



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4691

by Rep. Tracy Katz Muhl

SYNOPSIS AS INTRODUCED:

405 ILCS 80/2-6

from Ch. 91 1/2, par. 1802-6

Amends the Developmental Disability and Mental Disability Services Act. In provisions limiting the funding amount for home-based services provided by the Department of Human Services to an adult with a mental disability, provides that the Department may exceed such funding limits for an adult with a mental disability whose service and support needs require a higher level of funding based on a determination of need administered by the Department or its service coordination agent. Provides that such service and support needs must be incorporated into the service plan of the adult with a mental disability and must align with criteria adopted by the Department. Permits the Department to limit the use of the funds to services and supports the adult with a mental disability requires to continue to live in the community. Permits the Department to adopt rules. Effective immediately.

LRB104 17753 KTG 31184 b

1 AN ACT concerning mental 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 changing Section 2-6 as
6 follows:

7 (405 ILCS 80/2-6) (from Ch. 91 1/2, par. 1802-6)
8 Sec. 2-6.

9 (a) An application for the Program shall be submitted to
10 the Department by the adult with a mental disability or, if the
11 adult with a mental disability requires a guardian, by his or
12 her legal guardian. If the application for participation in
13 the Program is approved by the Department and the adult with a
14 mental disability is eligible to receive services under this
15 Article, the adult with a mental disability shall be made
16 aware of the availability of a community support team and
17 shall be offered case management services. The amount of the
18 home-based services provided by the Department in any month
19 shall be determined by the service plan of the adult with a
20 mental disability, but, except as provided in subsection (b),
21 it ~~in no case~~ shall ~~it~~ be no more than either:

22 (1) ~~(a)~~ 1.05 times 300% of the monthly federal
23 Supplemental Security Income payment for an individual

1 residing alone if the adult with a mental disability is
2 not enrolled in a special education program by a local
3 education agency, or

4 (2) ~~(b)~~ 1.05 times 200% of the monthly Supplemental
5 Security Income payment for an individual residing alone
6 if the adult with a mental disability is enrolled in a
7 special education program by a local education agency.

8 (b) The Department may exceed the funding limits in
9 paragraphs (1) or (2) of subsection (a) for an adult with a
10 mental disability whose service and support needs require a
11 higher level of funding based on a determination of need
12 administered by the Department or its service coordination
13 agent. The service and support needs funded by amounts
14 authorized under this subsection must be incorporated into the
15 service plan of the adult with a mental disability and must
16 align with criteria adopted by the Department. For the higher
17 service and support needs funded under this subsection, the
18 Department may limit the use of the funds to services and
19 supports the adult with a mental disability requires to
20 continue to live in the community. The Department may adopt
21 rules to implement this subsection.

22 (c) Upon approval of the Department, all or part of the
23 monthly amount approved for home-based services to
24 participating adults may be used as a one-time or continuing
25 payment to the eligible adult or the adult's parent or
26 guardian to pay for specified tangible items that are directly

1 related to meeting basic needs related to the person's mental
2 disabilities.

3 Tangible items include, but are not limited to: adaptive
4 equipment, medication not covered by third-party payments,
5 nutritional supplements, and residential modifications.

6 (Source: P.A. 104-2, eff. 1-1-26.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.