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May 14, 2009

MEMORANDUM

TO: The Honorable Patrick Quinn, Governor, State of Illinois
The Honorable John Cullerton, President of the Senate
The Honorable Michael Madigan, Speaker of the House of Representatives
The Honorable Christine Radogno, Minority Leader of the Senate
The Honorable Tom Cross, Minority Leader of the House of Representatives
The Honorable Jesse White, Secretary of State
Ms. Carol Adams, PhD - Department of Human Services Secretary

RE: Advisory Opinion of the Commission on Government Forecasting and Accountability
Regarding the Closure of Howe Developmental Center

The Commission met on Tuesday, April 28, 2009 at 11:00 am to take final action on the proposed closure of Howe Developmental Center, and to accept or reject the recommendation submitted by the Department of Human Services regarding Howe Developmental Center. The Commission, on a vote of 9-3, accepted the recommendation by the Department of Human Services to close the Howe Developmental Center in Tinley Park, Illinois. A copy of the resolution to accept the recommendation for closure and the vote tally is attached.

INTRODUCTION AND BACKGROUND

The Department of Human Services officially notified the Commission on Government Forecasting and Accountability of the intent to close Howe Developmental Center on September 5, 2008. The State Facilities Closure Act (30 ILCS 608/5-10) states that "In the case of a proposed closure of: (i) a prison, youth center, work camp, or work release center operated by the Department of Corrections; (ii) a school, mental health center, or center for the developmentally disabled operated by the Department of Human Services; or (iii) a residential facility operated by the Department of Veterans' Affairs, the Commission must require the executive branch officers to file a recommendation for closure. The recommendation must be filed within 30 days after the Commission delivers the request for recommendation to the State executive branch officer."


The Commission requested the required recommendation on September 18, 2008. The Department of Human Services submitted the recommendation for closure to the Commission on November 3, 2008. The State Facility Closure Act, in the case of a proposed closure of a center for the developmentally disabled, states that the Commission "must conduct one or more public hearings on the recommendation. Public hearings conducted by the Commission shall be conducted no later than 35 days after the filing of the recommendation. At least one of the public hearings on the recommendation shall be held at a convenient location within 25 miles of the facility for which closure is recommended." The statutorily required public hearing was held on December 11, 2008 beginning at 4:00 pm at the Tinley Park Convention Center. At the hearing, the Commission heard over seven hours of public testimony.

The Commission met on Monday, January 12, 2009 at 5:00 p.m. to further discuss the recommendation for closure of Howe Developmental Center. The Commission voted 9-1 to temporarily withhold final action regarding the closure of Howe Developmental Center until 60-days after the impeachment proceedings against former Governor Rod Blagojevich had been completed.


On April 28, 2009, the Commission met to take final action on the recommendation for closure of Howe Developmental Center. Governor Pat Quinn sent a letter to the Commission on April 28, 2009 at 11:00 am asking that final action on the recommendation be delayed for an indefinite period of time while a consultant could examine the implications of closing Howe Developmental Center. On a vote of 6-6, the motion to delay final action for 30-days, at the request of the Governor failed. The Commission then voted 9-3 to accept the Department of Human Services "recommendation for closure" of Howe Developmental Center.

CONCLUSION

After many hours of extensive testimony and discussion, a majority (nine) of the appointed members to the Commission on Government Forecasting voted to accept the Department of Human Services recommendation to close Howe Developmental Center. The Commission thoroughly reviewed the documents submitted by the Department of Human Services, and documents from interest groups on both sides of the issue. In the final review, the overall cost of maintaining Howe without Medicaid reimbursement, and the safety concerns for patients residing at the facility were substantial factors in the Commissions' final decision. Taking these important issues into consideration, the Commission determined that it is in the best interests of the patients at Howe and the State of Illinois to accept the recommendation for closure proposed by the Department of Human Services on September 18, 2008.



Senator Jeffrey M. Schoenberg
CGFA Co-Chairman



Representative Richard P. Myers
CGFA Co-Chairman

JMS/RPM:dkb

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