

## 1 SENATE RESOLUTION

2 WHEREAS, The Community Integrated Living Arrangement  
3 ("CILA") is a small residential model that houses no more  
4 than eight individuals and offers supports designed to  
5 address the individual needs of persons with disabilities;  
6 and

7 WHEREAS, CILA is the recommended option for individuals  
8 who are discharged from State-operated developmental centers;  
9 and

10 WHEREAS, Today more than 7,400 Illinois residents with  
11 developmental disabilities live in CILAs; and

12 WHEREAS, The United States Supreme Court in *Olmstead v.*  
13 *L.C. Ex rel. Zimring*, 119 S.Ct. 2176 (1999), held that the  
14 unjustifiable institutionalization of a person with a  
15 disability who is capable of living in the community with  
16 proper supports, and wishes to do so, constitutes unlawful  
17 discrimination in violation of the Americans with  
18 Disabilities Act (ADA); and

19 WHEREAS, Availability of CILA placements for individuals  
20 with disabilities advances the State's efforts to comply with  
21 the ADA and the Court's holding in *Olmstead*; and

22 WHEREAS, The Illinois Department of Human Services  
23 ("Department") has converted many of its grant-in-aid CILA  
24 programs to a fee-for-service model beginning in State Fiscal  
25 Year 2002; and

26 WHEREAS, The CILA rate model and the CILA payment  
27 methodology utilized by the Department affects the type and  
28 availability of CILA placements for Illinois residents with  
29 developmental disabilities; and

30 WHEREAS, The CILA rate model and CILA payment methodology

1 must be analyzed in the broader context of the current fiscal  
2 condition of the State; therefore, be it

3 RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL  
4 ASSEMBLY OF THE STATE OF ILLINOIS, that the Secretary of  
5 Human Services is directed to:

6 (1) Meet and work with agencies providing CILAs in the  
7 State of Illinois and associations representing those  
8 agencies to review the current CILA rate model and payment  
9 methodology, with particular attention paid to whether 100%  
10 of the actual costs of delivering CILA services are being  
11 met, including staff compensation, benefits, staffing levels,  
12 workers compensation, physical plant maintenance and repairs,  
13 and delivering services to individuals with challenging  
14 behaviors or extraordinary medical needs;

15 (2) Determine the impact of the current CILA rate model  
16 and payment methodology on the ability of the State to  
17 implement the "most integrated setting" requirements of the  
18 ADA and the holding in *Olmstead*; and

19 (3) File a written report with the House of  
20 Representatives and the Senate on or before December 1, 2002,  
21 that includes a summary of the actions taken pursuant to this  
22 Resolution and specific recommendations as to whether and how  
23 the CILA rate model and payment methodology should be  
24 updated; and be it further

25 RESOLVED, That a copy of this Resolution be sent to the  
26 Secretary of Human Services.