

Ligas Implementation Plan 2016 Revisions

State of Illinois

Department of Human Services, Division of Developmental Disabilities

11/16/16

This Implementation Plan has been developed by the Division of Developmental Disabilities, with input from the Plaintiffs, Intervenors, and Monitor to accomplish the obligations and objectives set forth in the *Ligas v. Hamos* Consent Decree. (Case: 1:05-cv-04331 Document #: 549)

LIGAS IMPLEMENTATION PLAN
2016 Revisions
November 16, 2016

Section I. Executive Summary

Background of Litigation and Overview of Consent Decree

On June 15, 2011, the State entered into a Consent Decree settling the *Ligas v. Hamos* lawsuit, filed on July 28, 2005 on behalf of individuals with developmental disabilities who were residing in private, State-funded facilities (Intermediate Care Facilities for Persons with Developmental Disabilities or ICFs/DD) of nine or more persons or who were at risk of being placed in such facilities. Plaintiffs sought placement in Community-Based Settingsⁱ and receipt of Community-Based Services. The Consent Decree, which is available on the Division of Developmental Disabilities' (DDD) website,ⁱⁱ identifies two groups of Class Members:

- Adult individuals in Illinois with developmental disabilities who qualify for Medicaid Waiver services, who reside in ICFs/DD with nine or more residents, and who affirmatively request to receive Community-Based Services or placement in a Community-Based Setting.
- Adult individuals in Illinois with developmental disabilities who qualify for Medicaid Waiver services, who reside in a Family Home, who are in need of Community-Based Services or placement in a Community-Based Setting, and who affirmatively request Community-Based Services or placement in a Community-Based Setting.

The Decree does not force individuals who do not want Community-Based Services or placement to move. Nor does it force providers to close beds or enter into downsizing agreements with the State against their will.

The tenets of the Decree will assist the DDD in expanding its community-based system to meet the growing demand for those services, while continuing to honor an individual's choice in deciding on the types of services and settings he or she prefers in order to live a personally fulfilling and productive life. The Decree includes the following provisions:

- Services for Individuals Currently Residing in ICFs/DD

Within six years of approval of the Decree, all individuals living in ICFs/DD as of the effective date of the Decree who have affirmatively requested Community-Based Settings will move to Community-Based Settings. Placements must be implemented for one-third of all such individuals every two years of this six-year period. For those individuals who

wish to continue living in an ICF/DD, the Decree requires the State to honor that choice and to continue to provide adequate funding to meet the needs of such individuals.

- Services for Individuals Currently Residing in the Family Home

The DDD will continue to expeditiously serve all people who meet the established crisis criteria. There will be no limit to the number of people served who meet the crisis criteria.

The DDD will serve 3000 individuals on the Waiting List for Community-Based Services or placement in a Community-Based Setting, as defined in the Decree, over the next six years (1,000 within the first two years and 500 each year the next four years) with home-based support services or in community-based residential settings. After the end of the six year period, all Class members on the Waiting List shall move off the Waiting List at a reasonable pace.

- Other General Provisions

- Evaluations and Transition Service Plans will focus on individual desires and goals and will not be limited by existing services. All services and supports in the Transition Service Plan must be integrated into the community to the maximum extent appropriate and consistent with the choices of the class member and his or her legal guardian. The State, however, will not be required to develop or offer services that are not part of the approved Waiver or Medicaid State Plan.
- The Department of Human Services (DHS) will seek sufficient funds in annual budget requests to develop and maintain the services described in the Decree. Implementation of the Decree is not, however, dependent on legislative appropriation of new funds.
- A monitor has been appointed by the Court to oversee compliance with the Decree and report on progress to the Court on an annual basis. After nine years of the approval of the Decree, the State may petition the Court to terminate the monitoring process.

The Implementation Plan

This document sets forth the State's plans to implement the provisions of the Consent Decree. It is being developed consistent with Paragraph 26 of the Consent Decree and has incorporated input received from the Plaintiffs, Intervenors, and other advocates throughout the system.

References to paragraph numbers in each of the sections below refer to paragraphs within the Consent Decree from which language is excerpted. For full context, readers should refer to the Consent Decree. Should any language in the Implementation Plan unintentionally conflict with that of the Consent Decree, the Consent Decree governs.

Section II, Development and Maintenance of the Class Member List, describes the compilation of an initial list of class members and the DDD's further development and maintenance of that list. These efforts will be on-going as additional individuals request to be added to or removed from Class Membership as a result of outreach activity.

Section III, Outreach, provides information regarding the DDD's efforts to identify individuals in need of residential or in-home supports, as well as those Potential Class Members who wish to move from ICFs/DD. It is the intention of the DDD to partner with the Plaintiffs and other advocates to ensure individuals and their guardians are given accurate and complete information about their options.

Section IV, Development of Community Capacity, discusses the need to expand and develop new service capacity to meet the requirements of the Decree for Class Members seeking services. The DDD intends to work with both existing providers and recruit new providers to fill the growth in service delivery.

Section V, Community-Based Services/Placement for Individuals Residing in ICFs/DD, addresses the opportunity for Class Members residing in ICFs/DD to move to community-based services. At 2 ½, 4 ½, and 6 years from the approval of the Consent Decree (June 15, 2011), the DDD will have implemented services to one-third of these Class Members. Monitoring activities will be underway to achieve the goal of successful transitions.

Section VI, Transition Planning, outlines a plan and time frame for implementing the use of Transition Service Plans for Class Members. This new process will present a system change for the entire service delivery system. The Transition Service Plans will be developed prior to the selection of service providers to describe the services a Class Member needs. The goal of this process is to ensure service delivery focused on and tailored to the individual.

Section VII, Waiting List for Community Services and Placement, details the process for Class Members living at home to be selected for the 3,000 new community capacities. Individuals will be selected each year from the DDD's waiting list.

Section VIII, Community Crises, confirms the DDD will continue its current practices in serving individuals in crisis situations. These services will be above the 3,000 capacities being developed for Class Members residing at home.

Section IX, Appeal Process, refers to the right to appeal any denial, suspension, termination, or reduction of services, as well as the process for informing Class Members of this right.

Section X, Resources Necessary for Implementation, outlines additional resources required by the DDD to implement the provisions of the Consent Decree. These resources include contractual services for administrative functions, additional staff, and direct services for Class Members. Also discussed in this section is the budget

development to both maintain existing services and implement the new provisions of the Decree.

Section XI, Interagency Agreements, lists the two agreements currently in place among State governmental entities to secure matching Medicaid funds for developmental disabilities services. It is believed these agreements are sufficient to implement the provisions of the Decree.

Section XII, Process for Plan Reporting and Modification, provides for the annual review and update of this Implementation Plan. Reports will be produced every six months by the DDD containing data and information regarding compliance activities.

Section XIII, Acronyms, lists the acronyms used in this document.

Section II. Development and Maintenance of the Class Member List

Paragraph 6. Within thirty (30) days after Approval of the Decree, Defendants shall compile an initial list of Class Members by taking the list of Individuals to whom notice of Preliminary Approval of this Decree was sent, adding those Individuals from whom any of the Parties received a written, affirmative request to receive Community-Based Services or placement in a Community-Based Setting after notice of Preliminary Approval of this Decree was sent, but excluding (i) those individuals who filed objections to the Proposed Consent Decree that was the subject of the July 1, 2009 Fairness Hearing as described in Paragraph 3(i) above, and (ii) those Individuals from whom Defendants receive written requests that the Individuals do not wish to receive Community-Based Services or placement in a Community-Based Setting.

Paragraph 8. Defendants shall maintain a statewide database in which all Class Members are enrolled.

Consistent with Paragraph 6 of the Consent Decree, the Attorney General's Office provided to the Monitor and Plaintiffs on July 15, 2011, an initial list of Class Members. Intervenor were also given a copy of the initial list. The list includes:

- Adults (age 18 and above) enrolled in the State's Prioritization of Urgency of Need for Services (PUNS) database as of June 15, 2011, who were not already living in a 24-hour Community-Based Setting or State-Operated Developmental Center (SODC); and
- Individuals who had submitted written requests to be included in the Class to the Attorney General's Office;
- But not those excluded from the class, as set out immediately below and in Paragraph 6 of the Decree.

The Parties have agreed that, for those individuals who live in ICF/DD settings, they are a Class Member if they have completed an Illinois Form 1238ⁱⁱⁱ or its predecessor, DMHDD Form 1243; or the DDPAS-10 Form^{iv}; or the Request Form disseminated through Plaintiffs' counsel; and checked the box indicating he or she chooses Home and Community-Based Services. An individual will not be a Class Member if he or she completed one of the above forms and checked the box choosing services in an ICF/DD or if he or she otherwise objected to the terms of the Consent Decree at the Court's fairness hearing or objected otherwise in writing per Paragraph 6 of the Decree, unless a subsequent communication to DDD requests Community-Based Services or placement in a Community-Based Setting.

DDD, with the assistance of the Monitor, has completed a review of the initial list to ensure it includes only individuals for whom the State has a current record affirmatively requesting Community-Based Services or Settings. This review included a comparison of the initial list to the list of objectors to the Consent Decree.

This initial list of Class Members was also compared with the State's PUNS database of individuals waiting for services and the following action has been taken:

- The records for Class Members are marked as a *Ligas* Class Member, along with the date the person was added to the Class Member listing. Records for those in the initial list show this date as June 15, 2011. The record also reflects whether the Class Member was living in the Family Home, an ICF/DD on June 15, 2011, or an ICF/DD after June 15, 2011.
- PAS/ISC agencies have completed PUNS enrollment for all individuals included in the initial listing who were not previously enrolled. The State continues to add individuals to the class list as they request Community-Based Services or placement through the normal PUNS process, per the existing PUNS manual.^v It will also add those individuals who inform the State they choose to move from ICFs/DD through the completion of Form 1238, Choice of Supports and Services, or the DDPAS-10 Form. Efforts to identify additional Class Members are discussed in the Outreach section of this plan.
- If a person requests to be removed from the class at any point during the time of the Consent Decree, their record will be so marked, along with the date and reason. Reasons for leaving the class include:
 - Individual chose to stay in ICF/DD
 - Individual chose to move to ICF/DD
 - Individual is deceased
 - Individual moved out of State
 - Individual was determined by DDD to be ineligible for the Medicaid Waiver
 - Individual withdrew from the class without giving a reason
 - Other

Thus, the individual's record will be marked as "removed" but the record itself will not be deleted. Prior to marking an individual's record as "removed", the DDD will ensure the individual was informed of his or her rights as a Class Member by a PAS/ISC agency or an independent contractor. For people found to be ineligible, the DDD will refer these individuals to the appropriate state agency in which they may be eligible (*e.g.* the Division of Mental Health or the Division of Rehabilitation Services). For people found to be ineligible, if such individuals are later found eligible (as a result of an appeal or otherwise), those individuals will be added back to the class as described in the above process.

The State will continue to use its PUNS database to maintain the list of Class Members. Each Class Member will have a PUNS enrollment and his or her record will be marked with the data elements described above.

The DDD will maintain the class list. The Monitor and Class Counsel will have access to the class list, including contact information, on an on-going basis. The DDD also will provide to Intervenor's Counsel the class list that DDD will use to compare with the listing of all ICF/DD residents to determine which ICF/DD residents will be contacted by the Outreach contractors as provided in Section III of this Implementation Plan, subject to Intervenor's Counsel's agreement to: (1) maintain the list as "attorneys' eyes only"; (2) not disseminate any name on the list beyond Intervenor's Counsel; and (3) not contact any individual on the list, the individuals' guardians or the ICFs/DD in which those individuals reside. The DDD will produce for the Monitor, Class Counsel, and Intervenor's Counsel semi-annual summary reports of additions to and removals from the list.

As part of the annual reviews of the Implementation Plan (see Section XII), the DDD will review the adequacy of the PUNS database in capturing the information needed for implementation of the Decree.

A fall 2014 analysis of the 22,693 then-active PUNS records indicated that 11,070, or 48.78%, are more than one-year old. 4,703, or 20.72% are three or more years out of date; 2,480, or 10.93%, are five or more years out of date. It is the State's goal that all PUNS records be current within one year.

The DDD has conducted a special initiative, the PUNS Integrity Project, to ensure information and data on individuals enrolled is accurate, complete, and current. This project will cover a period of fourteen months from May 1, 2015, through June 30, 2016. Funds are being disbursed to provide the 18 independent service coordination agencies that process enrollments and updates with additional resources to work with individuals and families to bring records up to date.

Allocations for each of the 18 agencies have been determined according to each agency's estimated percent of the population of Illinois. For the total project, the funding is:

11,070 overdue records x \$120.03 (3 hours at the hourly ISC rate of \$40.01) = \$1,328,732.10.

The funds were disbursed as grant payments in four portions:

- 1/7th, or two of the 14 months-worth of the funds were released in May of 2015,
- During the first quarter of FY16, each agency received additional funds to bring them to 50% of their total allocation for the project so the agencies could secure the needed ISC time to begin the updates,
- Another 25% was disbursed in the third quarter of FY16 when an agency reaches and maintains 75% compliance with the annual update requirements, and
- The remaining 25% was disbursed in the fourth quarter of FY16 when an agency reached and maintains 95% compliance with the annual update requirements.

As of September 1, 2016, the number of outstanding records is 575. 96.8% of the PUNS records statewide are now current within one year. All 18 ISC agencies met or exceeded the 95% benchmark by the end of the initiative.

Section III. Outreach

Paragraph 25. Defendants shall maintain a fair and accessible process by which Individuals with Developmental Disabilities or their legal guardians can affirmatively request in writing to receive Community-Based Services and/or placement in a Community-Based Setting or to receive ICF-MR services in an ICF-DD, and Defendants shall maintain up-to-date records of those requests.

The DDD's outreach efforts will be directed to:

- identifying individuals with developmental disabilities throughout the State who are or will be in need of residential or in-home supports funded through DDD Medicaid services; and
- Identifying individuals residing in ICFs/DD on or before June 15, 2011, who may choose to transition to Community-Based Settings and services. Objectors to the Consent Decree will not be contacted. The DDD will work in conjunction with Class Counsel to coordinate efforts on outreach.

Community Outreach

DDD will use the existing PUNS database, enrollment form, and manual as tools to identify, record, and track information regarding individuals newly identified as in need of services. The DDD will continue to complete PUNS enrollments through contracted entities. There are currently 17 local PAS/ISC agencies with contracts through the DDD for PUNS enrollments.

Outreach efforts include:

- Training of PAS/ISC agencies on the requirements of the Consent Decree and the provisions of the Implementation Plan;
- Development and maintenance of special brochures, flyers, and posters, which can be downloaded from the DDD website;^{vi}
- Coordination with trade associations, local schools, special recreation associations, and other advocacy organizations to publicize the Ligas Consent Decree and PUNS;
- Distribution of information regarding PUNS and *Ligas* to Medicaid-enrolled health care providers via the State Medicaid agency's list serve;
- Distribution of materials at special events such as conferences, seminars, etc.;
- Inclusion of culturally appropriate materials, alternative means of communication, and easily understandable language in efforts to publicize the Ligas Consent Decree and PUNS, including targeting communities identified as under-reported;
- Maintenance of the PAS/ISC office locator function on the DDD website; and
- Maintenance of the 1-888-DDPLANS toll free number to connect families with their local PAS/ISC office.

DDD, with the assistance of the Monitor, provided initial training to the PAS/ISC agencies on the Ligas Consent Decree and their role in its implementation. Since that time, DDD and the Monitor have provided informational and training sessions through phone conferences (as was the case with information about the Outreach vendor) or through face-to-face meetings (as was the case with the implementation of the Ligas Transition Service Plan).

DDD and the Monitor have continuously provided information sessions about the Ligas Consent Decree around the State during conferences and other meetings of the major trade and advocacy organizations within the developmental disabilities system. These sessions have included self-advocates, family members, providers, special education teachers, ombudsmen, and Office of State Guardian employees.

Materials on the current DDD website include an overview of the Consent Decree, the six month data reports, the Monitor's annual reports, information about Class Members' rights, information about Class Member eligibility, and other materials, including the Consent Decree itself. With the assistance of the Monitor and in coordination with the PAS/ISC agencies, DDD developed information on the DDD website which can be used by the PAS/ISC agencies and other organizations that specifically address class membership and the rights of class members.

DDD continues to maintain the PAS/ISC office locator function and the toll free number.

Outreach to Persons in ICFs/DD

In addition to the efforts to inform and identify individuals throughout the population as a whole, the DDD focused on outreach efforts to identify Potential Class Members residing in ICFs/DD. (Potential Class Members residing in ICFs/DD are those ICF/DD residents who (1) are not Class Members and (2) did not exclude themselves from the class by having objected to the Decree prior to its approval or by submitting a written request to be excluded prior to compilation of the initial class list per Paragraph 6 of the Decree.) The DDD secured the services of a contractor, the Council on Quality Leadership (CQL), to contact all Potential Class Members residing in ICFs/DD.

CQL initially conducted outreach efforts in two geographic areas: St. Clair and Madison Counties, and the South and Southwest Suburbs of Cook County. These areas were chosen because they were the areas in which the Ligas Transition Service Plan was piloted, and the PAS/ISC agencies in the area were further along in experience with that process. Outreach efforts were then conducted in the remaining geographic areas of the State. CQL conducted their outreach under specified guidelines approved by the prior Monitor and based on DDD provided training, to ensure individuals and their guardians chose the service alternative they feel best met their needs.

CQL completed its outreach activities in all areas of the State, including initial contacts and meetings with individuals, guardians, and family members, and the contractual arrangement ended on January 31, 2016. , In order to provide individuals' guardians, and family members sufficient time to explore options and make decisions, any Potential Class Members or their guardians needing additional time for decisions were referred to the local ISCs and Division staff as necessary. CQL's report on the ICF/DD outreach was provided to the Parties and Monitor on April 8, 2016. Per its final report, CQL identified 123 individuals who chose to become Class Members and were added to the Class Member list. Of these, 107 resided in the ICFs/DD on June 15, 2011, and have been referred to the ISC agencies for assessment and linkage to community-based services; 16 were admitted to the ICFs/DD after June 15, 2011, and have been referred to the ISC agencies for continued PUNS enrollment and future selection. In addition, 55 individuals requesting additional time to consider their options as Potential Class Members have been given contact information for the appropriate ISC agencies for future contact if desired. Division staff will contact the 55 individuals or their guardians by mail prior to the end of calendar year 2016. DDD also provided a summary report on the 123 individuals.

General Information Sharing

In order to better inform individuals and family members, the DDD expanded and maintains the *Ligas* page on its website. The page is located at <http://www.dhs.state.il.us/page.aspx?item=66987>. It developed materials for this page with input from the Monitor, Plaintiffs, and family representatives. It also continues to give presentations about the Consent Decree around the State at conferences, annual meetings, and other events hosted by other organizations and agencies. If there are an insufficient number of such events to enable DDD to educate the public about the Consent Decree, DDD will create and host its own events. The DDD will post a schedule on its website of all events in which it will present information about the Consent Decree.

Ligas Class Member/Family Advisory Committee (CMAC)

The Defendants, in conjunction with the Monitor and with input from the Parties, established and continue to support a *Ligas* Class Member/Family Advisory Committee (CMAC). This committee provides ongoing consultation and advice to the Defendants, Monitor and Parties regarding implementation of *Ligas* activities from the perspective of Class Members and their families. Members of the CMAC were selected by the Defendants with input from the Parties. The Defendants provide administrative support to the CMAC and, when necessary, reimburse approved costs associated with Class Member/family travel. Summaries of CMAC meetings and any written recommendations are provided to the Parties for review and comment. Meetings of the CMAC are open to the public. Meeting dates and summaries are posted on the DDD's website at <http://www.dhs.state.il.us/page.aspx?item=69772>.

Section IV. Development of Community Capacity

Paragraph 4. The choices of Individuals with Developmental Disabilities, including Class Members, to receive Community-Based Services or placement in a Community-Based Setting or to receive ICF/MR services in an ICF-DD will be honored; provided, however, that this commitment to honoring choice does not alter Defendants' current obligations under existing law regarding licensed ICF-DD capacity system-wide or at any specific ICF-DD, and provided that, under current applicable law, this commitment does not entitle an Individual with Developmental Disabilities to receive ICF/MR services in a specific ICF-DD. Defendants shall implement sufficient measures to ensure the availability of services, supports and other resources of sufficient quality, scope and variety to meet their obligations to such individuals under the Decree and the Implementation Plan consistent with such choices. While the Decree remains in effect, any amendment to the State Plan submitted by the State pursuant to 42 U.S.C. § 1396, et seq. will continue to include ICF-DD services as an alternative choice for long-term care services for eligible Individuals with Developmental Disabilities. Nothing in this Decree shall impair Defendants' ability to make changes in their provision of supports and services to Individuals with

Developmental Disabilities, including Class Members, regardless of setting, provided that Defendants continue to honor Individuals' choices and fulfill Defendants' obligations under the Decree and Implementation Plan. Resources necessary to meet the needs of Individuals with Developmental Disabilities who choose to receive services in ICFs-DD shall be made available and such resources will not be affected by Defendants' fulfillment of their obligations under the Decree, including the obligations under Paragraphs 17 through 19 and 21 through 23. Funding for services for each Individual with Developmental Disabilities will be based on the Individual's needs using federally approved objective criteria regardless of whether the Individual chooses to receive services in an ICF-DD or in a Community-Based Setting; provided, however, nothing in this Decree shall require Defendants to change their current method for establishing funding or from adopting new methods based upon federally approved objective criteria.

Paragraph 5. Annual budgets submitted by Defendants on behalf of their agencies shall request sufficient funds necessary to develop and maintain the services, supports and structures described in the Decree, consistent with the choices of Individuals with Developmental Disabilities, including Class Members. Defendants shall take steps sufficient to implement funding mechanisms that facilitate transition among service settings.

Within the first six years of the Consent Decree, the DDD will provide services to 3,000 individuals currently living at home with their families or in another community arrangement. These services will include both Home-Based Support Services (HBS) and Community Integrated Living Arrangement (CILA) services, inclusive of all support services provided under the Waiver. In addition, an unidentified number of individuals will be moving from ICFs/DD to HBS or CILA services. This will require at least an estimated 20% expansion of Waiver capacity. (The exact amount cannot be known until the individuals in ICFs/DD are identified.) Individuals selected to receive services under this Consent Decree may choose from any qualified and willing providers as defined in the Waiver.

Illinois has a substantial base of qualified HBS, CILA, and day program providers. There are approximately 213 licensed CILA providers, 134 HBS service facilitation agencies, 154 developmental training providers, and 73 supported employment providers, as well as providers of therapies, assistive technology, and other support services as provided under the Waiver. DDD continues to communicate with both new and existing providers to increase capacity to serve this expanded population of individuals.

As part of the annual review of the Implementation Plan (see Section XII), the DDD is reviewing progress toward this needed expansion and will modify the Implementation Plan as necessary to implement the provisions of the Decree. Incorporating suggestions from the Plaintiffs and the Monitor, the DDD is focusing on three identified issues: (1) broadening awareness of services, (2) facilitating services for selected Class Members,

and (3) analyzing potential barriers to CILA services. These three issues are discussed below.

Information Bulletins to Broaden Awareness of Services

In the 2015 Implementation Plan, DDD committed to issuing and/or posting to its website two Information Bulletins to clarify (1) the number of Direct Support Person hours available to Intermittent and Family CILAs, and (2) the availability of home and vehicle modifications, adaptive equipment and assistive technology under the Waiver. These Bulletins were posted and/or released in August, 2015, and are available at <http://www.dhs.state.il.us/page.aspx?item=78890> and <http://www.dhs.state.il.us/page.aspx?item=78893>.

Facilitating Services for Selected Class Members

Through the first four selections from the waiting list, 8.9%, or 307 Class Members, who had been selected for Waiver services, had not begun receiving services as of September 1, 2014. As more than a year had passed since these individuals were selected for services, the DDD conducted a focused review of these Class Members to analyze the reason for the delay in service implementation. Although the DDD has consistently exceeded benchmarks for implementing services to Class Members from the waiting list, the DDD directed special attention to these 307 situations to ensure those selected are able to access needed services.

Since the 307 Class Members were identified with barriers to services, the DDD continued efforts to facilitate services for these individuals and others who have since been identified as waiting for services for more than one year following selection from the PUNS waiting list.

Data Reporting, Focused Selection and the PUNS Selection List

To avoid any confusion on the status of individuals who have been selected from the PUNS list but have not yet initiated services, DDD proposes that the parties focus on the whole Ligas Services List, as opposed to a sample. As previously agreed upon, a selection of individuals were previously identified based on point-in-time criteria for further examination of the obstacles to community transition and to identify potential patterns and/or trends that may be able to be remedied. This group has been referred to as the “Pending Services List” and has been the subject of continued monitoring and discussion between the parties and monitor. However, as many of the individuals remaining on the Ligas Services List are also in the process of obtaining services, and may at one point or another, meet those same previously used criteria, it would be a disservice to the remaining class members to continuously focus on only the smaller sample.

DDD will instead report on all active class members seeking and/or in need of services on the Ligas Services List, and will no longer report separately on the “Focus” or

“Pending Services” list of individuals. To facilitate this tracking and reporting, during the spring of 2016, DDD created a database from the data contained in the Ligas Services List of all Class Members for whom funding has been authorized for services. The proposed data fields for this database have been shared with the Monitor and Plaintiffs for their input. Once finalized, this will enable the parties and Monitor to conduct inquiries and searches of particularly situated Class Members based on these data fields.

With respect to the monthly calls between Defendants and Parties to discuss specific individuals, DDD remains willing to continue these calls to discuss Ligas class members with funding sources who continue to seek community-based services, but prefers to discuss other Waiver matters, including matters involving Ligas class members who have not yet been selected for services, non-Ligas individuals and situations involving crisis determinations separately as they do not require input of Plaintiffs’ and State counsel or the Monitor.

DDD will include in the monthly reports a summary of all class members who have either been removed from the Ligas selection list or placed on “hold.” In addition, in a separate submission that will be provided only to the Plaintiffs and Monitor, DDD will identify the factual basis for the determination.

Analysis of HBS Selections

In addition, the DDD conducted an inquiry with ISC agencies and guardians in situations where an individual was selected from the waiting list for CILA services but chose HBS. The purpose of this review was to determine if there were barriers to accessing CILA services and, if so, to identify strategies for addressing any identified barriers. The review has been completed and produced the following results:

Surveys were sent to 201 individuals who were among the 700 individuals selected during March, 2014, for CILA services but who chose to receive HBS services. Of the 201 surveys sent, 95 individuals responded (47.3%). The responses are summarized below:

Did the Independent Service Coordination (ISC) agency discuss both the Community Integrated Living Arrangement (CILA) services and the Adult Home-Based Services (AHBS) program after you received the invitation letter?

YES	91	95.79%
NO	3	3.16%
No Answer	1	1.05%
Total	95	100.00%

Did the ISC agency talk with you about specific CILA providers located within your local region?

YES	74	77.89%
NO	17	17.89%

No Answer	4	4.21%
Total	95	100.00%

How would you rate your interactions with the ISC agency?

Excellent	64	67.37%
Acceptable	27	28.42%
Needs Improvement	2	2.11%
Unacceptable	1	1.05%
No Answer	1	1.05%
Total	95	100.00%

Have you ever visited a CILA?

YES	39	41.05%
NO	55	57.89%
No Answer	1	1.05%
Total	95	100.00%

If yes, how many CILA's have you visited?

1	15	15.79%
2	11	11.58%
3	6	6.32%
4	5	5.26%
5	1	1.05%
More than 5	1	1.05%
No Answer	56	58.95%
Total	95	100.00%

Did you consider choosing CILA services prior to selecting AHBS?

YES	35	36.84%
NO	57	60.00%
No Answer	3	3.16%
Total	95	100.00%

Please indicate your reasons or considerations for choosing AHBS over CILA services? Check all that apply.

Wanted to stay in family home:

YES	76	80.00%
NO	1	1.05%
No Answer	18	18.95%
Total	95	100.00%

Family not ready for CILA option:

YES	54	56.84%
NO	0	0.00%

	No Answer	41	43.16%
	Total	95	100.00%
Concerns with Developmental Training Program:			
	YES	9	9.47%
	NO	0	0.00%
	No Answer	86	90.53%
	Total	95	100.00%
Lack of Local Options:			
	YES	16	16.84%
	NO	0	0.00%
	No Answer	79	83.16%
	Total	95	100.00%
Desired CILA provider is not developing capacity locally:			
	YES	5	5.26%
	NO	0	0.00%
	No Answer	90	94.74%
	Total	95	100.00%
Concerns with Behavioral Issues:			
	YES	10	10.53%
	NO	0	0.00%
	No Answer	85	89.47%
	Total	95	100.00%
Concerns with Medical Issues:			
	YES	16	16.84%
	NO	0	0.00%
	No Answer	79	83.16%
	Total	95	100.00%
Other - (Please provide specific information):			
	Provided Comment	24	25.26%
	No Comment	71	74.74%
	Total	95	100.00%
On a scale of 1 – 10, are you satisfied with the AHBS selection? 1 being unsatisfied, 10 being fully satisfied			
	1	3	3.16%
	2	0	0.00%
	3	0	0.00%
	4	1	1.05%
	5	2	2.11%
	6	1	1.05%
	7	5	5.26%
	8	10	10.53%
	9	14	14.74%

10	54	56.84%
No Answer	5	5.26%
Total	95	100.00%

Please provide any suggestions that you believe would improve the process of initiating services once an individual has been selected

Provided Comment	30	31.58%
No Answer	65	68.42%
Total	95	100.00%

Based on these survey results, the DDD is pleased with the overall level of satisfaction with the AHBS Program and ISC experience. The DDD has reviewed the comments made by the respondents and addressed any outstanding individual issues. The Plaintiffs and DDD note that 41% of respondents indicated they had visited a CILA setting prior to the choice of the AHBS Program. DDD has reviewed ISC procedures and will propose modifications by November 1, 2016, to ensure individuals and guardians are provided information on the availability of services which address the individual’s identified needs and are offered the opportunity to visit one or more CILA settings prior to making a decision about the type of Waiver setting they wish to pursue.

New Providers and Programs

Any existing providers interested in implementing new programs or any entities interested in becoming providers through the DDD are directed to visit the DDD’s web page about becoming a new provider^{vii}. This web page informs potential providers about the qualification process, regulations, compliance issues, staff training requirements, DDD contact persons, etc. In addition, for potential new providers that require a license or certification such as CILA or developmental training providers, prior to the acceptance of a license or certification application, the DDD mandates attendance at one of the orientation sessions provided by the DDD approximately twice per year. Information about these sessions is posted on the DDD website. At these sessions, community services, quality assurance, and rates staff give joint presentations about provider regulations and processes and are available to answer questions from potential providers.

The DDD continues to encourage providers of day services to develop options that reflect the value of supporting the Class Member with relationships, productive work, participation in community life, and personal decision-making. At the end of Section VI below, a description of a new employment initiative is provided. It is hoped this initiative will result in greater access to employment services for Class Members and that new providers and existing providers will work with the DDD to increase support for Class Members in employment activities.

In addition, although the DDD is not required to modify its Waiver under the Consent Decree, the DDD is exploring the possibility of including additional day program options during the renewal of its adult Waiver. These additions would include options that focus on community access and paths to employment. At the time of the 2016 revisions to this

Plan, discussions are underway with stakeholders. Individuals associated with the Parties and Intervenors are included among the stakeholders. DDD will update the Parties, Intervenors, and Monitor as this work progresses.

Conversion of ICF/DD Capacity

The DDD may enter into voluntary closure agreements with providers of ICFs/DD. In situations involving voluntary closures, the DDD shall ensure that ICF/DD residents transitioning to a new residential setting are provided with a Transition Service Plan as called for in Paragraph 13 of the Consent Decree, are informed of their right to explore options among any qualified provider, and are given a choice of qualified residential providers if they choose to explore those options. For ICFs/DD of 16 or more capacities, closure agreements provide for rates during the closure period that recognize the need for coverage of fixed costs while individuals are transitioning to new residential settings of their choice, whether operated by the same or a different provider.

In order to provide more detail about the downsizing/closure process, a sample agreement is available for reference on the DDD's website.^{viii}

In response to prior concerns involving lack of choice provided to individuals residing in ICF/DDs that were closing or downsizing, the DDD continues to ensure that Class Members impacted by downsizing or closure of an ICF/DD have a Transition Service Plan or Modified Transition Service Plan prior to moving to community-based services

Provider Qualifications and Training

The qualifications for each type of Waiver provider are specified in Appendix C of the Waiver.^{ix} Training requirements are listed and described in the DDD's training catalogue available on the DDD's website.^x

The quality improvement system for the Waiver is described in Appendix H of the Waiver. Performance measures are outlined throughout the Waiver itself.

PUNS Class Members-Ligas Services List "Hold" and Removal

To date, PUNS selections under the Ligas decree have offered services to individuals who have identified their needs as either in the emergency or critical categories. Therefore, it is assumed that these individuals are in need of services within one year. It is with these self-reported needs in mind that the following criteria are proposed. When individuals on the PUNS list are selected for services (the "Ligas Services List"), both the individual/guardian and ISC Agency are notified of the PUNS selection and advised to contact the other to begin the process of securing Community-Based Services. The Class Member or his or her guardian is required to complete an application within 6 months of the mailing of the PUNS selection letter. Extensions of time are provided upon request and upon good cause shown and a demonstration that efforts to obtain services have been made as noted below.

For individuals who do not complete the process for placement and receipt of services once selected from the PUNS list, their cases may either be placed on “hold” or removed from the Ligas Services List. The following guidelines shall be used in making these determinations:

Removal from Ligas Services List

Under the following circumstances, an individual may have their name removed from the Ligas Services List. Removal from this list does not necessarily result in removal from the PUNS list, nor does it have any bearing on the individual’s ability to seek waiver services outside of the Ligas Decree.

- Individuals who are ineligible for services will be removed from the services list and will also be removed from the PUNS list, subject to their right to appeal. Reasons for ineligibility include but are not limited to death, relocation out of state, clinical ineligibility, and inability to financially qualify for Medicaid¹.
- Individuals who do not meet Ligas class member requirements will be removed from the Ligas Services List but will remain on the PUNS waiting list.²
- Individuals/guardians that decline services and affirmatively request to be placed in the “Planning” category of need on PUNS will be removed from the Ligas Selection List and will remain on the PUNS database under “Planning.” Families/guardians who decline services will be able to re-initiate their Ligas services for a period of 3 months after the date services were declined. After the 3 month period expires, the Ligas PUNS selection will no longer be valid and the person will remain on the PUNS database in the “Planning” category.
- Individuals/guardians who decline services and request to be removed from PUNS will be removed from the Ligas Selection List and will be removed from the PUNS database. Individuals/guardians will be able to re-initiate the Ligas services for a period of 3 months after the date services were declined. After the 3 month period expires, the Ligas PUNS selection will no longer be valid. If the family/guardian wishes to re-enroll in PUNS, they will have to do so according to the existing PUNS procedure.
- Refusal to complete or failure to cooperate in the assessment process. This includes but is not limited to any of the following:
 - Failure to either make contact with or respond to inquiries (telephonic, written or other) from the assigned ISC Agency within the initial 6 month period following the mailing of the selection letter [Note that as it

¹ Individuals and their guardians will be afforded a full 9 month time period (with extensions as needed for good cause) to become eligible for Medicaid.

² Class Members must be 18 years of age or older and residing in either a family home or an ICF/DD of 9 or more individuals. State Operated Developmental Centers, SNF-Peds, Skilled Nursing Facilities, residential schools or correctional facilities are among the settings that are not eligible settings.

implements this process, the DDD will issue instructions to ISC Agencies requiring standardized contact attempts that will include two phone calls or texts and two letters or e-mails at a minimum];

- Failure to engage in and begin the assessment process within the initial 6 month period;
- After obtaining an extension on the initial 6 month application deadline, failure to complete the assessment and obtain an eligibility determination within 9 months from the date of mailing of the PUNS selection letter. Extensions will be granted upon a showing of continued engagement with the ISC Agency and for extraordinary circumstances.

Ligas Services “Hold” Category

Individuals who complete the assessment process and are determined to be eligible for waiver services may be placed into the “hold” category. Individuals placed in the “hold” category will not receive continued placement services but will not forfeit their Ligas Services selection or PUNS status. Rather, individuals and/or guardians in the “hold” category will be contacted by their ISC Agency once every 6 months for a period of two years. During that two year period, the individual/guardian may at any time elect to proceed with obtaining waiver services based on their Ligas PUNS selection by contacting either DDD or the ISC Agency. After 18 months of being placed into the “hold” category, the DDD will issue written notice to the individual or guardian that the individual’s Ligas selection letter will be forfeited if no action is taken within six months.

If the two-year period expires with no further activity in furtherance of placement, the individual’s Ligas selection letter will be forfeited. However, in the event that the individual/guardian elects to continue the placement process within the two-year period, the individual/guardian must continue to engage with the ISC Agency in furtherance of community placement in order to remain on the active Ligas Services List.

Individuals may be placed in the “hold” category for the following reasons:

- Seeking services from particular provider(s);
- Awaiting opportunity to move with particular peers;
- Inability to decide on a provider;
- Deciding between home-based and CILA services;
- Determining whether to proceed with waiver services;
- To allow time to address medical or personal matters (including but not limited to rehabilitation, medical procedures, family emergencies or other matters that may delay decisions as to services);
- Other reasons with approval from DDD.

Monitor’s Concerns Regarding Capacity Development

In the Fourth Annual Monitor's Report (see Pages 6 and 7; full report can be found at http://www.dhs.state.il.us/OneNetLibrary/27896/documents/By_Division/Division%20of%20DD/LIGAS4thAnnualReportofMonitor01072016.pdf), the Monitor identified the following issues she believes are interrelated issues which directly impact the Consent Decree's implementation, including:

- Lack of a budget for the State of Illinois resulting in uncertainties for beneficiaries of the Consent Decree and their families, agencies, staff, providers of all types of services, and advocates;
- Low wages creating a staffing crisis for providers of all types of services in their efforts to recruit and maintain adequate staffing and appropriate training for staff with existing inadequate funding for wages and high staff turnover levels;
- Initiation of waiver services still pending for more than one year, and for as much as three or more years, for 153 class members who have been selected between March, 2012 and March, 2014 via the PUNS process as well as for 101 Ligas ICFDD class members seeking DD Waiver services;
- Limited availability of small CILAs in certain geographic areas and for individuals with more intense medical, behavioral or physical needs;
- Inadequate availability of flexible, person-centered, integrated day activities or employment for individuals seeking such opportunities; and
- Reported potential for inadequate availability of resources for implementation of the Consent Decree during the second half of Fiscal Year 2016.

The State has issued a response to the Monitor's Report in which it disagreed with certain of the findings. The State response can be found at <http://www.dhs.state.il.us/page.aspx?item=64489>. The Parties, Intervenors, and Monitor continue to discuss these matters, and while the disagreements as to certain of the Monitor's findings have not yet been resolved, it was agreed that the State should proceed with filing of this Implementation Plan.

Per the request of the Monitor and Parties, the following represents additional activities currently underway within the Division of Developmental Disabilities. These activities, while related to certain of the Monitor's concerns, are not specific to Ligas. As such, the State does not consider them to be a part of, nor governed by either the Ligas Consent Decree or the Implementation Plan. The State makes no representations as to the end result from these activities, but will continue to update the Parties and Monitor on progress and developments in these two areas as they occur.

- Enhanced Staffing in CILA and Developmental Training Settings. The State recognizes that some individuals with extraordinary behavior and/or medical needs may require additional staffing supports in CILA and Developmental Training settings. In recent years, such supports have been awarded separately

from the base rates, and providers have been required to separately track and bill for these additional supports. (This process has been referred to informally via Computer System Program Codes 53R and 53D.) At the time of the writing of the 2016 updates, the Division is in the midst of changing this process so that the additional supports will be incorporated into the base rates and services. It is believed the new process will give providers more flexibility in directing available resources to best meet their needs and the needs of the individuals served. A draft Information Bulletin on this topic was prepared and issued for stakeholder comment. A workgroup of selected stakeholders convened in July, 2016 and continues to work with the Division to finalize the changes.

- The Division has added a new service under its adult Medicaid Waiver called Short-term Stabilization Homes (SSH). Under this new service, four homes are being developed that may serve up to four persons at a time who are in need of temporary stabilization services due to extraordinary behavior issues. The State received approval on June 28, 2016, from the federal Centers for Medicare and Medicaid Services of its amendment to add this new service to the Waiver. The initial year of operation is being funded through Balancing Incentive Program funds. They are equipped with high staffing and oversight ratios, as well as the necessary staff or consultants to address the behavior and medication needs.
- The Division is increasing the number of Behavior Therapy hours an individual may receive under the adult Waiver. On June 28, 2016, the federal Centers for Medicare and Medicaid Services issued approval for the State to increase the number of hours from 66 annually to 104 annually, with a provision that more hours could be awarded with prior approval. This change is effective as of July 1, 2016. The Division is developing an Information Bulletin to inform stakeholders of the increase and the process for requesting prior approval for additional hours in extraordinary situations. The target date for releasing the draft bulletin for review and comment is November 30, 2016.
- Public Act 98-0901 gave the Division authorization to allow Direct Support Persons in settings of 16 or fewer capacities the ability to administer insulin injections when appropriately trained by and under the direction of a registered nurse. This authority should open more opportunities for individuals with diabetes. 59 Ill. Adm. Code 116, Administration of Medication in Community Settings, governs medication administration by staff. On June 24, 2016, the necessary amendatory language for Rule 116 was published in the Illinois Register for public review and comment. While the rule promulgation is underway, the Division is planning voluntary training sessions for nurse trainers during the fall of 2016 so that they can be prepared to implement the new rule language with the Direct Support Persons as soon as it is finalized.
- Waiver Employment and Day Program Services. The Division is working with a subject matter expert made available through a State Mentoring grant with the Federal Department of Labor to explore opportunities to enhance access to

employment services. This work is closely aligned with the Supported Employment efforts, as well as reviews of current day service options. The consultant is helping to facilitate a group of stakeholders that are currently discussing the possibility of additional day services being incorporated into the renewal of the Adult Waiver in 2017.

- The Division is developing a web-based reporting and search mechanism for identifying and tracking vacancies within residential and day programs, as well as new development plans. Under this new application, providers will be able to record vacant residential and day program capacity, indicating whether the vacancies are specific to gender, whether the vacancies are accessible with regard to mobility issues, and in which counties (or community areas in the case of Cook County) the vacancies are located. Providers will also be able to record their willingness to develop new service capacity by county, including employment services and non site-based day options. Class Members and guardians seeking services, as well as Independent Service Coordination Agency staff, may then search the web application to identify potential providers. An interagency agreement and funding authorization was approved on July 8, 2016, for the programming resources to develop this application. Planning meetings are underway. The application is targeted for development by March 1, 2017.

Section V. Community-Based Services/Placement for Individuals Residing in ICFs/DD

Paragraph 17. ...within six (6) years after Approval of the Decree, all Class Members residing in ICFs-DD as of the date of Approval of the Decree (regardless of when in this timeframe the Class Member affirmatively requested placement in a Community-Based Setting) will transition to Community-Based Settings consistent with their Transition Service Plan, if, at the time of transition, the Class Member requests placement in a Community-Based Setting...

Per the Consent Decree, at 2 ½, 4 ½, and 6 years respectively, the DDD will have implemented services to one-third of the individuals who were residing in ICFs/DD as of June 15, 2011 who inform the DDD they choose to move to Community-Based Placements. The number of individuals who have either requested to move, or who are moving due to voluntary downsizing and closure agreements of the ICFs/DD in which they are residents, calculated at 24 months following approval of the Consent Decree, i.e., June 15, 2013, was 889. As of December 31, 2013, 565 residents of ICFs/DD have moved to CILAs, 337 (59.6%) of whom had been residents of ICFs/DD that are the subject of voluntary downsizing and closure agreements. Any of the individuals who were residing in ICFs/DD as of June 15, 2011, who are newly identified as choosing to move to community-based services after June 15, 2013, will be offered services over the course of Years three through six.

As August 31, 2016, there are 1,478 confirmed Class Members who are or were residing in ICFs/DD on or prior to June 15, 2011. The DDD is instructing the PAS/ISC agencies

to work with these individuals as they become Class Members to submit applications for Waiver services. Applications will be processed as they are received by the DDD.

As individuals are identified as choosing to move via the process described in the Outreach section above, pre-admission screening entities will be instructed to complete Medicaid Waiver eligibility assessments for them per the DD Pre-Admission Screening Manual^{xi} and to report the results to the DDD via the ROCS software.^{xii} Service options will be presented, per the same manual, to those individuals determined eligible. These options will be recorded on the DDPAS-10 Form. Transition Service Plans, as described below in the Transition Planning section, will be developed for those who choose to move.

The DDD monitors the transitions of individuals from ICFs/DD to Community-Based Settings or Services. Staff within the DDD's Bureau of Transition Services is assigned to each individual, maintaining monthly contact with the applicable PAS/ISC agencies during the transition process. Monitoring activities are tracked through an internal database.

In addition to the activities by State staff, the PAS/ISSA monitor the individual's successful adjustment to the new services by completing four weekly visits with the Class Member during the first month and quarterly visits thereafter. In the event the ISSA identifies problems, it shall take steps to resolve issues locally and refer matters as needed to the DDD per the Problem Resolution Protocol within the ISSA Guidelines.^{xiii} It may also request more hours for additional visits per the Guidelines.

In March of 2015, the DDD began conducting a focused review of 161 Class Members residing in ICFs/DD who had become a Class Member over a year ago but had not yet begun receiving services. As more than a year had passed since these individuals were identified for services, the DDD is analyzing the reason for the delay in service implementation. Although the DDD has consistently exceeded benchmarks for implementing services to Class Members from ICFs/DD, the DDD is directing special attention to facilitate services for these individuals and others who have since been identified as waiting for services for more than one year.

ICF/DD Class Members-"Hold" and Removal from Active Class Member Status

Class Members residing in ICF/DDs begin the transition process by submitting a written request for community-based services. Once that request is received, the individual is considered to be an "Active" or "Confirmed" Class Member and transition planning begins. Unlike Class Members selected from the PUNS list, there is no target time frame for completion of an application, assessment or eligibility determination. However, as there are numerous Class Members seeking transition services, and in light of the timeframes dictated by the Decree, it is for the benefit of those actively seeking transition that focus should be shifted to those individuals. Individuals not actively engaged in

seeking transition services may therefore be placed on the “hold” list or removed from the Active/Confirmed list under the following circumstances:

Removal of Class Members from Active/Confirmed List

Class Members who have previously expressed an interest in seeking community-based services may be removed under the following circumstances:

- Individuals who are ineligible for services will be removed from the Active/Confirmed list. Reasons for ineligibility include death, relocation out of state, clinical ineligibility, and inability to financially qualify for Medicaid³.
- Individuals who do not meet Ligas class member requirements will be removed from the Ligas Services List but will remain on the PUNS waiting list.⁴
- Declined Community –Based services, demonstrated by completion of a written document stating their or their guardian’s preference to remain in the ICF/DD.

ICF/DD “Hold” Category

As with individuals selected from the PUNS list, Ligas Class Members may be placed into the “hold” category under the following circumstances:

- Seeking services from particular provider(s), including waiting for a particular provider to downsize their ICF/DD operations;
- Awaiting opportunity to move with particular peers;
- Inability to decide on a provider;
- Determining whether to proceed with waiver services;
- To allow time to address medical or personal matters (including but not limited to rehabilitation, medical procedures, family emergencies or other matters that may delay decisions as to services);
- Other reasons with approval from DDD.

As with those selected from PUNS, Ligas Class Members in an ICF/DD who have been placed into the “hold” category will be contacted by their ISC Agency every 6 months for a period of two years. After 18 months of being placed into the “hold” category, the DDD will issue written notice to the individual or guardian that the individual will be removed from the class list if no action is taken within six months. If the Class Member is willing to actively engage in seeking community-based services at the two-year mark, the ISC Agency will continue placement activities, including expanding geographic

³ Individuals and their guardians will be afforded a full 9 month time period (which includes extensions as needed for good cause) to become eligible for Medicaid.

⁴ This includes situations where a Class Member has moved from an eligible setting to a non-eligible setting and is no longer seeking community-based services. In those circumstances, while the individual may no longer be a Ligas Class Member, they will still be able to request and apply for Waiver services. A Class Member’s eligibility is not lost by a move from an ICF/DD to a nursing facility or State-Operated Developmental Center for short-term stabilization stays of 120 days or less.

locations, expanding provider searches, and exploring other options for community services. Class Members' preferences will be identified and will remain an integral part of the planning process. The Class Member cannot, however, continue to remain on hold indefinitely. If the Class Member is unwilling to proceed with transition services at the end of the two year "hold" period, the Class Member will be removed from the class list and the ISC Agency will no longer be responsible for continued contact. If the individual wishes to explore community-based services at a later date, the individual will be able to seek community-based services through the PUNS procedures. Individuals placed on hold will not be included in determining compliance with the ICF/DD benchmarks.

Individuals who Decline Community-Based Services to Remain in ICF/DD

Individuals or guardians of individuals selected for Ligas services (either as a PUNS selection or as a result of a request to transition from an ICF/DD) who elect to remain in an ICF/DD will be sent by the ISC agency one follow up letter 6 months after declining Ligas services to confirm their selection. If, at the 6 month follow up, the individual or guardian confirms their selection of ICF/DD services (either by affirmatively confirming or failing to respond to the letter) the individual will be removed from the Ligas Services List. The individual will further be removed from the Ligas Class Member list, but may re-join the class upon written request for waiver services. Any individual who joins or re-joins the class after December 30, 2016, will not be guaranteed services by June 15, 2017, but will instead be provided community services within six months after the person joins or re-joins the class, unless reasonable efforts have not resulted in a community placement. ICF/DD residents, who were in ICF/DDs on June 15, 2011, have until June 15, 2017 to join or re-join the class. . In the event the individual or guardian responds to the ISC Agency's letter by stating in writing that they wish to again explore Ligas transition services, the transition process will continue where it was left.

The DDD developed a database to enhance its capacity to track and analyze issues involving efforts to facilitate services to these Class members, which is operational as of the date of this Plan.

Section VI. Transition Planning

Paragraph 11. The Transition Service Plan shall describe the services the Class Member requires in a Community-Based Setting or through Community-Based Services; where and how such services can be developed and obtained; the supports and services the Class Member will need during his or her transition to a Community-Based Setting; and a timetable for completing that transition.

Paragraph 12. The Transition Service Plan shall be developed by a Qualified Professional in conjunction with the Class Member and, where one has been appointed, the Class Member's legal guardian, and, where appropriate, the Class Member's family members, friends and support staff who are familiar with the Class Member.

Paragraph 13. The process for developing a Transition Service Plan shall focus on the Class member's personal vision, preferences, strengths and needs in home, community and work environments and shall reflect the value of supporting the Class Member with relationships, productive work, participation in community life, and personal decision-making.

Paragraph 14. All services and supports in the Transition Service Plan must be integrated into the community to the maximum extent possible, consistent with the choices of the Class Member and the Class Member's legal guardian.

Paragraph 15. The Transition Service Plan shall not be limited by the current availability of services, provided, however, that nothing in this paragraph obligates Defendants to provide the types of services beyond those included in the Waiver and/or the State Plan.

Implementation of the use of Transition Service Plans is a system change for the entire service delivery system. Time is needed in order to affect this change.

DDD has completed a variety of initiatives and tasks in order to further the implementation of the Transition Service Plans. These include, but are not limited to modification of the Transition Service Plan forms, trainings to PAS/ISC agencies, procurement of a contractor to provide technical assistance to PAS/ISC agencies, and continued monitoring and review of Transition Service Plans to ensure standards are met.

The process addresses the coordination required between PAS/ISC agencies when a Class Member is moving from one geographic location to another. The training for the PAS/ISC agencies will emphasize their respective responsibilities in such situations.

Transition Service Plans are being completed for each individual leaving an ICF/DD or the Family Home. In no more than 12 months prior to the development of the Transition Service Plan, the Class Member must be presented with all of his or her service alternatives. Transition Plans are not required for those individuals who will be receiving Home-Based Support Services (HBS) in their own or family's home. An individual service plan is still required for each individual in the HBS Program as described in the Waiver.

No individuals were required to wait for the development and implementation of this process in order to move to a Community-Based Setting. PAS/ISC agencies followed the processes described in the DD PAS Manual to assist individuals in obtaining needed services. Now that the Transition Service Plan process is implemented, the Plans shall be completed within sufficient time to provide appropriate and sufficient transitions of Class Members in accordance with the deadlines set forth in the Decree. For those Class Members who moved to a Community-Based Setting without a Transition Service Plan, the ISSA will work with the Class Member and guardian to ensure needed modifications are made to the Individual Service Plan to address the Class Member's personal vision,

preferences, strengths and needs in home, community and work environments. The DDD, with input from the Plaintiffs and Monitor developed a Modified Transition Service Plan for this purpose. The DDD instructed PAS/ISC agencies to complete Modified Transition Service Plans for all individuals who moved prior to July 1, 2013 without a Transition Service Plan in place. 466 Modified Transition Service Plans were required and completed.

This Transition Service Plan is separate from the Individual Service Plans completed for all individuals enrolling in the Waiver. The Individual Service Plans are completed prior to the individual transitioning to community-based services and are inclusive of risk assessments to ensure the health and general well-being of the individuals.

The DDD will focus efforts to enhance access to supported and competitive employment opportunities as part of the Transition Service Plan process. These efforts will be funded in part through an Employment First project supported by the federal Balancing Incentive Program. As described in the Balancing Incentive Program funding proposals:

The first phase of this project will include working with a consultant (or consulting group) and stakeholders to:

- Define the types of opportunities we wish to promote;
- Determine provider qualifications;
- Review and, as needed, modify current rate structure;
- Discuss maximum utilization issues; and
- Establish data collection and benchmark expectations.

The second phase will include obtaining services through an RFI process to:

- Assist 200 individuals in the Adult DD Waiver in accessing supported and competitive employment; and
- Develop a procedural guide and other materials for use by providers throughout the Illinois system in assisting and supporting individuals to find and maintain employment.

At the time of this Implementation Plan update, the Division has held several all-day meetings with a stakeholder group and national consultant to draft new service definitions, determine associated provider and staff qualifications, and explore rate methodology and funding issues. The most recent meeting occurred on September 14, 2016. The draft product is now being finalized with the national consultant. At the same time, the Division issued two Notices of Funding Opportunities (NOFOs) for the second phase of the project: one for direct service providers to assist individuals in accessing supported and competitive employment, and one for a vendor to conduct an evaluation

and technical assistance for the project. The applications were due on September 19, 2016. 26 potential vendors applied for the direct service NOFO, and 4 potential vendors applied for the evaluation and technical assistance NOFO. Division staff are now reviewing the applications. The target date for issuing the new contracts is November, 2016.

To better inform the upcoming initiative described above, the DDD reviewed LTSPs submitted between January 1, 2015 (the date plans were first required in the revised format) and May 21, 2015 (the date of the review) to identify plans that included a preference for employment. There were 145 plans submitted during this time period. Of those plans, 58 (40%) indicated employment; 87 (60%) did not. The DDD obtained from the ISCs a status report of the implementation of the employment provisions of these plans, identified potential barriers, determined next steps for individual situations, and compiled summary data for use in Phase I of the above initiative. The initial status report was compiled, summarized, and discussed at the September 15, 2015, Parties meeting.

For continuing monitoring of the overall Plans, during the third quarter of FY2016, the DDD provided a sample list of 223 Ligas Transition Service Plans to the Ligas Court Monitor per her parameters. This list identified each Ligas Class Member by an assigned sample number with the corresponding Independent Service Coordination Agency. The court monitor completed a review of the list and submitted a request to DDD for copies of 57 Ligas Transition Service Plans to be included in the sample review. The LTSPs were provided to the Ligas Court Monitor. The court monitor has made a subsequent request for the Individual Service Plans (ISP) of each individual in the sample. DDD has provided the requested information. The Court Monitor shared her review tool/protocol with the Ligas Parties on April 7, 2016.

As the work to increase employment opportunities for Class Members continues through the BIP Project and Waiver renewal, during Fiscal Year 2017 the Division will work to develop collaborative procedures with the Division of Rehabilitation Services regarding access to Vocational Rehabilitation services. It will also continue to emphasize the importance of addressing employment issues and opportunities during the Transition Service Plan process with Independent Service Coordination Agencies through Information Bulletins.

Section VII. Waiting List for Community Services and Placement

Paragraph 22(d). Within two (2) years after Approval of the Decree, Defendants shall provide, in accordance with the Class Members' Transition Service Plans, appropriate Community-Based Services and/or placement in Community-Based Settings for at least 1,000 Waiting List Class Members who are selected from the Waiting List...with these Class Members served in order of priority. In each of the third, fourth, fifth and sixth years following Approval of the Decree, Defendants shall serve at least 500 additional Waiting List Class Members who are selected from the Waiting List, again in order of priority.

Paragraph 23. All Class Members who are on the Waiting List after the end of the sixth year following Approval of the Decree shall receive appropriate Community-Based Services and/or placement in a Community-Based Setting, such that they move off the Waiting List at a reasonable pace...

Over the first six years of the Decree, the DDD is to serve under the Medicaid Waiver an additional 3,000 individuals from the waiting list. The addition of these 3,000 capacities will be accomplished by adding people to both the CILA and HBS programs.

The provision of community-based services and/or placement in a community-based setting for waiting list Class Members pursuant to Paragraph 22(d) of the Consent Decree will be based on an annual compliance date of 1000 class members by June 30, 2013 and 500 Class Members per year by June 30 for the next four years thereafter. This annual compliance date is consistent with the State of Illinois fiscal year as well as the semi-annual date for information provided in the required data reports.

The DDD will use the following process for selecting individuals to be served from the Class Member waiting list:

Exclude anyone whose record is not labeled as a *Ligas* Class Member. As secondary edits to double check for accuracy of the list and selection, exclude the following records in all cases:

- Persons previously selected in PUNS selections [These individuals have already been chosen and offered services.],
- Persons in the Planning category [These individuals are not seeking services within the year, but are anticipating the need for services within five years.],
- Persons who are under the age of 18 [These individuals are not Class Members.],
- Persons residing in Child Care Institutions (Program Code 19D) and Community Living Facilities (Program Code 67D) [These individuals are already receiving residential services.],
- Persons already enrolled in the Children's Support and Residential Waivers (Waiver Codes D1 or D2) [These individuals already have a funding path for entrance into the adult Waiver.],
- Persons who are client type [These individuals are not Class Members.]:
 - B, *Bogard* Class Members,
 - C, CILA participants,
 - F, Family Assistance Program developmental disabilities participants,
 - K, Family Assistance Program mental health participants,
 - S, State-Operated Developmental Center residents, and
 - W, Mental Health Home-Based Support Services participants, and
- Persons who are client type [These individuals already have a funding path for entrance into the adult Waiver.]:
 - G, Children's Support Waiver participants, and
 - R, Children's Residential Waiver participants.

When selecting adults for HBS, exclude anyone already in the HBS program.

Selections will include individuals enrolled in the adult Waiver who indicate a need for more services. For example, persons receiving day program services who may request in-home supports, or persons receiving HBS services who may request CILA services, will be included in the selection process for the 3,000 capacities. Individuals admitted to ICFs/DD after June 15, 2011 who choose to move will also be included in the selections.

Per the original Implementation Plan, the selections were to include the following:

For every 100 individuals selected, include for residential services criteria:

25 individuals who are recorded on the PUNS database as being in an emergency situation (i.e., needing services immediately)^{xiv} and needing out-of-home supports;

25 individuals residing at home with a primary caregiver age 75 or over.

For every 100 individuals selected, include for Home-Based Support Services:

20 individuals who are recorded on the PUNS database as being in an emergency (i.e., needing services immediately) or critical (i.e., needing services within the year) situation and needing in-home or day supports;

15 individuals leaving the Public School System in the last 5 years (use age 22 as selection criteria);

15 individuals residing at home with a primary caregiver age 60 or over.

Within each category, selections will be made by length of time on the database.

The DDD selected sufficient numbers to enroll in the Waiver 1,000 individuals in the first two years of the Decree and 500 in year three and will select sufficient numbers to enroll in the Waiver 500 in each of Years four through six. As of September 1, 2016, 2,644 individuals have been served from the PUNS list.

With the expansion envisioned under the Decree, it is believed the waiting list will move at a faster pace after Year Six. The DDD will continue to work with its MIS division to create a system by which DDD can summarize data on the average length of time individuals wait on the PUNS database. Summary information regarding the PUNS enrollments can be found on the DDD's website.^{xv}

Although PUNS selection categories have been modified previously, beginning in 2015, selections will be returned to the process outlined in the original Implementation Plan.

That is, one-half of the selections will focus on those individuals requesting 24-Hour CILA services and one-half will focus on those individuals requesting HBS services.

Section VIII. Community Crises

Paragraph 21(c). Defendants shall ensure that all Class Members who are determined to be in a situation of Crisis, and who request to receive Community-Based Services and/or placement in a Community-Based Setting, receive such services and/or placement in such setting expeditiously.

The PAS/ISC agencies will continue to submit requests for services from individuals in crisis situations, and the DDD will continue to process these requests, using existing criteria available on the DDD website.^{xvi} These requests are not part of the 3,000 capacities to be provided under Section VII, Waiting List for Community Services and Placement. The DDD will ensure individuals are served expeditiously. Through agreement between the DDD and the Monitor, “served expeditiously” is reviewed as receiving some supports or services within a 24 to 72 hour period after an individual’s crisis status is confirmed to ensure the individual’s safety.

The DDD initially provided the Monitor with baseline information regarding crisis requests and subsequently shared information regarding the crisis requests approved and denied between FY12 and FY16 (year to date). As part of its compliance reports, the DDD continues to provide to the Monitor data regarding the crisis requests approved and denied. The Monitor reviews a sample of these requests and is given additional information upon request.

As stated in his third annual report:

The Monitor reviewed crisis Class Member information and data from all 397 crisis requests during FY 2014. The results showed that 95% (377) of the Class Members who were found to be in crisis, received some services within a 24-72 hour period after their crisis status was confirmed. These findings demonstrate that the Defendants' efforts have continued to be successful. The Monitor will continue to work with the Defendants, including joint reviews of the crisis management reports, to improve crisis responsiveness.

The Monitor further notes in his third annual report:

The Defendants' data reports indicate that, in FY 2012, 288 Class Members who requested service pursuant to the crisis criteria were served. FY 2013, 269 Class Members in crisis were served, a slight upturn from the previous year. In FY 2014 the number of Class Members who required crisis services, surprisingly, jumped to 397, a 47% increase over the previous year. It is not clear why this sharp increase in crisis requests occurred.

Per the Monitor’s recommendation in connection with the increase in crisis requests described above, the DDD, in conjunction with the previous Monitor and input from the Parties, conducted an analysis of crisis data to determine the relationship between crisis applicants and the PUNS list. This analysis shows the following:

PUNS Category prior to Crisis Date	
CRITICAL	206
EMERGENCY	352
FULLY SERV	28
MOVED	1
OTHER CLOSED	21
PLANNING	19
WITHDRAWN	4
Not on PUNS prior to crisis	14
Total	645

Time on PUNS until Crisis Placement

This table describes FY13 and FY14 Approved Crisis Placements and the length of time these individuals were on the PUNS waiting list.

Time Period	Number of Placements	% of Total
One Month or Less	43	7%
Over 1 Month to 1 Year	147	23%
1 to 2 Years	85	13%
2 to 3 Years	52	8%
3 Years or More	318	49%
Total	645	100%

DDD continues to fund crisis requests for services. It was anticipated that the number of crisis requests would decrease as the Ligas PUNS selections occurred; however, the requests are instead increasing. In order to ensure fair and equal access for all individuals seeking services, the Division proposes reviewing and modifying the current crisis guidelines. The Division will propose draft language to the Parties by November 30, 2016, for review. As Crisis is defined in the Consent Decree, modifying current guidelines may require the Parties to agree on modifying the Consent Decree and securing approval by the Court. As modifications are considered, the Division will also post them on its website for public comment prior to finalizing and implementing them.

On Pages 34 through 36 of the Fourth Annual Monitor's report, which is available on the DDD's website at

http://www.dhs.state.il.us/OneNetLibrary/27896/documents/By_Division/Division%20of%20DD/LIGAS4thAnnualReportofMonitor01072016.pdf, the Monitor raised concerns

regarding the adequacy of crisis safety plans, as well as concerns that nearly half (49%) of the individuals with approved crisis placements were on the PUNS waiting list for 3 years or more. Per her recommendation, the Defendants and Monitor will confer during 2016 to clarify criteria for determining adequacy of a safety plan. The efforts described above regarding the review of the current crisis guidelines, as well as the PUNS Integrity project, will consider the PUNS waiting time.

Section IX. Appeal Process

Paragraph 24. Any Class Member who disputes a decision by Defendants or a Community Service Provider regarding eligibility for, or delivery of, Community-Based Services or placement in a Community-Based Setting shall, pursuant to governing law, have the right to appeal or seek administrative or judicial review of such decisions through Defendants' existing Fair Hearings process (as set forth in 89 Ill.Adm.Code Part 120) or as otherwise provided by law. Class Members also may avail themselves of any informal appeal process that currently exists.

Individuals may appeal any denial, suspension, termination, or reduction of Home and Community-Based Waiver Services. The appeal process, including time frames, is described in Title 59, Chapter 1, Part 120.^{xvii} Individuals are informed of this right to appeal through the use of Form IL462-1202, Notice of Individual's Right to Appeal, available on the DDD website.^{xviii} Individuals are also informed of their right to appeal a determination of ineligibility via the DDPAS-10 Form, available on the DDD website.^{xix}

DDD remains in compliance with the appeal requirements of the Decree.

Section X. Resources Necessary for Implementation

Paragraph 5. Annual budgets submitted by Defendants on behalf of their agencies shall request sufficient funds necessary to develop and maintain the services, supports and structures described in the Decree, consistent with the choices of Individuals with Developmental Disabilities, including Class Members.

Each year of the Consent Decree, the DDD and the DHS Budget Office will prepare annual proposals for inclusion in the Governor's Introduced Budget for the funds necessary to carry out the provisions of the Decree. These proposals will include items that are currently funded and must be maintained as well as items that require new funding. Further information can be found in the Ligas 6 Month Data Report dated 12/31/15 (<http://www.dhs.state.il.us/page.aspx?item=83066>).

The DDD will make every effort to maximize federal Medicaid match for the direct services and administrative activities. The DDD reviews rejected claims and works with providers to correct or complete data for claims submissions. The DDD needs to increase those efforts and account for the anticipated growth in volume as Waiver capacity expands. An additional staff person has been hired to assist with these efforts. Where applicable, the Money Follows the Person grant will be used to secure enhanced match during the first year of community-based services for those individuals who leave ICFs/DD for eligible settings under the grant. In addition, funds from the federal Balancing Incentive Program will be used to support Waiver capacity expansion and improve access to supported and competitive employment services. Existing interagency agreements describe the coordination between DDD and HFS regarding Medicaid match. See the following Section XI.

Appropriations

The DDD's budgets since Fiscal Year 12 combined the major appropriation line for community-based services and ICF/DD services into one line. This enables the DDD to redirect resources, if appropriate, as individuals and providers make future choices regarding service provision. The DDD will request that this practice continue in each subsequent year of the Consent Decree. However, the DDD will maintain sufficient records to enable the Monitor to determine whether the State is fulfilling its obligations under Paragraph 4 of the Decree, including its obligation to provide funding sufficient to meet the needs of those who choose to live in ICFs/DD and to ensure that such resources are not affected by the State's fulfillment of its obligation to provide Community-Based Services or Settings to those who choose those service options.

Annually, per the deadline established by the Governor's Office of Management and Budget, the DDD will calculate and submit details of needed resources for consideration for inclusion in the Governor's Introduced Budget for the following fiscal year. Each year the needed resources for implementation of the Consent Decree, separate and apart from the maintenance items specified above, will include, at a minimum, funding for:

- Community-Based Services and Community-Based Settings, both new funds for those beginning services and annualized funds for those who began services in the prior year;
- Assessments and outreach;
- Special rates for ICFs/DD voluntary closure agreements; and
- Contractual consultants and staff.

The proposed budget for *Ligas* implementation will be annually presented to the Parties and Intervenors. Budget information is included in the data reports.

A final budget was not approved by the State prior to FY 2016. Accordingly, the Court entered an order that until the FY 2016 budget takes effect, the Comptroller shall continue to make all payments for all services, programs and personnel for all beneficiaries of the Consent Decree, at a level no less than the levels paid in Fiscal Year 2015, that are necessary

to comply with the Consent Decree and Implementation Plans. The order shall remain in effect until the effective date of the FY 2016 budget or until further order of the Court. The Court also ordered that the State shall provide information to the Court Monitor to enable her to evaluate and to advise the Court and the Parties regarding the State's compliance. A similar order was entered by the Court for FY17. The State has demonstrated continued compliance with the Order.

Federal Approval of Waiver Capacity

Each year, as new enrollment opportunities are made available for individuals, the DDD will work with HFS to submit an amendment increasing the capacity of the adult Waiver^{xx}, as needed.

The adult Waiver was renewed by the federal government effective July 1, 2012. As part of that renewal, the total capacity of the Waiver was increased to 19,000 in anticipation of the expected growth during FYs 13 and 14. An amendment was submitted to and approved by the federal Centers for Medicare and Medicaid Services to increase the capacity of the adult Waiver to 20,840.

Section XI. Interagency Agreements

Interagency agreements, necessary to carry out the provisions of the Decree, are in place among the Departments. Specifically, there is an interagency agreement among the Departments of Children and Family Services, Healthcare and Family Services, Human Services, and Public Health that addresses the interactions involving developmental disabilities Medicaid programs. In addition, there is an interagency agreement specific to the implementation of the Money Follows the Person grant. These agreements are available upon request from the DDD. At this point, the DDD does not anticipate the need for any new interagency agreements to implement the Decree.

Section XII. Process for Plan Reporting and Modification

Paragraph 28. The Implementation Plan shall be updated and amended annually, or at such earlier intervals as Defendants deem necessary or appropriate...

Paragraph 33. ...Not less than every six (6) months, Defendants shall provide to the Monitor, Plaintiffs, Class Counsel, Intervenors and Intervenors' Counsel and make publicly available, a detailed report containing data and information sufficient to evaluate Defendants' compliance with the Decree and Defendants' progress toward achieving compliance. Prior to the first report, the Parties and the Monitor will agree on the data and information that must be included in such reports...

Pursuant to Paragraph 28 of the Decree, the DDD will review the Implementation Plan on an annual basis. Changes will be made, as needed, with the assistance of the Monitor. The proposed modifications will be submitted to the Monitor. The Plaintiffs and, if applicable, the Intervenor, will be given the opportunity for input.

Per Paragraph 33 of the Decree, the DDD will report data and information regarding its progress toward compliance with the provisions of the Decree. The Parties, Intervenor, and Monitor agreed to a standard format for these data reports, which are now being produced twice per year by February 15th and August 15th. [By mutual agreement, the deadline for the first report was extended so the DDD could incorporate information regarding the Governor's proposed budget for FY13.] These reports are being posted on the DDD's website as they are available.

Section XIII. Acronyms

The following, for reference, is a list of acronyms used throughout this document:

CILA – Community Integrated Living Arrangement
DDD – Division of Developmental Disabilities
DHS – Illinois Department of Human Services
HBS – Home-Based Support Services
HFS – Illinois Department of Healthcare and Family Services
ICF/DD – Intermediate Care Facility for Persons with Developmental Disabilities
ICF/MR – Intermediate Care Facility for Persons with Mental Retardation
ISC – Independent Service Coordination
ISSA – Individual Service and Support Advocacy
JCAR – Joint Committee on Administrative Rules
PAS – Pre-Admission Screening
PUNS – Prioritization of Urgency of Need for Services
RFP – Request for Proposals
ROCS – Reporting of Community Services

ⁱ Capitalized terms in the Implementation Plan are defined in the Implementation Plan are defined in the

Consent Decree.

ii The link for the *Ligas* Consent Decree is

http://www.dhs.state.il.us/OneNetLibrary/27896/documents/By_Division/Division%20of%20DD/LigasConsentDecree061511.pdf.

iii The link to Form IL1238, Choice of Supports and Services, is

<http://www.dhs.state.il.us/OneNetLibrary/27897/documents/Forms/IL462-1238.pdf>.

iv The link to the DDPAS-10 Form is

<http://www.dhs.state.il.us/OneNetLibrary/4/documents/PAS/DDPAS100111.pdf>.

v The link to the PUNS Manual is

<http://www.dhs.state.il.us/OneNetLibrary/27897/documents/Manuals/DD%20Manuals/Illinois%20PUNS%20Manual.pdf>.

vi The link to the PUNS brochures, flyers, and posters is <http://www.dhs.state.il.us/page.aspx?item=31104>.

vii The link to the new provider page is <http://www.dhs.state.il.us/page.aspx?item=47336>.

viii The link to the sample downsizing agreement is <http://www.dhs.state.il.us/page.aspx?item=50038>.

ix The link to the adult DD Waiver is

http://www.dhs.state.il.us/OneNetLibrary/27896/documents/By_Division/Division%20of%20DD/Adult%20DD%20Waiver.pdf.

x The link to the DDD's training information is <http://www.dhs.state.il.us/page.aspx?item=45209>.

xi The link to the DD Pre-Admission Screening Manual is

<http://www.dhs.state.il.us/page.aspx?item=53018>.

xii The link to the ROCS Software is

http://www.dhs.state.il.us/OneNetLibrary/27896/documents/By_Division/MentalHealth/DHSCRSManual.pdf.

xiii The link to the ISSA Problem Resolution Protocol is <http://www.dhs.state.il.us/page.aspx?item=56642>.

xiv The PUNS database categorizes individuals into emergency, critical, and planning needs. See the PUNS Manual for definitions of these categories. The link to the PUNS Manual is

<http://www.dhs.state.il.us/OneNetLibrary/27897/documents/Manuals/DD%20Manuals/Illinois%20PUNS%20Manual.pdf>.

xv The link to the PUNS summary reports is <http://www.dhs.state.il.us/page.aspx?item=51905>.

xvi The link to the crisis criteria is

<http://www.dhs.state.il.us/OneNetLibrary/27897/documents/DD%20Reports/Community%20Emergency%20Criteria%20-%20Adults.pdf>.

xvii The link to Rule 120 is <http://www.ilga.gov/commission/jcar/admincode/059/05900120sections.html>.

xviii The link to Form IL462-1202, Notice of Individual's Right to Appeal is

<http://www.dhs.state.il.us/OneNetLibrary/27897/documents/Forms/IL462-1202.pdf>.

xix The link to the DDPAS-10 Form is

<http://www.dhs.state.il.us/OneNetLibrary/4/documents/PAS/DDPAS100111.pdf>.

^{xx} The link to the adult DD Waiver is

http://www.dhs.state.il.us/OneNetLibrary/27896/documents/By_Division/Division%20of%20DD/Adult%20DD%20Waiver.pdf.