



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB1787

Introduced 2/26/2021, by Sen. Laura M. Murphy

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that by June 30, 2024 the Department of Human Services shall select from the Prioritization of the Urgency of Need of Services (PUNS) database no fewer than 3,600 persons with intellectual or developmental disabilities to receive relevant State services and supports. Provides that no fewer than 600 persons with intellectual or developmental disabilities shall be selected to receive services under this provision by June 30, 2022. Provides that the Department shall establish and maintain the Illinois Children and Adult Home and Community-Based Services Pilot Program to expand and increase community-based services and housing options for adults and children with disabilities who are eligible for services under the Department's Home and Community-Based Services Waiver for Persons with Developmental Disabilities. Provides that the Department, in consultation with all relevant State agencies, shall annually report to the General Assembly on the progress made in implementing these provisions. Provides that the Department shall submit its first report no later than May 31, 2025 and every May 31 thereafter. Provides that by June 30, 2025, every individual selected from the PUNS list shall qualify for and receive housing as provided in these provisions, unless he or she chooses in-home services. Provides that the Department of Human Services, in collaboration with the Department of Healthcare and Family Services and any other interested State agencies, shall submit a report to the General Assembly on May 31, 2024, and each May 31 thereafter, that details the Department's progress in implementing the program. Provides that the Department, in collaboration with the Department of Healthcare and Family Services, shall apply for any federal waivers or approvals necessary to implement these provisions. Provides that implementation of this program shall be contingent upon the receipt of all necessary federal approvals.

LRB102 16004 RLC 21375 b

1 AN ACT concerning State government.

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

4 Section 5. The Mental Health and Developmental  
5 Disabilities Administrative Act is amended by adding Sections  
6 76.1 and 76.2 as follows:

7 (20 ILCS 1705/76.1 new)

8 Sec. 76.1. Increased intellectual and developmental  
9 services and supports; PUNS database.

10 (a) By June 30, 2024 the Department of Human Services  
11 shall select from the Prioritization of the Urgency of Need of  
12 Services (PUNS) database no fewer than 3,600 persons with  
13 intellectual or developmental disabilities to receive relevant  
14 State services and supports. No fewer than 600 persons with  
15 intellectual or developmental disabilities shall be selected  
16 to receive services under this Section by June 30, 2022. The  
17 numbers of persons funded shall increase each year as follows:

18 (1) no fewer than 800 persons funded between July 1,  
19 2022 and June 30, 2023;

20 (2) no fewer than 1,000 persons funded between July 1,  
21 2023 and June 30, 2024;

22 (3) no fewer than 1,200 persons funded between July 1,  
23 2024 and June 30, 2025; and

1           (4) no fewer than 1,200 persons funded beginning July  
2           1, 2025, and every July 1 thereafter, until the list of  
3           persons in the PUNS database awaiting State services is  
4           exhausted.

5           (b) The Department shall fund services provided to persons  
6           selected from the database by pursuing all federal funding  
7           options for intellectual and developmental services and  
8           supports, including, but not limited to, applying to the  
9           federal Centers for Medicare and Medicaid Services for:

10           (1) a demonstration waiver under Section 1115 of the  
11           Social Security Act to expand housing options and relevant  
12           support services for persons with intellectual or  
13           developmental disabilities; and

14           (2) approval of a Title XIX State Plan amendment to  
15           implement the Community First Choice Option in accordance  
16           with Section 1915(k) of the Social Security Act.

17           (c) All federal funding obtained as a result of federal  
18           approval of a demonstration waiver under Section 1115 of the  
19           Social Security Act shall be used to expand and increase the  
20           availability of support services for persons with intellectual  
21           or developmental disabilities, including, but not limited to,  
22           housing options, employment opportunities, direct service  
23           provider workers, day programming, and all other support  
24           services necessary for persons with intellectual or  
25           developmental disabilities. Federal funding used to expand  
26           housing options shall be directed towards increasing the

1 availability of permanent supportive housing as described in  
2 59 Ill. Adm. Code 145.20 and other community-integrated living  
3 arrangements that provide a minimum of one person per unit to  
4 no more than 8 persons per living arrangement. A person's  
5 eligibility for housing and support services under this  
6 Section shall be based on a flexible severity of needs sliding  
7 scale to be defined by the Department by rule. The Department  
8 must adopt a definition for the flexible severity of needs  
9 sliding scale no later than March 1, 2022. The initial  
10 availability of housing options and support services under  
11 this Section shall occur no later than June 30, 2022 or 60 days  
12 after the Department's receipt of federal approval for the  
13 demonstration waiver, whichever is later. Upon receipt of all  
14 necessary federal approvals, the availability of housing  
15 options and support services under this Section shall be fully  
16 implemented by June 30, 2024.

17 (d) (1) All federal funding obtained as a result of federal  
18 approval of a Title XIX State Plan amendment to implement the  
19 Community First Choice Option pursuant to Section 1915(k) of  
20 the Social Security Act shall be used to fund the Illinois  
21 Children and Adult Home and Community-Based Services Pilot  
22 Program established and maintained by the Department as  
23 provided under paragraph (2) of this subsection.

24 (2) The Department shall establish and maintain the  
25 Illinois Children and Adult Home and Community-Based Services  
26 Pilot Program to expand and increase community-based services

1 and housing options for adults and children with disabilities  
2 who are eligible for services under the Department's Home and  
3 Community-Based Services Waiver for Persons with Developmental  
4 Disabilities. The Pilot Program shall be funded with all  
5 federal moneys received as a result of federal approval of a  
6 Title XIX State Plan amendment to implement the Community  
7 First Choice Option pursuant to Section 1915(k) of the Social  
8 Security Act. The Department shall establish the program no  
9 later than June 30, 2022 or 60 days after the Department's  
10 receipt of federal approval to implement the Community First  
11 Choice Option, whichever is later. Upon receipt of all  
12 necessary federal approvals, the Illinois Children and Adult  
13 Home and Community-Based Services Pilot Program shall be fully  
14 operational by June 30, 2025.

15 (e) The Department, in consultation with all relevant  
16 State agencies, shall annually report to the General Assembly  
17 on the progress made in implementing the provisions of this  
18 Section. The Department shall submit its first report no later  
19 than May 31, 2023 and every May 31 thereafter. The Department,  
20 and all relevant State agencies, shall fully implement the  
21 supports and services required under this Section by June 30,  
22 2025.

23 (f) Implementation of this Section shall be contingent on  
24 the receipt of all necessary federal waivers or approvals.  
25 Upon receipt of all necessary federal waivers or approvals,  
26 the Department shall implement the provisions of this Section

1 60 days after the date federal approval is received or 60 days  
2 after the effective date of this amendatory Act of the 102nd  
3 General Assembly, whichever is later.

4 (20 ILCS 1705/76.2 new)

5 Sec. 76.2. Equity in housing and support services.

6 (a) The Department of Human Services shall create a program to  
7 select people listed on the Department's Prioritization of the  
8 Urgency of Need of Services (PUNS) database to receive housing  
9 and community-based support services. By June 30, 2025, every  
10 individual selected from the PUNS list shall qualify for and  
11 receive housing as provided in subsection (b) of this Section,  
12 unless he or she chooses in-home services. (b) By June 30,  
13 2025, the Department shall fully reform the  
14 community-integrated living arrangements model as a housing  
15 option for persons eligible for services under the State's  
16 Home and Community-Based Services Waiver for Persons with  
17 Developmental Disabilities by implementing a flexible housing  
18 model, as defined by the Department by rule. The flexible  
19 housing model shall utilize a needs-based sliding scale to  
20 determine a person's eligibility and placement for housing.  
21 The Department may adopt any rules necessary to implement the  
22 provisions of this subsection. (c) The Department of Human  
23 Services, in collaboration with the Department of Healthcare  
24 and Family Services and any other interested State agencies,  
25 shall submit a report to the General Assembly on May 31, 2022,

1 and each May 31 thereafter, that details the Department's  
2 progress in implementing the requirements under subsections  
3 (a) and (b). (d) The Department, in collaboration with the  
4 Department of Healthcare and Family Services, shall apply for  
5 any federal waivers or approvals necessary to implement the  
6 provisions of this Section. Implementation of this Section  
7 shall be contingent upon the receipt of all necessary federal  
8 approvals.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 1705/76.1 new

4 20 ILCS 1705/76.2 new