



Rep. Maurice A. West, II

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10200HB1587ham001

LRB102 03630 KTG 36878 a

1 AMENDMENT TO HOUSE BILL 1587

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1587 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Home  
5 Modification Program Act.

6 Section 5. Findings. The General Assembly finds and  
7 declares the following:

8 (1) The national average monthly cost for a private  
9 nursing home room in 2020 was \$8,821 (\$105,852 annually).  
10 Home modifications paired with other resources can allow  
11 individuals to remain in their homes at a lower overall  
12 expense.

13 (2) According to an AARP study, 90% of people age 65  
14 and over would prefer to stay in their own homes as they  
15 get older and not go to a nursing home or assisted living  
16 facility.

1           (3) On June 22, 1999, the United States Supreme Court  
2 held in *Olmstead v. L.C.*, 119 S. Ct. 2176 (1999), that  
3 unjustified segregation of persons with disabilities  
4 constitutes discrimination in violation of Title II of the  
5 Americans with Disabilities Act. At the heart of its  
6 decision were 2 concepts. First, "institutional placement  
7 of persons who can handle and benefit from community  
8 settings perpetuates unwarranted assumptions that persons  
9 so isolated are incapable of or unworthy of participating  
10 in community life". Second, "confinement in an institution  
11 severely diminishes the everyday life activities of  
12 individuals, including family relations, social contacts,  
13 work options, economic independence, educational  
14 advancement, and cultural enrichment".

15           (4) The United States has roughly 1,200,000 adults in  
16 nursing homes and over 360,000 people in psychiatric and  
17 other 24-hour care institutions across the country, and  
18 waiting lists for housing subsidies across the country  
19 average over 2,000 households per list and have a median  
20 of 1.5 years, and up to 7-year waits in some areas.

21           (5) There is an estimated shortage of 7,000,000  
22 affordable housing units and less than 5% of the units  
23 that do exist fit access standards for individuals with  
24 moderate mobility needs. In Chicago, less than 1% of units  
25 are accessible.

26           (6) With a growing shortage of nurses and caregivers,

1 home modifications can reduce the need for home support  
2 and alleviate stress on the health care system.

3 (7) Current grant recipients of home modifications  
4 funding have not had access to the expertise needed to  
5 effectively provide resources and or services for people  
6 with disabilities. Centers for independent living possess  
7 the expertise to provide knowledgeable guidance to assist  
8 people with disabilities with home modifications through  
9 accessibility audits of current or prospective homes to  
10 guarantee equal opportunity to live in the community.

11 Section 10. Purpose. The purpose of this Act is to  
12 establish a home modification funding system that is  
13 streamlined, effective, and administered by experts within the  
14 disability community.

15 Section 15. Definitions. As used in this Act:

16 "Home modification" means any change to the structure  
17 of a residential home or property to create barrier free  
18 living, provide access to and from the home, or avoid  
19 institutionalized or congregate placement for persons with  
20 a disability.

21 "Disability" means, with respect to an individual:

22 (1) a physical or mental impairment that  
23 substantially limits one or more major life activities  
24 of the individual;

1 (2) a record of such an impairment; or

2 (3) being regarded as having such an impairment.

3 An individual meets the requirement of "being regarded  
4 as having such an impairment" if the individual  
5 establishes that he or she has been subjected to an  
6 action prohibited under the Americans with  
7 Disabilities Act of 1990 because of an actual or  
8 perceived physical or mental impairment whether or not  
9 the impairment limits or is perceived to limit a major  
10 life activity.

11 Section 20. Home Modification Program. The Department of  
12 Human Services shall establish a Home Modification Program to  
13 provide financial assistance to persons with disabilities for  
14 home modification projects. The Department shall designate a  
15 statewide association that represents centers for independent  
16 living to serve as the lead agency to administer the program.  
17 The Department shall provide funding to the lead agency for  
18 the program. The lead agency shall distribute any moneys it  
19 receives from the Department to the State's 22 centers for  
20 independent living, covering all 102 counties. The lead agency  
21 shall ensure that each center for independent living has  
22 access to at least \$105,000 to use for home modification  
23 projects, with the excess funds subject to reallocation during  
24 the 4th fiscal quarter of each year.

1 Section 25. Home modification standards and  
2 qualifications.

3 (a) To qualify for financial assistance under the Home  
4 Modification Program, an applicant must:

5 (1) be a resident of the State of Illinois;

6 (2) be a person with a disability as defined in  
7 Section 15;

8 (3) have proof of disability from an agency other than  
9 a center for independent living;

10 (4) be a homeowner or a residential tenant who has  
11 obtained the permission of his or her landlord to make the  
12 home modification. If a tenant and landlord agree to the  
13 home modification, both parties must sign off on final  
14 approval, as well as sign a statement of non-fraudulent  
15 intent; and

16 (5) have income that does not exceed 200% of area  
17 median income.

18 An applicant may be subject to additional reasonable  
19 requirements established by the lead agency that further the  
20 purposes of this Act.

21 (b) Assessment.

22 (1) An applicant's home must undergo a thorough  
23 assessment by a trained center for independent living  
24 staff member. The staff member shall make a written report  
25 of the results of the assessment.

26 (2) The lead agency shall establish a Home

1 Modification Subcommittee of experienced center for  
2 independent living staff to provide additional oversight,  
3 including, but not limited to:

4 (A) Reviewing the submitted assessment report and  
5 bid for at least the first 3 home modification  
6 requests from a center for independent living or when  
7 new staff is hired.

8 (B) Reviewing any request for more than \$35,000.

9 (c) Contractors.

10 (1) When selecting a contractor, a center for  
11 independent living must seek bids from at least 2  
12 contractors, choosing the lowest responsible bidder.

13 (2) All contractors must be licensed, where  
14 applicable, insured, and follow all local, State, and  
15 federal requirements.

16 Section 30. Administration of home modification funds. The  
17 lead agency shall receive an administrative fee of 3% from all  
18 moneys that are passed through the lead agency for the purpose  
19 of the Home Modification Program."