

AN ACT in relation to State government.

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

Section 5. The Children and Family Services Act is amended by adding Section 5.35 as follows:

(20 ILCS 505/5.35 new)

Sec. 5.35. Residential services; rates.

(a) In this Section, "residential services" means child care institution care, group home care, independent living services, and transitional living services that are licensed and purchased by the Department on behalf of children under the age of 22 years who are served by the Department and who need 24-hour residential care due to emotional and behavior problems or severe mental illness and that are services for which the Department has rate-setting authority.

For the purposes of this Section, "residential services" does not include (i) residential alcohol and other drug abuse treatment services or (ii) programs serving children primarily referred because of a developmental disability or mental health needs.

(b) The Department shall work with representatives of residential services providers with which the Department contracts for residential services and with representatives of

other State agencies that purchase comparable residential services from agencies for which the Department has rate-setting authority to develop a performance-based model for these residential services. Other State agencies shall include, but not be limited to, the Department of Human Services, the Department of Juvenile Justice, and the Illinois State Board of Education. The rate paid by the other State agencies for comparable residential services shall not be less than the performance-based rates set by the Department.

(c) The performance-based model to be developed shall include required program components and a rate-setting methodology that incorporates the reasonable costs of the required program components, subject to the provisions and limitations prescribed in 89 Illinois Administrative Code, Chapter III, Subchapter c, Part 356, Rate-setting.

Section 99. Effective date. This Act takes effect July 1, 2009.