



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB2278

Introduced 2/10/2011, by Sen. M. Maggie Crotty

#### SYNOPSIS AS INTRODUCED:

20 ILCS 105/4.02f new  
20 ILCS 505/37a new  
20 ILCS 1305/1-37a new  
20 ILCS 2205/2205-15a new  
20 ILCS 2310/2310-12a new

Amends the Illinois Act on the Aging, the Children and Family Services Act, the Department of Human Services Act, the Department of Healthcare and Family Services Law of the Civil Administrative Code of Illinois, and the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department on Aging, the Department of Children and Family Services, the Department of Human Services, the Department of Healthcare and Family Services, and the Department of Public Health shall have the authority and are hereby directed to collaboratively adopt joint rules to establish (i) a cross-agency prequalification process for contracting with privately owned or operated human service providers; (ii) a cross-agency master service agreement of standard terms and conditions for contracting with privately owned or operated human service providers; and (iii) a cross-agency common service taxonomy for human service providers to streamline the processes outlined in the amendatory Act. Provides that the Department of Human Services shall be the lead agency in this matter. Effective immediately.

LRB097 10405 KTG 50624 b

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Act on the Aging is amended by  
5 adding Section 4.02f as follows:

6 (20 ILCS 105/4.02f new)

7 Sec. 4.02f. Cross-agency prequalification and master  
8 service agreements. As required in Section 1-37a of the  
9 Department of Humans Services Act, the Department shall have  
10 the authority and is hereby directed to collaborate with the  
11 Department of Human Services and other State human services  
12 agencies in the adoption of joint rules to establish (i) a  
13 cross-agency prequalification process for contracting with  
14 privately owned or operated human service providers; (ii) a  
15 cross-agency master service agreement of standard terms and  
16 conditions for contracting with privately owned or operated  
17 human service providers; and (iii) a cross-agency common  
18 service taxonomy for human service providers to streamline the  
19 processes referenced in this Section and outlined in Section  
20 1-37a of the Department of Human Services Act.

21 Section 10. The Children and Family Services Act is amended  
22 by adding Section 37a as follows:

1 (20 ILCS 505/37a new)

2 Sec. 37a. Cross-agency prequalification and master service  
3 agreements. As required in Section 1-37a of the Department of  
4 Humans Services Act, the Department shall have the authority  
5 and is hereby directed to collaborate with the Department of  
6 Human Services and other State human services agencies in the  
7 adoption of joint rules to establish (i) a cross-agency  
8 prequalification process for contracting with privately owned  
9 or operated human service providers; (ii) a cross-agency master  
10 service agreement of standard terms and conditions for  
11 contracting with privately owned or operated human service  
12 providers; and (iii) a cross-agency common service taxonomy for  
13 human service providers to streamline the processes referenced  
14 in this Section and outlined in Section 1-37a of the Department  
15 of Human Services Act.

16 Section 15. The Department of Human Services Act is amended  
17 by adding Section 1-37a as follows:

18 (20 ILCS 1305/1-37a new)

19 Sec. 1-37a. Cross-agency prequalification and master  
20 service agreements.

21 (a) "State human services agency" means the Department on  
22 Aging, the Department of Children and Family Services, the  
23 Department of Human Services, the Department of Healthcare and

1 Family Services, and the Department of Public Health.

2 (b) Intent. Per the requirements of Public Act 96-1141, on  
3 January 1, 2011 a report titled "Streamlined Auditing and  
4 Monitoring for Community Based Services: First Steps Toward a  
5 More Efficient System for Providers, State Government, and the  
6 Community" was provided to members of the General Assembly. The  
7 report, which was developed by a steering committee of  
8 community providers, trade associations, and designated  
9 representatives from the Departments of Children and Family  
10 Services, Healthcare and Family Services, Human Services, and  
11 Public Health, issued a series of recommendations, including  
12 recommended changes to Administrative Rules and Illinois  
13 statutes, on the categories of deemed status for accreditation,  
14 fiscal audits, centralized repository of information,  
15 Medicaid, technology, contracting, and streamlined monitoring  
16 procedures. It is the intent of the 97th General Assembly to  
17 pursue implementation of those recommendations that have been  
18 determined to require Acts of the General Assembly.

19 (c) Cross-Agency Prequalification of Human Service  
20 Providers. Each State human services agency shall have the  
21 authority and is hereby directed to collaboratively adopt joint  
22 rules to establish a cross-agency prequalification process for  
23 contracting with privately owned or operated human service  
24 providers. This process shall include a mechanism for the State  
25 human services agencies to collect information from human  
26 service providers including, but not limited to, provider

1 organizational experience, capability to perform services, and  
2 organizational integrity in order for the agencies to screen  
3 potential human service providers as vendors to contract with  
4 the agencies.

5 (d) Master Service Agreements for human service providers.  
6 Each State human services agency shall have the authority and  
7 is hereby directed to collaboratively adopt joint rules to  
8 establish a cross-agency master service agreement of standard  
9 terms and conditions for contracting with privately owned or  
10 operated human service providers. The master service agreement  
11 shall be awarded to prequalified providers as determined  
12 through the cross-agency prequalification process outlined in  
13 subsection (c) of this Act. The master service agreement shall  
14 not replace or serve as the equivalent of a contract between an  
15 agency and a privately owned or operated human service  
16 provider, but only those privately owned or operated human  
17 service providers that are prequalified with a master service  
18 agreement may contract with an agency to provide services.

19 (e) Common Service Taxonomy for human service providers.  
20 Each State human services agency shall have the authority and  
21 is hereby directed to collaboratively adopt joint rules to  
22 establish a cross-agency common service taxonomy for human  
23 service providers to streamline the processes outlined in  
24 subsections (c) and (d) of this Act. The taxonomy shall  
25 include, but not be limited to, a common list of terms to  
26 define services, processes, and client populations.

1       (f) Notwithstanding any provision in this Section to the  
2       contrary, the Department of Human Services shall serve as the  
3       lead agency on all matters provided in subsections (c), (d),  
4       and (e).

5       Section 20. The Department of Healthcare and Family  
6       Services Law of the Civil Administrative Code of Illinois is  
7       amended by adding Section 2205-15a as follows:

8           (20 ILCS 2205/2205-15a new)

9       Sec. 2205-15a. Cross-agency prequalification and master  
10       service agreements. As required in Section 1-37a of the  
11       Department of Humans Services Act, the Department shall have  
12       the authority and is hereby directed to collaborate with the  
13       Department of Human Services and other State human services  
14       agencies in the adoption of joint rules to establish (i) a  
15       cross-agency prequalification process for contracting with  
16       privately owned or operated human service providers; (ii) a  
17       cross-agency master service agreement of standard terms and  
18       conditions for contracting with privately owned or operated  
19       human service providers; and (iii) a cross-agency common  
20       service taxonomy for human service providers to streamline the  
21       processes referenced in this Section and outlined in Section  
22       1-37a of the Department of Human Services Act.

23       Section 25. The Department of Public Health Powers and

1 Duties Law of the Civil Administrative Code of Illinois is  
2 amended by adding Section 2310-12a as follows:

3 (20 ILCS 2310/2310-12a new)

4 Sec. 2310-12a. Cross-agency prequalification and master  
5 service agreements. As required in Section 1-37a of the  
6 Department of Humans Services Act, the Department shall have  
7 the authority and is hereby directed to collaborate with the  
8 Department of Human Services and other State human services  
9 agencies in the adoption of joint rules to establish (i) a  
10 cross-agency prequalification process for contracting with  
11 privately owned or operated human service providers; (ii) a  
12 cross-agency master service agreement of standard terms and  
13 conditions for contracting with privately owned or operated  
14 human service providers; and (iii) a cross-agency common  
15 service taxonomy for human service providers to streamline the  
16 processes referenced in this Section and outlined in Section  
17 1-37a of the Department of Human Services Act.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.