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1 AMENDMENT TO SENATE JOINT RESOLUTION 30

2 AMENDMENT NO. _____. Amend Senate Joint Resolution 30 by
3 replacing everything after the title with the following:

4 "WHEREAS, The United States Supreme Court in *Olmstead v.*
5 *L.C. Ex Rel. Zimring*, 119 S. Ct. 2176 (1999), held that the
6 unjustifiable institutionalization of a person with a
7 disability who could live in the community with appropriate
8 supports and services, and wishes to do so, is unlawful
9 discrimination in violation of the Americans with Disabilities
10 Act (ADA); and

11 WHEREAS, Many individuals with developmental disabilities
12 in Illinois who desire home or community-based residential
13 services are unable to obtain them due to the lack of funding
14 for such options; and

15 WHEREAS, As a result of insufficient home and

1 community-based service options for individuals with
2 developmental disabilities in Illinois, many individuals and
3 their families must choose between living with their parents or
4 other family members without the supports and services they
5 need, or living in a State-operated developmental center or
6 another institution, even if they could live successfully in a
7 less restrictive setting with appropriate supports and
8 services; and

9 WHEREAS, There are now over 16,000 individuals with
10 developmental disabilities in Illinois with documented crisis,
11 emerging crisis, or future service needs who are on the
12 Department of Human Services' Priority of Urgency of Need of
13 Services (PUNS) waiting list database for services and
14 supports, and the need is probably greater because this number
15 only represents those individuals who have actually signed up
16 for the PUNS waiting list database; and

17 WHEREAS, Almost 10 years after the Olmstead decision, a
18 report titled "The State of the States in Disabilities 2008" by
19 the Department of Psychiatry and Coleman Institute for
20 Cognitive Disabilities of the University of Colorado ranks the
21 State of Illinois 51st in the nation in terms of making small
22 community living arrangements (6 residents or fewer) available
23 to individuals with developmental disabilities; and

1 WHEREAS, The State of Illinois ranks near the very bottom
2 both nationally and among the other Midwest states in per
3 capita spending for home and community-based supports and
4 services for individuals with developmental disabilities; and

5 WHEREAS, Other studies, including but not limited to,
6 "State Funding of Community Agencies for Services to Illinois
7 Residents with Mental Illness and/or Developmental
8 Disabilities: Final Report to the Illinois General Assembly"
9 and "The Report of the Community Integrated Living Arrangement
10 Nursing Services Work Group" address the issues with the
11 Illinois system; and

12 WHEREAS, "The Blueprint for System Redesign in Illinois"
13 reviewed the findings of these studies as well as the results
14 of a gaps analysis and created a framework for restructuring
15 the current service system for people with developmental
16 disabilities and their families; and

17 WHEREAS, These studies and numerous legislative measures
18 and lawsuits over the last decade have attempted to address the
19 shortcomings of Illinois' fragmented and inadequate system of
20 services and supports to individuals with developmental
21 disabilities; and

22 WHEREAS, The level of need and corresponding cost for

1 providing supports and services for individuals with
2 developmental disabilities in Illinois will continue to
3 outpace significantly the State's ability to fund services
4 appropriately and effectively unless major systemic fiscal and
5 policy changes are made to the service delivery system; and

6 WHEREAS, Until the State breaks the cycle of underfunding
7 and lack of significant growth of home and community-based
8 services and supports for people with developmental
9 disabilities and their families which perpetuates short term
10 measures to address crises in the system and which, in the long
11 term, has maintained and fostered the competition among many
12 for scarce public resources; the community-based system will
13 continue to be fragmented and inadequately funded; therefore,
14 be it

15 RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL
16 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
17 CONCURRING HEREIN, that the Department of Human Services,
18 Division of Developmental Disabilities, shall develop a 7-year
19 Plan with yearly benchmarks to enhance and expand access to
20 quality community services and supports as described in the
21 recommendations of the "Blueprint for System Redesign"
22 (January 2008) and other reports that have been done, by
23 December 1, 2009; and be it further

1 RESOLVED, That any increase in the resources available to
2 the Department shall be appropriated to services and supports
3 consistent with the action steps in the Plan considering, but
4 not limited to, funding incentives, identifying new revenue
5 sources, maximizing current revenue sources, creating
6 opportunities for capacity building and new rate methodologies
7 that enhance quality service and quality assurance, crisis
8 intervention and workforce development; and be it further

9 RESOLVED, That the Secretary of Human Services shall
10 provide an annual report on the implementation of the Plan to
11 the Governor and to each member of the General Assembly by not
12 later than July 1st of each year and interim progress reports
13 to the Governor and to the members of the General Assembly not
14 later than December 31st of each year until the plan is fully
15 implemented; and be it further

16 RESOLVED, That appropriate committees of the House of
17 Representatives and the Senate shall convene at least one
18 hearing not later than July 1st of each year on the subject of
19 the Plan; and be it further

20 RESOLVED, That copies of this Resolution be sent to the
21 Governor, the Secretary of the Department of Human Services,
22 the Director of the Governor's Office of Management and Budget,
23 and all members of the General Assembly."