

# SB3859



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3859

Introduced 1/21/2022, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

405 ILCS 80/2-6

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

405 ILCS 80/2-18 new

Amends the Developmental Disability and Mental Disability Services Act. Provides that the amount that the Department of Human Services provides for home-based services may exceed specified limits if the service needs of the eligible adult require a higher funding level and funds are appropriated to the Department for such purposes. Provides that the Department of Human Services shall conduct a rate methodology study for the Home-Based Support Services Program for Adults with Mental Disabilities by no later than State Fiscal Year 2024, and that the study shall consider, among other factors, the lost purchasing power for the Program since State Fiscal Year 2015 due to increases in workforce costs and rates, and the actual cost of Program services. Effective immediately.

LRB102 23255 RJT 32420 b

A BILL FOR

1 AN ACT concerning 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 and  
6 by adding Section 2-18 as follows:

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

8 Sec. 2-6. An application for the Program shall be  
9 submitted to the Department by the adult with a mental  
10 disability or, if the adult with a mental disability requires  
11 a guardian, by his or her legal guardian. If the application  
12 for participation in the Program is approved by the Department  
13 and the adult with a mental disability is eligible to receive  
14 services under this Article, the adult with a mental  
15 disability shall be made aware of the availability of a  
16 community support team and shall be offered case management  
17 services. The amount of the home-based services provided by  
18 the Department in any month shall be determined by the service  
19 plan of the adult with a mental disability, but in no case  
20 shall it be more than ~~either~~:

21 (a) three hundred percent of the monthly federal  
22 Supplemental Security Income payment for an individual  
23 residing alone if the adult with a mental disability is

1 not enrolled in a special education program by a local  
2 education agency, ~~or~~

3 (b) two hundred percent of the monthly Supplemental  
4 Security Income payment for an individual residing alone  
5 if the adult with a mental disability is enrolled in a  
6 special education program by a local education agency, or  
7 .

8 (c) an amount exceeding the limit in paragraph (a) or  
9 (b) if the service needs of the eligible adult require a  
10 higher funding level and funds are appropriated to the  
11 Department for such purposes.

12 Upon approval of the Department, all or part of the  
13 monthly amount approved for home-based services to  
14 participating adults may be used as a one-time or continuing  
15 payment to the eligible adult or the adult's parent or  
16 guardian to pay for specified tangible items that are directly  
17 related to meeting basic needs related to the person's mental  
18 disabilities.

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

22 (Source: P.A. 99-143, eff. 7-27-15.)

23 (405 ILCS 80/2-18 new)

24 Sec. 2-18. Home-Based Support Services Program for Adults  
25 with Mental Disabilities rate methodology study. The

1 Department shall conduct a rate methodology study for the  
2 Home-Based Support Services Program for Adults with Mental  
3 Disabilities by no later than State Fiscal Year 2024. The  
4 study shall consider, among other factors, the lost purchasing  
5 power for the Program since State Fiscal Year 2015 due to  
6 increases in workforce costs and rates, and the actual cost of  
7 Program services.

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