

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 For services classified as entitlement services under
18 federal law or guidelines, caps may not be placed on the total
19 amount of payment a provider may receive in a fiscal year and
20 the Department shall not require that a portion of the payments
21 due be made in a subsequent fiscal year based on a yearly
22 payment cap.

23 (b) The Governor shall create a commission by September 1,
24 2009, or as soon thereafter as possible, to review funding
25 methodologies, identify gaps in funding, identify revenue, and
26 prioritize use of that revenue for community developmental

1 disability services, mental health services, alcohol and
2 substance abuse services, rehabilitation services, and early
3 intervention services. The Office of the Governor shall provide
4 staff support for the commission.

5 (c) The first meeting of the commission shall be held
6 within the first month after the creation and appointment of
7 the commission, and a final report summarizing the commission's
8 recommendations must be issued within 12 months after the first
9 meeting, and no later than September 1, 2010, to the Governor
10 and the General Assembly.

11 (d) The commission shall have the following 13 voting
12 members:

13 (A) one member of the House of Representatives,
14 appointed by the Speaker of the House of Representatives;

15 (B) one member of the House of Representatives,
16 appointed by the House Minority Leader;

17 (C) one member of the Senate, appointed by the
18 President of the Senate;

19 (D) one member of the Senate, appointed by the Senate
20 Minority Leader;

21 (E) one person with a developmental disability, or a
22 family member or guardian of such a person, appointed by
23 the Governor;

24 (F) one person with a mental illness, or a family
25 member or guardian of such a person, appointed by the
26 Governor;

1 (G) two persons from unions that represent employees of
2 community providers that serve people with developmental
3 disabilities, mental illness, and alcohol and substance
4 abuse disorders, appointed by the Governor; and

5 (H) five persons from statewide associations that
6 represent community providers that provide residential,
7 day training, and other developmental disability services,
8 mental health services, alcohol and substance abuse
9 services, rehabilitation services, or early intervention
10 services, or any combination of those, appointed by the
11 Governor.

12 The commission shall also have the following ex-officio,
13 nonvoting members:

14 (I) the Director of the Governor's Office of Management
15 and Budget or his or her designee;

16 (J) the Chief Financial Officer of the Department of
17 Human Services or his or her designee;

18 (K) the Administrator of the Department of Healthcare
19 and Family Services Division of Finance or his or her
20 designee;

21 (L) the Director of the Department of Human Services
22 Division of Developmental Disabilities or his or her
23 designee;

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

26 (N) the Director of the Department of Human Services

1 Division of Alcohol and Substance Abuse or his or her
2 designee.

3 (e) The funding methodologies must reflect economic
4 factors inherent in providing services and supports, recognize
5 individual disability needs, and consider geographic
6 differences, transportation costs, required staffing ratios,
7 and mandates not currently funded.

8 (f) In accepting Department funds, providers shall
9 recognize their responsibility to be accountable to the
10 Department and the State for the delivery of services which are
11 consistent with the philosophies and goals of this Act and the
12 rules and regulations promulgated under it.

13 (Source: P.A. 95-682, eff. 10-11-07; 96-652, eff. 8-24-09.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.