



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2905

Introduced 2/6/2025, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

405 ILCS 80/2-6

from Ch. 91 1/2, par. 1802-6

Amends the Developmental Disability and Mental Disability Services Act. In provisions limiting the funding amount for home-based services provided by the Department of Human Services to an adult with a mental disability, provides that, subject to appropriation for these purposes, the Department may exceed such funding limits for an adult with a mental disability whose service and support needs require a higher level of funding based on a determination of need administered by the Department or its service coordination agent. Provides that such service and support needs must be incorporated into the service plan of the adult with a mental disability and must align with criteria adopted by the Department. Permits the Department to limit the use of the funds to services and supports the adult with a mental disability requires to continue to live in the community. Permits the Department to adopt rules. Effective immediately.

LRB104 09027 KTG 19083 b

1 AN ACT concerning mental health.

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

4 Section 5. The Developmental Disability and Mental
5 Disability Services Act is amended by changing Section 2-6 as
6 follows:

7 (405 ILCS 80/2-6) (from Ch. 91 1/2, par. 1802-6)
8 Sec. 2-6.

9 (a) An application for the Program shall be submitted to
10 the Department by the adult with a mental disability or, if the
11 adult with a mental disability requires a guardian, by his or
12 her legal guardian. If the application for participation in
13 the Program is approved by the Department and the adult with a
14 mental disability is eligible to receive services under this
15 Article, the adult with a mental disability shall be made
16 aware of the availability of a community support team and
17 shall be offered case management services. The amount of the
18 home-based services provided by the Department in any month
19 shall be determined by the service plan of the adult with a
20 mental disability, but, except as provided in subsection (b),
21 it ~~in no case~~ shall ~~it~~ be no more than either:

22 (1) ~~(a)~~ three hundred percent of the monthly federal
23 Supplemental Security Income payment for an individual

1 residing alone if the adult with a mental disability is
2 not enrolled in a special education program by a local
3 education agency, or

4 (2) ~~(b)~~ two hundred percent of the monthly
5 Supplemental Security Income payment for an individual
6 residing alone if the adult with a mental disability is
7 enrolled in a special education program by a local
8 education agency.

9 (b) Subject to appropriation for these purposes, the
10 Department may exceed the funding limits in paragraphs (1) or
11 (2) of subsection (a) for an adult with a mental disability
12 whose service and support needs require a higher level of
13 funding based on a determination of need administered by the
14 Department or its service coordination agent. The service and
15 support needs funded by amounts authorized under this
16 subsection must be incorporated into the service plan of the
17 adult with a mental disability and must align with criteria
18 adopted by the Department. For the higher service and support
19 needs funded under this subsection, the Department may limit
20 the use of the funds to services and supports the adult with a
21 mental disability requires to continue to live in the
22 community. The Department may adopt rules to implement this
23 subsection.

24 (c) Upon approval of the Department, all or part of
25 the monthly amount approved for home-based services to
26 participating adults may be used as a one-time or continuing

1 payment to the eligible adult or the adult's parent or
2 guardian to pay for specified tangible items that are directly
3 related to meeting basic needs related to the person's mental
4 disabilities.

5 Tangible items include, but are not limited to: adaptive
6 equipment, medication not covered by third-party payments,
7 nutritional supplements, and residential modifications.

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.