



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0781

Introduced 2/2/2005, by Rep. Jack McGuire

SYNOPSIS AS INTRODUCED:

20 ILCS 105/4.02

from Ch. 23, par. 6104.02

20 ILCS 2405/3

from Ch. 23, par. 3434

Amends the Illinois Act on the Aging and the Disabled Persons Rehabilitation Act. In provisions for a community care program of services to prevent unnecessary institutionalization of persons age 60 and older, persons with Alzheimer's disease and related disorders, and persons in need of long-term care who are established as blind or disabled, provides that the eligibility standards for the services must include a provision that, to be eligible for services, a person may not have assets totaling more than \$15,000 in FY06, \$17,500 in FY07, and \$20,000 in FY08 and thereafter if (i) the person is unmarried or (ii) the person is married and the person or the person's spouse meets certain criteria. Provides that if the person is married and the person's spouse does not receive community care services, the person may not have assets totaling more than the asset disregard amount used by the Department of Public Aid in determining eligibility for medical assistance under the Illinois Public Aid Code. Provides that a person who does not meet the eligibility standards for services to prevent unnecessary institutionalization because of excess assets may establish eligibility for those services by paying a monthly amount to the Department on Aging or Department of Human Services as a spend-down or deductible. Effective immediately.

LRB094 06303 BDD 36629 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to aging.

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

4 Section 5. The Illinois Act on the Aging is amended by
5 changing Section 4.02 as follows:

6 (20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

7 Sec. 4.02. The Department shall establish a program of
8 services to prevent unnecessary institutionalization of
9 persons age 60 and older in need of long term care or who are
10 established as persons who suffer from Alzheimer's disease or a
11 related disorder under the Alzheimer's Disease Assistance Act,
12 thereby enabling them to remain in their own homes or in other
13 living arrangements. Such preventive services, which may be
14 coordinated with other programs for the aged and monitored by
15 area agencies on aging in cooperation with the Department, may
16 include, but are not limited to, any or all of the following:

- 17 (a) home health services;
- 18 (b) home nursing services;
- 19 (c) homemaker services;
- 20 (d) chore and housekeeping services;
- 21 (e) day care services;
- 22 (f) home-delivered meals;
- 23 (g) education in self-care;
- 24 (h) personal care services;
- 25 (i) adult day health services;
- 26 (j) habilitation services;
- 27 (k) respite care;
- 28 (k-5) community reintegration services;
- 29 (l) other nonmedical social services that may enable
30 the person to become self-supporting; or
- 31 (m) clearinghouse for information provided by senior
32 citizen home owners who want to rent rooms to or share

1 living space with other senior citizens. The eligibility
2 standards must include a provision that, to be eligible for
3 services under this Section, a person may not have assets
4 (other than specifically exempt assets) totaling more than
5 \$15,000 in the State fiscal year beginning July 1, 2005,
6 \$17,500 in the State fiscal year beginning July 1, 2006,
7 and \$20,000 in the State fiscal year beginning July 1, 2007
8 and thereafter if:

9 (1) the person is unmarried; or

10 (2) the person is married and the Department determines
11 that:

12 (A) the person's spouse receives services under
13 this Section;

14 (B) the person's spouse resides in a skilled
15 nursing or intermediate long-term care facility that
16 is subject to licensure by the Department of Public
17 Health under the Nursing Home Care Act;

18 (C) the person's spouse does not reside on a
19 permanent basis with the person and does not receive
20 support from or give support to the person;

21 (D) the person has been abandoned by his or her
22 spouse; or

23 (E) the person has been the subject of a report of
24 abuse (as defined in the Elder Abuse and Neglect Act)
25 by his or her spouse.

26 Notwithstanding the preceding paragraph, the eligibility
27 standards must include a provision that, to be eligible for
28 services under this Section, a person who is married and whose
29 spouse does not receive services under this Section may not
30 have assets (other than specifically exempt assets) totaling
31 more than the asset disregard amount used by the Department of
32 Public Aid in determining eligibility for medical assistance
33 under Article V of the Illinois Public Aid Code. A person who
34 does not meet the eligibility standards for services under this
35 Section because of excess assets may establish eligibility for
36 those services by paying a monthly amount to the Department as

1 a spend-down or deductible. The Department shall establish
2 appropriate procedures to permit payment of such amounts as a
3 spend-down or deductible.

4 The Department shall establish eligibility standards for
5 such services taking into consideration the unique economic and
6 social needs of the target population for whom they are to be
7 provided. Such eligibility standards shall be based on the
8 recipient's ability to pay for services; provided, however,
9 that in determining the amount and nature of services for which
10 a person may qualify, consideration shall not be given to the
11 value of cash, property or other assets held in the name of the
12 person's spouse pursuant to a written agreement dividing
13 marital property into equal but separate shares or pursuant to
14 a transfer of the person's interest in a home to his spouse,
15 provided that the spouse's share of the marital property is not
16 made available to the person seeking such services.

17 Beginning July 1, 2002, the Department shall require as a
18 condition of eligibility that all financially eligible
19 applicants and recipients apply for medical assistance under
20 Article V of the Illinois Public Aid Code in accordance with
21 rules promulgated by the Department.

22 The Department shall, in conjunction with the Department of
23 Public Aid, seek appropriate amendments under Sections 1915 and
24 1924 of the Social Security Act. The purpose of the amendments
25 shall be to extend eligibility for home and community based
26 services under Sections 1915 and 1924 of the Social Security
27 Act to persons who transfer to or for the benefit of a spouse
28 those amounts of income and resources allowed under Section
29 1924 of the Social Security Act. Subject to the approval of
30 such amendments, the Department shall extend the provisions of
31 Section 5-4 of the Illinois Public Aid Code to persons who, but
32 for the provision of home or community-based services, would
33 require the level of care provided in an institution, as is
34 provided for in federal law. Those persons no longer found to
35 be eligible for receiving noninstitutional services due to
36 changes in the eligibility criteria shall be given 60 days

1 notice prior to actual termination. Those persons receiving
2 notice of termination may contact the Department and request
3 the determination be appealed at any time during the 60 day
4 notice period. With the exception of the lengthened notice and
5 time frame for the appeal request, the appeal process shall
6 follow the normal procedure. In addition, each person affected
7 regardless of the circumstances for discontinued eligibility
8 shall be given notice and the opportunity to purchase the
9 necessary services through the Community Care Program. If the
10 individual does not elect to purchase services, the Department
11 shall advise the individual of alternative services. The target
12 population identified for the purposes of this Section are
13 persons age 60 and older with an identified service need.
14 Priority shall be given to those who are at imminent risk of
15 institutionalization. The services shall be provided to
16 eligible persons age 60 and older to the extent that the cost
17 of the services together with the other personal maintenance
18 expenses of the persons are reasonably related to the standards
19 established for care in a group facility appropriate to the
20 person's condition. These non-institutional services, pilot
21 projects or experimental facilities may be provided as part of
22 or in addition to those authorized by federal law or those
23 funded and administered by the Department of Human Services.
24 The Departments of Human Services, Public Aid, Public Health,
25 Veterans' Affairs, and Commerce and Economic Opportunity and
26 other appropriate agencies of State, federal and local
27 governments shall cooperate with the Department on Aging in the
28 establishment and development of the non-institutional
29 services. The Department shall require an annual audit from all
30 chore/housekeeping and homemaker vendors contracting with the
31 Department under this Section. The annual audit shall assure
32 that each audited vendor's procedures are in compliance with
33 Department's financial reporting guidelines requiring a 27%
34 administrative cost split and a 73% employee wages and benefits
35 cost split. The audit is a public record under the Freedom of
36 Information Act. The Department shall execute, relative to the

1 nursing home prescreening project, written inter-agency
2 agreements with the Department of Human Services and the
3 Department of Public Aid, to effect the following: (1) intake
4 procedures and common eligibility criteria for those persons
5 who are receiving non-institutional services; and (2) the
6 establishment and development of non-institutional services in
7 areas of the State where they are not currently available or
8 are undeveloped. On and after July 1, 1996, all nursing home
9 prescreenings for individuals 60 years of age or older shall be
10 conducted by the Department.

11 The Department is authorized to establish a system of
12 recipient copayment for services provided under this Section,
13 such copayment to be based upon the recipient's ability to pay
14 but in no case to exceed the actual cost of the services
15 provided. Additionally, any portion of a person's income which
16 is equal to or less than the federal poverty standard shall not
17 be considered by the Department in determining the copayment.
18 The level of such copayment shall be adjusted whenever
19 necessary to reflect any change in the officially designated
20 federal poverty standard.

21 The Department, or the Department's authorized
22 representative, shall recover the amount of moneys expended for
23 services provided to or in behalf of a person under this
24 Section by a claim against the person's estate or against the
25 estate of the person's surviving spouse, but no recovery may be
26 had until after the death of the surviving spouse, if any, and
27 then only at such time when there is no surviving child who is
28 under age 21, blind, or permanently and totally disabled. This
29 paragraph, however, shall not bar recovery, at the death of the
30 person, of moneys for services provided to the person or in
31 behalf of the person under this Section to which the person was
32 not entitled; provided that such recovery shall not be enforced
33 against any real estate while it is occupied as a homestead by
34 the surviving spouse or other dependent, if no claims by other
35 creditors have been filed against the estate, or, if such
36 claims have been filed, they remain dormant for failure of

1 prosecution or failure of the claimant to compel administration
2 of the estate for the purpose of payment. This paragraph shall
3 not bar recovery from the estate of a spouse, under Sections
4 1915 and 1924 of the Social Security Act and Section 5-4 of the
5 Illinois Public Aid Code, who precedes a person receiving
6 services under this Section in death. All moneys for services
7 paid to or in behalf of the person under this Section shall be
8 claimed for recovery from the deceased spouse's estate.
9 "Homestead", as used in this paragraph, means the dwelling
10 house and contiguous real estate occupied by a surviving spouse
11 or relative, as defined by the rules and regulations of the
12 Illinois Department of Public Aid, regardless of the value of
13 the property.

14 The Department shall develop procedures to enhance
15 availability of services on evenings, weekends, and on an
16 emergency basis to meet the respite needs of caregivers.
17 Procedures shall be developed to permit the utilization of
18 services in successive blocks of 24 hours up to the monthly
19 maximum established by the Department. Workers providing these
20 services shall be appropriately trained.

21 Beginning on the effective date of this Amendatory Act of
22 1991, no person may perform chore/housekeeping and homemaker
23 services under a program authorized by this Section unless that
24 person has been issued a certificate of pre-service to do so by
25 his or her employing agency. Information gathered to effect
26 such certification shall include (i) the person's name, (ii)
27 the date the person was hired by his or her current employer,
28 and (iii) the training, including dates and levels. Persons
29 engaged in the program authorized by this Section before the
30 effective date of this amendatory Act of 1991 shall be issued a
31 certificate of all pre- and in-service training from his or her
32 employer upon submitting the necessary information. The
33 employing agency shall be required to retain records of all
34 staff pre- and in-service training, and shall provide such
35 records to the Department upon request and upon termination of
36 the employer's contract with the Department. In addition, the

1 employing agency is responsible for the issuance of
2 certifications of in-service training completed to their
3 employees.

4 The Department is required to develop a system to ensure
5 that persons working as homemakers and chore housekeepers
6 receive increases in their wages when the federal minimum wage
7 is increased by requiring vendors to certify that they are
8 meeting the federal minimum wage statute for homemakers and
9 chore housekeepers. An employer that cannot ensure that the
10 minimum wage increase is being given to homemakers and chore
11 housekeepers shall be denied any increase in reimbursement
12 costs.

13 The Department on Aging and the Department of Human
14 Services shall cooperate in the development and submission of
15 an annual report on programs and services provided under this
16 Section. Such joint report shall be filed with the Governor and
17 the General Assembly on or before September 30 each year.

18 The requirement for reporting to the General Assembly shall
19 be satisfied by filing copies of the report with the Speaker,
20 the Minority Leader and the Clerk of the House of
21 Representatives and the President, the Minority Leader and the
22 Secretary of the Senate and the Legislative Research Unit, as
23 required by Section 3.1 of the General Assembly Organization
24 Act and filing such additional copies with the State Government
25 Report Distribution Center for the General Assembly as is
26 required under paragraph (t) of Section 7 of the State Library
27 Act.

28 Those persons previously found eligible for receiving
29 non-institutional services whose services were discontinued
30 under the Emergency Budget Act of Fiscal Year 1992, and who do
31 not meet the eligibility standards in effect on or after July
32 1, 1992, shall remain ineligible on and after July 1, 1992.
33 Those persons previously not required to cost-share and who
34 were required to cost-share effective March 1, 1992, shall
35 continue to meet cost-share requirements on and after July 1,
36 1992. Beginning July 1, 1992, all clients will be required to

1 meet eligibility, cost-share, and other requirements and will
2 have services discontinued or altered when they fail to meet
3 these requirements.

4 (Source: P.A. 92-597, eff. 6-28-02; 93-85, eff. 1-1-04; 93-902,
5 eff. 8-10-04.)

6 Section 10. The Disabled Persons Rehabilitation Act is
7 amended by changing Section 3 as follows:

8 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

9 Sec. 3. Powers and duties. The Department shall have the
10 powers and duties enumerated herein:

11 (a) To co-operate with the federal government in the
12 administration of the provisions of the federal Rehabilitation
13 Act of 1973, as amended, of the Workforce Investment Act of
14 1998, and of the federal Social Security Act to the extent and
15 in the manner provided in these Acts.

16 (b) To prescribe and supervise such courses of vocational
17 training and provide such other services as may be necessary
18 for the habilitation and rehabilitation of persons with one or
19 more disabilities, including the administrative activities
20 under subsection (e) of this Section, and to co-operate with
21 State and local school authorities and other recognized
22 agencies engaged in habilitation, rehabilitation and
23 comprehensive rehabilitation services; and to cooperate with
24 the Department of Children and Family Services regarding the
25 care and education of children with one or more disabilities.

26 (c) (Blank).

27 (d) To report in writing, to the Governor, annually on or
28 before the first day of December, and at such other times and
29 in such manner and upon such subjects as the Governor may
30 require. The annual report shall contain (1) a statement of the
31 existing condition of comprehensive rehabilitation services,
32 habilitation and rehabilitation in the State; (2) a statement
33 of suggestions and recommendations with reference to the
34 development of comprehensive rehabilitation services,

1 habilitation and rehabilitation in the State; and (3) an
2 itemized statement of the amounts of money received from
3 federal, State and other sources, and of the objects and
4 purposes to which the respective items of these several amounts
5 have been devoted.

6 (e) (Blank).

7 (f) To establish a program of services to prevent
8 unnecessary institutionalization of persons with Alzheimer's
9 disease and related disorders or persons in need of long term
10 care who are established as blind or disabled as defined by the
11 Social Security Act, thereby enabling them to remain in their
12 own homes or other living arrangements. Such preventive
13 services may include, but are not limited to, any or all of the
14 following:

- 15 (1) home health services;
- 16 (2) home nursing services;
- 17 (3) homemaker services;
- 18 (4) chore and housekeeping services;
- 19 (5) day care services;
- 20 (6) home-delivered meals;
- 21 (7) education in self-care;
- 22 (8) personal care services;
- 23 (9) adult day health services;
- 24 (10) habilitation services;
- 25 (11) respite care; or
- 26 (12) other nonmedical social services that may enable
27 the person to become self-supporting.

28 The Department shall establish eligibility standards for
29 such services taking into consideration the unique economic and
30 social needs of the population for whom they are to be
31 provided. The eligibility standards must include a provision
32 that, to be eligible for services under this Section, a person
33 may not have assets (other than specifically exempt assets)
34 totaling more than \$15,000 in the State fiscal year beginning
35 July 1, 2005, \$17,500 in the State fiscal year beginning July
36 1, 2006, and \$20,000 in the State fiscal year beginning July 1,

1 2007 and thereafter if:

2 (1) the person is unmarried; or

3 (2) the person is married and the Department determines

4 that:

5 (A) the person's spouse receives services under
6 this Section;

7 (B) the person's spouse resides in a skilled
8 nursing or intermediate long-term care facility that
9 is subject to licensure by the Department of Public
10 Health under the Nursing Home Care Act;

11 (C) the person's spouse does not reside on a
12 permanent basis with the person and does not receive
13 support from or give support to the person;

14 (D) the person has been abandoned by his or her
15 spouse; or

16 (E) the person has been the subject of a report of
17 abuse (as defined in the Elder Abuse and Neglect Act)
18 by his or her spouse.

19 Notwithstanding the preceding paragraph, the eligibility
20 standards must include a provision that, to be eligible for
21 services under this Section, a person who is married and whose
22 spouse does not receive services under this Section may not
23 have assets (other than specifically exempt assets) totaling
24 more than the asset disregard amount used by the Department of
25 Public Aid in determining eligibility for medical assistance
26 under Article V of the Illinois Public Aid Code. A person who
27 does not meet the eligibility standards for services under this
28 Section because of excess assets may establish eligibility for
29 those services by paying a monthly amount to the Department as
30 a spend-down or deductible. The Department shall establish
31 appropriate procedures to permit payment of such amounts as a
32 spend-down or deductible.

33 Such eligibility standards may be based on the recipient's
34 ability to pay for services; provided, however, that any
35 portion of a person's income that is equal to or less than the
36 "protected income" level shall not be considered by the

1 Department in determining eligibility. The "protected income"
2 level shall be determined by the Department, shall never be
3 less than the federal poverty standard, and shall be adjusted
4 each year to reflect changes in the Consumer Price Index For
5 All Urban Consumers as determined by the United States
6 Department of Labor. Additionally, in determining the amount
7 and nature of services for which a person may qualify,
8 consideration shall not be given to the value of cash, property
9 or other assets held in the name of the person's spouse
10 pursuant to a written agreement dividing marital property into
11 equal but separate shares or pursuant to a transfer of the
12 person's interest in a home to his spouse, provided that the
13 spouse's share of the marital property is not made available to
14 the person seeking such services.

15 The services shall be provided to eligible persons to
16 prevent unnecessary or premature institutionalization, to the
17 extent that the cost of the services, together with the other
18 personal maintenance expenses of the persons, are reasonably
19 related to the standards established for care in a group
20 facility appropriate to their condition. These
21 non-institutional services, pilot projects or experimental
22 facilities may be provided as part of or in addition to those
23 authorized by federal law or those funded and administered by
24 the Illinois Department on Aging.

25 Personal care attendants shall be paid:

26 (i) A \$5 per hour minimum rate beginning July 1, 1995.

27 (ii) A \$5.30 per hour minimum rate beginning July 1,
28 1997.

29 (iii) A \$5.40 per hour minimum rate beginning July 1,
30 1998.

31 Solely for the purposes of coverage under the Illinois
32 Public Labor Relations Act (5 ILCS 315/), personal care
33 attendants and personal assistants providing services under
34 the Department's Home Services Program shall be considered to
35 be public employees and the State of Illinois shall be
36 considered to be their employer as of the effective date of

1 this amendatory Act of the 93rd General Assembly, but not
2 before. The State shall engage in collective bargaining with an
3 exclusive representative of personal care attendants and
4 personal assistants working under the Home Services Program
5 concerning their terms and conditions of employment that are
6 within the State's control. Nothing in this paragraph shall be
7 understood to limit the right of the persons receiving services
8 defined in this Section to hire and fire personal care
9 attendants and personal assistants or supervise them within the
10 limitations set by the Home Services Program. The State shall
11 not be considered to be the employer of personal care
12 attendants and personal assistants for any purposes not
13 specifically provided in this amendatory Act of the 93rd
14 General Assembly, including but not limited to, purposes of
15 vicarious liability in tort and purposes of statutory
16 retirement or health insurance benefits. Personal care
17 attendants and personal assistants shall not be covered by the
18 State Employees Group Insurance Act of 1971 (5 ILCS 375/).

19 The Department shall execute, relative to the nursing home
20 prescreening project, as authorized by Section 4.03 of the
21 Illinois Act on the Aging, written inter-agency agreements with
22 the Department on Aging and the Department of Public Aid, to
23 effect the following: (i) intake procedures and common
24 eligibility criteria for those persons who are receiving
25 non-institutional services; and (ii) the establishment and
26 development of non-institutional services in areas of the State
27 where they are not currently available or are undeveloped. On
28 and after July 1, 1996, all nursing home prescreenings for
29 individuals 18 through 59 years of age shall be conducted by
30 the Department.

31 The Department is authorized to establish a system of
32 recipient cost-sharing for services provided under this
33 Section. The cost-sharing shall be based upon the recipient's
34 ability to pay for services, but in no case shall the
35 recipient's share exceed the actual cost of the services
36 provided. Protected income shall not be considered by the

1 Department in its determination of the recipient's ability to
2 pay a share of the cost of services. The level of cost-sharing
3 shall be adjusted each year to reflect changes in the
4 "protected income" level. The Department shall deduct from the
5 recipient's share of the cost of services any money expended by
6 the recipient for disability-related expenses.

7 The Department, or the Department's authorized
8 representative, shall recover the amount of moneys expended for
9 services provided to or in behalf of a person under this
10 Section by a claim against the person's estate or against the
11 estate of the person's surviving spouse, but no recovery may be
12 had until after the death of the surviving spouse, if any, and
13 then only at such time when there is no surviving child who is
14 under age 21, blind, or permanently and totally disabled. This
15 paragraph, however, shall not bar recovery, at the death of the
16 person, of moneys for services provided to the person or in
17 behalf of the person under this Section to which the person was
18 not entitled; provided that such recovery shall not be enforced
19 against any real estate while it is occupied as a homestead by
20 the surviving spouse or other dependent, if no claims by other
21 creditors have been filed against the estate, or, if such
22 claims have been filed, they remain dormant for failure of
23 prosecution or failure of the claimant to compel administration
24 of the estate for the purpose of payment. This paragraph shall
25 not bar recovery from the estate of a spouse, under Sections
26 1915 and 1924 of the Social Security Act and Section 5-4 of the
27 Illinois Public Aid Code, who precedes a person receiving
28 services under this Section in death. All moneys for services
29 paid to or in behalf of the person under this Section shall be
30 claimed for recovery from the deceased spouse's estate.
31 "Homestead", as used in this paragraph, means the dwelling
32 house and contiguous real estate occupied by a surviving spouse
33 or relative, as defined by the rules and regulations of the
34 Illinois Department of Public Aid, regardless of the value of
35 the property.

36 The Department and the Department on Aging shall cooperate

1 in the development and submission of an annual report on
2 programs and services provided under this Section. Such joint
3 report shall be filed with the Governor and the General
4 Assembly on or before March 30 each year.

5 The requirement for reporting to the General Assembly shall
6 be satisfied by filing copies of the report with the Speaker,
7 the Minority Leader and the Clerk of the House of
8 Representatives and the President, the Minority Leader and the
9 Secretary of the Senate and the Legislative Research Unit, as
10 required by Section 3.1 of the General Assembly Organization
11 Act, and filing additional copies with the State Government
12 Report Distribution Center for the General Assembly as required
13 under paragraph (t) of Section 7 of the State Library Act.

14 (g) To establish such subdivisions of the Department as
15 shall be desirable and assign to the various subdivisions the
16 responsibilities and duties placed upon the Department by law.

17 (h) To cooperate and enter into any necessary agreements
18 with the Department of Employment Security for the provision of
19 job placement and job referral services to clients of the
20 Department, including job service registration of such clients
21 with Illinois Employment Security offices and making job
22 listings maintained by the Department of Employment Security
23 available to such clients.

24 (i) To possess all powers reasonable and necessary for the
25 exercise and administration of the powers, duties and
26 responsibilities of the Department which are provided for by
27 law.

28 (j) To establish a procedure whereby new providers of
29 personal care attendant services shall submit vouchers to the
30 State for payment two times during their first month of
31 employment and one time per month thereafter. In no case shall
32 the Department pay personal care attendants an hourly wage that
33 is less than the federal minimum wage.

34 (k) To provide adequate notice to providers of chore and
35 housekeeping services informing them that they are entitled to
36 an interest payment on bills which are not promptly paid

1 pursuant to Section 3 of the State Prompt Payment Act.

2 (l) To establish, operate and maintain a Statewide Housing
3 Clearinghouse of information on available, government
4 subsidized housing accessible to disabled persons and
5 available privately owned housing accessible to disabled
6 persons. The information shall include but not be limited to
7 the location, rental requirements, access features and
8 proximity to public transportation of available housing. The
9 Clearinghouse shall consist of at least a computerized database
10 for the storage and retrieval of information and a separate or
11 shared toll free telephone number for use by those seeking
12 information from the Clearinghouse. Department offices and
13 personnel throughout the State shall also assist in the
14 operation of the Statewide Housing Clearinghouse. Cooperation
15 with local, State and federal housing managers shall be sought
16 and extended in order to frequently and promptly update the
17 Clearinghouse's information.

18 (m) To assure that the names and case records of persons
19 who received or are receiving services from the Department,
20 including persons receiving vocational rehabilitation, home
21 services, or other services, and those attending one of the
22 Department's schools or other supervised facility shall be
23 confidential and not be open to the general public. Those case
24 records and reports or the information contained in those
25 records and reports shall be disclosed by the Director only to
26 proper law enforcement officials, individuals authorized by a
27 court, the General Assembly or any committee or commission of
28 the General Assembly, and other persons and for reasons as the
29 Director designates by rule. Disclosure by the Director may be
30 only in accordance with other applicable law.

31 (Source: P.A. 92-84, eff. 7-1-02; 93-204, eff. 7-16-03.)

32 Section 99. Effective date. This Act takes effect upon
33 becoming law.