



Rep. Charles E Meier

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LRB098 06699 RLC 43433 a

1 AMENDMENT TO HOUSE BILL 1731

2 AMENDMENT NO. _____. Amend House Bill 1731 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) The Department of Human Services shall for a 6-month
15 period from the effective date of this amendatory Act of the
16 98th General Assembly observe and track the progress of former
17 residents of the Jacksonville Developmental Center who were
18 removed from that facility after January 1, 2012. After the
19 6-month observation and tracking period, the Department of
20 Human Services shall submit a report to the General Assembly
21 that describes:

22 (1) the new venues of care for the former residents of
23 the Jacksonville Developmental Center;

24 (2) costs to the Department of Human Services as a
25 result of the closure of the Jacksonville Developmental
26 Center;

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

4 (4) the injuries or deaths to former residents of the
5 Jacksonville Developmental Center in their new venues of
6 care.

7 The report must be submitted to the General Assembly within
8 one year after the effective date of this amendatory Act of the
9 98th General Assembly.

10 From the effective date of this amendatory Act of the 98th
11 General Assembly until 3 months after the filing of the report
12 with the General Assembly, the Department of Human Services may
13 not remove a resident from any State-operated developmental
14 center without the consent of the resident of the center or the
15 guardian of that resident.

16 (Source: P.A. 96-660, eff. 8-25-09; 96-1000, eff. 7-2-10.)

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