



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3015

Introduced 2/4/2010, by Sen. M. Maggie Crotty

SYNOPSIS AS INTRODUCED:

405 ILCS 30/4

from Ch. 91 1/2, par. 904

Amends the Community Services Act. Adds provider agreements to the list of funding mechanisms the Department of Human Services shall utilize for community services provided to persons suffering from mental illness, a developmental disability, or alcohol and drug dependency. Provides that purchase-of-care contracts, provider agreements, and grants shall be increased by a percentage increase equivalent to the lesser of (i) the increase in the designated cost of living index or (ii) 3%, and that the increase shall be added to the previous year purchase-of-care contract or grant amount, and the adjusted amount so determined shall be the annual amount beginning July 1st of the increase year until July 1 of the next year. Effective July 1, 2011.

LRB096 19194 KTG 34585 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 (2.5) Provider Agreements: funding agreements between
10 private providers, including but not limited to providers
11 of early intervention services as defined in Section 3 of
12 the Early Intervention Services System Act, and the
13 Department of Human Services in which the Department
14 purchases services from a private provider.

15 (3) Other Funding Arrangements: funding mechanisms may
16 be established on a pilot basis in order to examine the
17 feasibility of alternative financing arrangements for the
18 provision of community services.

19 Purchase-of-care contracts, provider agreements, and
20 grants shall be increased by a percentage increase equivalent
21 to the lesser of (i) the increase in the designated cost of
22 living index or (ii) 3%. The designated cost of living index is
23 the index known as the "Employment Cost Index, Wages and
24 Salaries, By Occupation and Industry Groups: State and Local
25 Government Workers: Public Administration" as published by the
26 Bureau of Labor Statistics of the U.S. Department of Labor for

1 the calendar year immediately preceding the year of the
2 respective July 1st purchase-of-care contract or grant
3 issuance. The increase shall be added to the previous year
4 purchase-of-care contract or grant amount, and the adjusted
5 amount so determined shall be the annual amount beginning July
6 1st of the increase year until July 1 of the next year. No
7 increase under this provision shall be less than zero.

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

12 (b) The Governor shall create a commission by September 1,
13 2009, or as soon thereafter as possible, to review funding
14 methodologies, identify gaps in funding, identify revenue, and
15 prioritize use of that revenue for community developmental
16 disability services, mental health services, alcohol and
17 substance abuse services, rehabilitation services, and early
18 intervention services. The Office of the Governor shall provide
19 staff support for the commission.

20 (c) The first meeting of the commission shall be held
21 within the first month after the creation and appointment of
22 the commission, and a final report summarizing the commission's
23 recommendations must be issued within 12 months after the first
24 meeting, and no later than September 1, 2010, to the Governor
25 and the General Assembly.

26 (d) The commission shall have the following 13 voting

1 members:

2 (A) one member of the House of Representatives,
3 appointed by the Speaker of the House of Representatives;

4 (B) one member of the House of Representatives,
5 appointed by the House Minority Leader;

6 (C) one member of the Senate, appointed by the
7 President of the Senate;

8 (D) one member of the Senate, appointed by the Senate
9 Minority Leader;

10 (E) one person with a developmental disability, or a
11 family member or guardian of such a person, appointed by
12 the Governor;

13 (F) one person with a mental illness, or a family
14 member or guardian of such a person, appointed by the
15 Governor;

16 (G) two persons from unions that represent employees of
17 community providers that serve people with developmental
18 disabilities, mental illness, and alcohol and substance
19 abuse disorders, appointed by the Governor; and

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

1 The commission shall also have the following ex-officio,
2 nonvoting members:

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

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

7 (K) the Administrator of the Department of Healthcare
8 and Family Services Division of Finance or his or her
9 designee;

10 (L) the Director of the Department of Human Services
11 Division of Developmental Disabilities or his or her
12 designee;

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

15 (N) the Director of the Department of Human Services
16 Division of Alcohol and Substance Abuse or his or her
17 designee.

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

23 (f) In accepting Department funds, providers shall
24 recognize their responsibility to be accountable to the
25 Department and the State for the delivery of services which are
26 consistent with the philosophies and goals of this Act and the

1 rules and regulations promulgated under it.

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

3 Section 99. Effective date. This Act takes effect July 1,
4 2011.