substance abuse, and
6 developmental disabilities treatment services when the survey
7 or inspection of an accrediting organization has established
8 any deficiency in the accreditation standards and processes.

9 (d-25) On and after the effective date of this amendatory
10 Act of the 92nd General Assembly, the accreditation
11 requirements of this Section apply to contracted organizations
12 that are already accredited.

13 (e) Program Evaluation. Develop a system for conducting
14 evaluation of the effectiveness of community services,
15 according to preestablished performance standards; evaluate
16 the extent to which performance according to established
17 standards aids in achieving the goals of this Act; evaluation
18 data also shall be used for quality assurance purposes as well
19 as for planning activities.

20 (f) Research. Conduct research in order to increase
21 understanding of mental illness, developmental disabilities
22 and alcohol and drug dependence.

23 (g) Technical Assistance. Provide technical assistance to
24 provider agencies receiving funds or serving clients in order
25 to assist these agencies in providing appropriate, quality
26 services; also provide assistance and guidance to other State
27 agencies and local governmental bodies serving the disabled in
28 order to strengthen their efforts to provide appropriate
29 community services; and assist provider agencies in accessing
30 other available funding, including federal, State, local,
31 third-party and private resources.

32 (h) Placement Process. Promote the appropriate placement
33 of clients in community services through the development and
34 implementation of client assessment and diagnostic instruments
35 to assist in identifying the individual's service needs; client
36 assessment instruments also can be utilized for purposes of

1 program evaluation; whenever possible, assure that placements
2 in State-operated facilities are referrals from community
3 agencies.

4 (i) Interagency Coordination. Assume leadership in
5 promoting cooperation among State health and human service
6 agencies to insure that a comprehensive, coordinated community
7 services system is in place; to insure disabled persons access
8 to needed services; and to insure continuity of care and allow
9 clients to move among service settings as their needs change;
10 also work with other agencies to establish effective prevention
11 programs.

12 (j) Financial Assistance. Provide financial assistance to
13 local provider agencies through purchase-of-care contracts and
14 grants, pursuant to Section 4 of this Act.

15 (Source: P.A. 92-755, eff. 8-2-02.)

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