



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1350

Introduced 2/18/2009, by Rep. Esther Golar

SYNOPSIS AS INTRODUCED:

405 ILCS 30/4

from Ch. 91 1/2, par. 904

Amends the Community Services Act. Requires the Governor to create a commission by July 1, 2009 (instead of 2007) to review various matters in connection with funding for community services. Provides that if the Governor does not make appointments to the commission by July 1, 2009, then the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate shall make appointments to the commission. Provides that the commission must issue a final report no later than December 31, 2010 (instead of September 1, 2008). Adds 3 directors of Department of Human Services (DHS) divisions as commission members. Requires DHS to provide staff support for the commission. Effective immediately.

LRB096 06322 DRJ 16405 b

FISCAL NOTE ACT
MAY APPLY

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 Community Services Act is amended by
5 changing Section 4 as follows:

6 (405 ILCS 30/4) (from Ch. 91 1/2, par. 904)

7 Sec. 4. Financing for Community Services.

8 (a) The Department of Human Services is authorized to
9 provide financial reimbursement to eligible private service
10 providers, corporations, local government entities or
11 voluntary associations for the provision of services to persons
12 with mental illness, persons with a developmental disability
13 and alcohol and drug dependent persons living in the community
14 for the purpose of achieving the goals of this Act.

15 The Department shall utilize the following funding
16 mechanisms for community services:

17 (1) Purchase of Care Contracts: services purchased on a
18 predetermined fee per unit of service basis from private
19 providers or governmental entities. Fee per service rates
20 are set by an established formula which covers some portion
21 of personnel, supplies, and other allowable costs, and
22 which makes some allowance for geographic variations in
23 costs as well as for additional program components.

1 (2) Grants: sums of money which the Department grants
2 to private providers or governmental entities pursuant to
3 the grant recipient's agreement to provide certain
4 services, as defined by departmental grant guidelines, to
5 an approximate number of service recipients. Grant levels
6 are set through consideration of personnel, supply and
7 other allowable costs, as well as other funds available to
8 the program.

9 (3) Other Funding Arrangements: funding mechanisms may
10 be established on a pilot basis in order to examine the
11 feasibility of alternative financing arrangements for the
12 provision of community services.

13 The Department shall establish and maintain an equitable
14 system of payment which allows providers to improve persons
15 with disabilities' capabilities for independence and reduces
16 their reliance on State-operated services.

17 (b) The Governor shall create a commission by July 1, 2009
18 ~~2007~~, or as soon thereafter as possible, to review funding
19 methodologies, identify gaps in funding, identify revenue, and
20 prioritize use of that revenue for community developmental
21 disability services, mental health services, alcohol and
22 substance abuse services, rehabilitation services, and early
23 intervention services.

24 (c) If the Governor does not make appointments to the
25 commission by July 1, 2009 as required under subsection (b),
26 then the Speaker and Minority Leader of the House of

1 Representatives and the President and Minority Leader of the
2 Senate shall make appointments to the commission as follows:

3 (1) The Speaker of the House of Representatives shall
4 make the following appointments:

5 (A) one person with a developmental disability, or
6 a family member or guardian of such a person;

7 (B) one person from a union that represents
8 employees of community providers that serve people
9 with developmental disabilities, mental illness, and
10 alcohol and substance abuse disorders;

11 (C) three persons from statewide associations that
12 represent community providers that provide
13 residential, day training, and other developmental
14 disability services, mental health services, alcohol
15 and substance abuse services, rehabilitation services,
16 or early intervention services, or any combination of
17 those; and

18 (D) one member of the House of Representatives.

19 (2) The Minority Leader of the House of Representatives
20 shall appoint one member of the House of Representatives.

21 (3) The President of the Senate shall make the
22 following appointments:

23 (A) one person with a mental illness, or a family
24 member or guardian of such a person;

25 (B) one person from another union (other than the
26 union from which a person is appointed under

1 subdivision (1)(B) of this subsection) that represents
2 employees of community providers that serve people
3 with developmental disabilities, mental illness, and
4 alcohol and substance abuse disorders different from
5 the Speaker's choice of a union;

6 (C) three persons from statewide associations that
7 represent community providers that provide
8 residential, day training, and other developmental
9 disability services, mental health services, alcohol
10 and substance abuse services, rehabilitation services,
11 or early intervention services, or any combination of
12 those; and

13 (D) one member of the Senate.

14 (4) The Minority Leader of the Senate shall appoint one
15 member of the Senate.

16 (d) The first meeting of the commission shall be held
17 within the first month after the creation and appointment of
18 the commission, and a final report summarizing the commission's
19 recommendations must be issued within 12 months after the first
20 meeting, and no later than December 31, 2010 ~~September 1, 2008~~,
21 to the Governor and the General Assembly.

22 (e) The commission, if appointed by the Governor pursuant
23 to subsection (b), shall have the following 13 voting members:

24 (A) one member of the House of Representatives,
25 appointed by the Speaker of the House of Representatives;

26 (B) one member of the House of Representatives,

1 appointed by the House Minority Leader;

2 (C) one member of the Senate, appointed by the
3 President of the Senate;

4 (D) one member of the Senate, appointed by the Senate
5 Minority Leader;

6 (E) one person with a developmental disability, or a
7 family member or guardian of such a person, appointed by
8 the Governor;

9 (F) one person with a mental illness, or a family
10 member or guardian of such a person, appointed by the
11 Governor;

12 (G) two persons from unions that represent employees of
13 community providers that serve people with developmental
14 disabilities, mental illness, and alcohol and substance
15 abuse disorders, appointed by the Governor; and

16 (H) five persons from statewide associations that
17 represent community providers that provide residential,
18 day training, and other developmental disability services,
19 mental health services, alcohol and substance abuse
20 services, rehabilitation services, or early intervention
21 services, or any combination of those, appointed by the
22 Governor.

23 The commission, whether appointed pursuant to subsection
24 (b) or pursuant to subsection (c), shall also have the
25 following ex-officio, nonvoting members:

26 (I) the Director of the Governor's Office of Management

1 and Budget or his or her designee;

2 (J) the Chief Financial Officer of the Department of
3 Human Services or his or her designee; ~~and~~

4 (K) the Administrator of the Department of Healthcare
5 and Family Services Division of Finance or his or her
6 designee; ~~-~~

7 (L) the Director of the Department of Human Services
8 Division of Developmental Disabilities or his or her
9 designee;

10 (M) the Director of the Department of Human Services
11 Division of Mental Health or his or her designee; and

12 (N) the Director of the Department of Human Services
13 Division of Alcohol and Substance Abuse or his or her
14 designee.

15 (f) The funding methodologies must reflect economic
16 factors inherent in providing services and supports, recognize
17 individual disability needs, and consider geographic
18 differences, transportation costs, required staffing ratios,
19 and mandates not currently funded.

20 (g) The Department of Human Services shall provide staff
21 support for purposes including but not limited to research and
22 document preparation and other such reasonable duties as
23 directed by a simple majority vote of the commission.

24 (h) In accepting Department funds, providers shall
25 recognize their responsibility to be accountable to the
26 Department and the State for the delivery of services which are

1 consistent with the philosophies and goals of this Act and the
2 rules and regulations promulgated under it.

3 (Source: P.A. 95-682, eff. 10-11-07.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.