



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0219

Introduced 1/31/2023, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

20 ILCS 1705/76.2 new
20 ILCS 1705/76.3 new

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that by June 30, 2026 the Department of Human Services shall select from the Prioritization of the Urgency of Need of Services (PUNS) database no fewer than 3,600 persons with intellectual or developmental disabilities to receive relevant State services and supports. Provides that the Department shall establish and maintain the Illinois Children and Adult Home and Community-Based Services Pilot Program to expand and increase community-based services and housing options for adults and children with disabilities who are eligible for services under the Department's Home and Community-Based Services Waiver for Persons with Developmental Disabilities. Provides that the Department, in consultation with all relevant State agencies, shall annually report to the General Assembly on the progress made in implementing these provisions. Provides that the Department shall submit its first report no later than May 31, 2027 and every May 31 thereafter. Provides that by June 30, 2027, every individual selected from the PUNS list shall qualify for and receive housing as provided in these provisions, unless he or she chooses in-home services. Provides that the Department of Human Services, in collaboration with the Department of Healthcare and Family Services and any other interested State agencies, shall submit a report to the General Assembly on May 31, 2026, and each May 31 thereafter, that details the Department's progress in implementing the program. Provides that the Department, in collaboration with the Department of Healthcare and Family Services, shall apply for any federal waivers or approvals necessary to implement these provisions. Provides that implementation of this program shall be contingent upon the receipt of all necessary federal approvals.

LRB103 25957 SPS 52309 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 Mental Health and Developmental
5 Disabilities Administrative Act is amended by adding Sections
6 76.2 and 76.3 as follows:

7 (20 ILCS 1705/76.2 new)

8 Sec. 76.2. Increased intellectual and developmental
9 services and supports; PUNS database.

10 (a) By June 30, 2026 the Department of Human Services
11 shall select from the Prioritization of the Urgency of Need of
12 Services (PUNS) database no fewer than 3,600 persons with
13 intellectual or developmental disabilities to receive relevant
14 State services and supports. No fewer than 600 persons with
15 intellectual or developmental disabilities shall be selected
16 to receive services under this Section by June 30, 2024. The
17 numbers of persons funded shall increase each year as follows:

18 (1) no fewer than 800 persons funded between July 1,
19 2024 and June 30, 2025;

20 (2) no fewer than 1,000 persons funded between July 1,
21 2025 and June 30, 2026;

22 (3) no fewer than 1,200 persons funded between July 1,
23 2026 and June 30, 2027; and

1 (4) no fewer than 1,200 persons funded beginning July
2 1, 2027, and every July 1 thereafter, until the list of
3 persons in the PUNS database awaiting State services is
4 exhausted.

5 (b) The Department shall fund services provided to persons
6 selected from the database by pursuing all federal funding
7 options for intellectual and developmental services and
8 supports, including, but not limited to, applying to the
9 federal Centers for Medicare and Medicaid Services for:

10 (1) a demonstration waiver under Section 1115 of the
11 Social Security Act to expand housing options and relevant
12 support services for persons with intellectual or
13 developmental disabilities; and

14 (2) approval of a Title XIX State Plan amendment to
15 implement the Community First Choice Option in accordance
16 with Section 1915(k) of the Social Security Act.

17 (c) All federal funding obtained as a result of federal
18 approval of a demonstration waiver under Section 1115 of the
19 Social Security Act shall be used to expand and increase the
20 availability of support services for persons with intellectual
21 or developmental disabilities, including, but not limited to,
22 housing options, employment opportunities, direct service
23 provider workers, day programming, and all other support
24 services necessary for persons with intellectual or
25 developmental disabilities. Federal funding used to expand
26 housing options shall be directed towards increasing the

1 availability of permanent supportive housing as described in
2 59 Ill. Adm. Code 145.20 and other community-integrated living
3 arrangements that provide a minimum of one person per unit to
4 no more than 8 persons per living arrangement. A person's
5 eligibility for housing and support services under this
6 Section shall be based on a flexible severity of needs sliding
7 scale to be defined by the Department by rule. The Department
8 must adopt a definition for the flexible severity of needs
9 sliding scale no later than March 1, 2024. The initial
10 availability of housing options and support services under
11 this Section shall occur no later than June 30, 2024 or 60 days
12 after the Department's receipt of federal approval for the
13 demonstration waiver, whichever is later. Upon receipt of all
14 necessary federal approvals, the availability of housing
15 options and support services under this Section shall be fully
16 implemented by June 30, 2026.

17 (d) (1) All federal funding obtained as a result of federal
18 approval of a Title XIX State Plan amendment to implement the
19 Community First Choice Option pursuant to Section 1915(k) of
20 the Social Security Act shall be used to fund the Illinois
21 Children and Adult Home and Community-Based Services Pilot
22 Program established and maintained by the Department as
23 provided under paragraph (2).

24 (2) The Department shall establish and maintain the
25 Illinois Children and Adult Home and Community-Based Services
26 Pilot Program to expand and increase community-based services

1 and housing options for adults and children with disabilities
2 who are eligible for services under the Department's Home and
3 Community-Based Services Waiver for Persons with Developmental
4 Disabilities. The Pilot Program shall be funded with all
5 federal moneys received as a result of federal approval of a
6 Title XIX State Plan amendment to implement the Community
7 First Choice Option pursuant to Section 1915(k) of the Social
8 Security Act. The Department shall establish the program no
9 later than June 30, 2024 or 60 days after the Department's
10 receipt of federal approval to implement the Community First
11 Choice Option, whichever is later. Upon receipt of all
12 necessary federal approvals, the Illinois Children and Adult
13 Home and Community-Based Services Pilot Program shall be fully
14 operational by June 30, 2027.

15 (e) The Department, in consultation with all relevant
16 State agencies, shall annually report to the General Assembly
17 on the progress made in implementing the provisions of this
18 Section. The Department shall submit its first report no later
19 than May 31, 2025 and every May 31 thereafter. The Department,
20 and all relevant State agencies, shall fully implement the
21 supports and services required under this Section by June 30,
22 2027.

23 (f) Implementation of this Section shall be contingent on
24 the receipt of all necessary federal waivers or approvals.
25 Upon receipt of all necessary federal waivers or approvals,
26 the Department shall implement the provisions of this Section

1 60 days after the date federal approval is received or 60 days
2 after the effective date of this amendatory Act of the 103rd
3 General Assembly, whichever is later.

4 (20 ILCS 1705/76.3 new)

5 Sec. 76.3. Equity in housing and support services.

6 (a) The Department of Human Services shall create a
7 program to select people listed on the Department's
8 Prioritization of the Urgency of Need of Services (PUNS)
9 database to receive housing and community-based support
10 services. By June 30, 2027, every individual selected from the
11 PUNS list shall qualify for and receive housing as provided in
12 subsection (b) of this Section, unless he or she chooses
13 in-home services.

14 (b) By June 30, 2027, the Department shall fully reform
15 the community-integrated living arrangements model as a
16 housing option for persons eligible for services under the
17 State's Home and Community-Based Services Waiver for Persons
18 with Developmental Disabilities by implementing a flexible
19 housing model, as defined by the Department by rule. The
20 flexible housing model shall utilize a needs-based sliding
21 scale to determine a person's eligibility and placement for
22 housing. The Department may adopt any rules necessary to
23 implement the provisions of this subsection.

24 (c) The Department of Human Services, in collaboration
25 with the Department of Healthcare and Family Services and any

1 other interested State agencies, shall submit a report to the
2 General Assembly on May 31, 2024, and each May 31 thereafter,
3 that details the Department's progress in implementing the
4 requirements under subsections (a) and (b).

5 (d) The Department, in collaboration with the Department
6 of Healthcare and Family Services, shall apply for any federal
7 waivers or approvals necessary to implement the provisions of
8 this Section. Implementation of this Section shall be
9 contingent upon the receipt of all necessary federal
10 approvals.