



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1645

Introduced 2/22/2007, by Rep. Kathleen A. Ryg

SYNOPSIS AS INTRODUCED:

20 ILCS 2407/20

Amends the Disabilities Services Act of 2003. Provides that 2 members of the Illinois House of Representatives and 2 members of the Illinois Senate shall serve as non-voting members of the advisory committee established to assist in the implementation of a disabilities services plan. Provides that other State officials may be invited to participate in the committee. Deletes a provision requiring the Director of Employment Security or his or her designee to serve as an ex-officio non-voting member of the committee. Provides that the committee shall select co-chairs and may select other officers (now, the committee selects a chair and a vice-chair). Requires implementation of the disability services plan by July 1, 2007 (instead of July 1, 2005). Provides that the advisory committee shall assist the Governor with annual updates of the plan. Requires annual updates until 2010. Effective immediately.

LRB095 06375 HLH 26471 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Disabilities Services Act of 2003 is amended
5 by changing Section 20 as follows:

6 (20 ILCS 2407/20)

7 Sec. 20. Implementation.

8 (a) The Governor shall appoint an advisory committee to
9 assist in the development and implementation of a Disabilities
10 Services Implementation Plan that will ensure compliance by the
11 State of Illinois with the Americans with Disabilities Act and
12 the decision in *Olmstead v. L.C.*, 119 S.Ct. 2176 (1999). The
13 advisory committee shall be known as the Illinois Disabilities
14 Services Advisory Committee and shall be composed of no more
15 than 33 members, including: persons who have a physical
16 disability, a developmental disability, or a mental illness;
17 senior citizens; advocates for persons with physical
18 disabilities; advocates for persons with developmental
19 disabilities; advocates for persons with mental illness;
20 advocates for senior citizens; representatives of providers of
21 services to persons with physical disabilities, developmental
22 disabilities, and mental illness; representatives of providers
23 of services to senior citizens; and representatives of

1 organized labor.

2 In addition, the following State officials shall serve on
3 the committee as ex-officio non-voting members: the Secretary
4 of Human Services or his or her designee; the State
5 Superintendent of Education or his or her designee; the
6 Director of Aging or his or her designee; the Executive
7 Director of the Illinois Housing Development Authority or his
8 or her designee; and the Director of Public Aid (now Director
9 of Healthcare and Family Services) or his or her designee; ~~and~~
10 ~~the Director of Employment Security or his or her designee.~~ The
11 following officials shall serve as non-voting members: 2
12 members of the Illinois House of Representatives, one appointed
13 by the Speaker of the House and one appointed by the House
14 Minority Leader; 2 members of the Illinois Senate, one
15 appointed by the Senate President and one appointed by the
16 Senate Minority Leader. Other State officials, including, but
17 not limited to, the Director of Employment Security, the
18 Director of Commerce and Economic Opportunity, the Director of
19 Children and Family Services, the Director of the Board of
20 Higher Education, and the Director of the Illinois Community
21 College Board, may be invited to participate or to designate a
22 representative to participate at the discretion of the
23 co-chairs and the Secretary of Human Services when their
24 expertise and resources are relevant to the resolution of a
25 particular issue. The Department of Human Services shall be
26 responsible for convening meetings and providing logistical

1 support for the advisory committee.

2 The advisory committee shall select co-chairs and may
3 select other officers if necessary ~~officers, including a chair~~
4 ~~and a vice chair.~~

5 The advisory committee shall meet at least quarterly and
6 shall keep official meeting minutes. Committee members shall
7 not be compensated but shall be paid for their expenses related
8 to attendance at meetings.

9 (b) The implementation plan must include, but need not be
10 limited to, the following:

11 (1) Establishing procedures for completing
12 comprehensive evaluations, including provisions for
13 Department review and approval of need determinations. The
14 Department may utilize independent evaluators and targeted
15 or sample reviews during this review and approval process,
16 as it deems appropriate.

17 (2) Establishing procedures for the development of an
18 individual service or treatment plan for each person with a
19 disability, including provisions for Department review and
20 authorization.

21 (3) Identifying core services to be provided by
22 agencies of the State of Illinois or other agencies.

23 (4) Establishing minimum standards for individualized
24 services.

25 (5) Establishing minimum standards for residential
26 services in the least restrictive environment.

1 (6) Establishing minimum standards for vocational
2 services.

3 (7) Establishing due process hearing procedures.

4 (8) Establishing minimum standards for family support
5 services.

6 (9) Securing financial resources necessary to fulfill
7 the purposes and requirements of this Act, including but
8 not limited to obtaining approval and implementing waivers
9 or demonstrations authorized under federal law.

10 (c) The Governor, with the assistance of the Illinois
11 Disabilities Services Advisory Committee and the Secretary of
12 Human Services, is responsible for the completion of the
13 implementation plan. The Governor must submit a report to the
14 General Assembly by November 1, 2004, which must include the
15 following:

16 (1) The implementation plan.

17 (2) A description of current and planned programs and
18 services necessary to meet the requirements of the
19 individual service or treatment plans required by this Act,
20 together with the actions to be taken by the State of
21 Illinois to ensure that those plans will be implemented.
22 This description shall include a report of related program
23 and service improvements or expansions implemented by the
24 Department since the effective date of this Act.

25 (3) The estimated costs of current and planned programs
26 and services to be provided under the implementation plan.

1 (4) A report on the number of persons with disabilities
2 who may be eligible to receive services under this Act,
3 together with a report on the number of persons who are
4 currently receiving those services.

5 (5) Any proposed changes in State policies, laws, or
6 regulations necessary to fulfill the purposes and
7 requirements of this Act.

8 (d) The Governor, with the assistance of the advisory
9 committee and the Secretary of Human Services, shall annually
10 update the implementation plan and report changes to the
11 General Assembly by July 1 of each year. Initial implementation
12 of the plan is required by July 1, 2007 ~~2005~~. The requirement
13 of annual updates and reports expires in 2010 ~~2008~~, unless
14 otherwise extended by the General Assembly.

15 (Source: P.A. 93-638, eff. 12-31-03; revised 12-15-05.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.