



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/04/04, by Suzanne Bassi, Brandon W. Phelps, Mike Bost, Kevin Joyce

SYNOPSIS AS INTRODUCED:

20 ILCS 105/4.02b

from Ch. 23, par. 6104.02b

Amends the Illinois Act on the Aging. Provides that all community-based residential facilities funded by the Illinois Department on Aging and 50% of the unexpended and unobligated funds appropriated to cover their expenses for fiscal year 2004 shall be transferred to the Department of Public Aid's Supported Living Facilities program, in addition to any federal matching funds that become available as a result of the transfer. Provides that the remaining 50% of the unexpended and unobligated funds appropriated for fiscal year 2004 shall be transferred to the Department of Public Health to specifically support the Assisted Living and Shared Housing Licensure Act. Provides that the subsection concerning the transfer is repealed on January 1, 2005. Deletes language terminating a demonstration project. Effective immediately.

LRB093 20784 RAS 46699 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning aging.

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

4 Section 5. The Illinois Act on the Aging is amended by
5 changing Section 4.02b as follows:

6 (20 ILCS 105/4.02b) (from Ch. 23, par. 6104.02b)

7 Sec. 4.02b. Community based residential facilities.

8 (a) The Department may develop criteria for no more than 3
9 projects to participate in a supported congregate living
10 arrangement demonstration. No other projects may be added to
11 the demonstration unless one of the projects previously
12 approved by the Department and the Illinois Department of
13 Public Health withdraws or is terminated from the
14 demonstration. Each project may serve a maximum of 60 clients,
15 except that one project may be increased to serve a maximum of
16 175 clients upon approval by the Department and the Illinois
17 Department of Public Health. The demonstration may include the
18 use of community-based, multi-day residential facilities.
19 Clients may be served long-term or short-term as a means of
20 relieving family caregivers. Management of these projects may
21 offer or contract for such services to preclude the need for
22 nursing home care; however, projects shall not provide
23 sheltered care, or other nursing home care as defined in the
24 Nursing Home Care Act, unless a wavier is obtained pursuant to
25 Section 3-102.2 of that Act.

26 Supported congregate living arrangements must apply to the
27 Department for participation in the demonstration project. The
28 Department shall develop, in consultation with the Illinois
29 Department of Public Health, criteria for participation in the
30 project. A project shall have one year from the date of
31 approval to become operational. One project must involve the
32 conversion of an existing licensed long-term care facility or

1 portion thereof. If no existing facility applies within one
2 year after the Department begins to accept applications for the
3 pilot project, the Department may select an alternate project
4 that does not involve the conversion of an existing facility.
5 During the period of operation of the demonstration project,
6 the existing licensed beds shall remain licensed as long-term
7 care beds. At the conclusion of the demonstration project, the
8 beds may revert to long-term care or the facility may choose to
9 seek appropriate approval to continue to operate as an assisted
10 living facility or a similar program as established by law.
11 Upon approval of an application, the Department and the
12 applicant shall submit a joint waiver request to the Department
13 of Public Health pursuant to Section 3-102.2 of the Nursing
14 Home Care Act. If the Department does not act upon an
15 application within 60 days, the applicant may file a written
16 waiver request on its own behalf.

17 The Department shall promulgate rules and provide
18 oversight for the project. The Department of Public Aid and the
19 Department of Public Health may offer advice and assistance as
20 needed.

21 The project may be funded through the Department's
22 community care program appropriations that may include
23 medicaid waiver funds available through the Department of
24 Public Aid.

25 The Department shall report annually to the General
26 Assembly by January 1 upon its activities under this Section.

27 ~~The demonstration project shall terminate when an assisted~~
28 ~~living or similar client focused residential program is~~
29 ~~established by law or on June 30, 2001, whichever is earlier.~~

30 (b) All community based residential facilities funded by
31 the Illinois Department on Aging and 50% of unexpended and
32 unobligated funds appropriated to cover their expenses for
33 fiscal year 2004 shall be transferred to the Department of
34 Public Aid's Supported Living Facilities program, in addition
35 to any federal matching funds that become available as a result
36 of this transfer. The remaining 50% of unexpended and

1 unobligated funds appropriated for fiscal year 2004 shall be
2 transferred to the Department of Public Health to specifically
3 support the Assisted Living and Shared Housing Licensure Act.
4 The Department on Aging and the Department of Public Aid shall
5 work cooperatively to effectuate a smooth transition. Any
6 facility requirements contained in either statute or
7 administrative rules that would impede this transition are
8 waived. This subsection (b) is repealed on January 1, 2005.

9 (Source: P.A. 89-530, eff. 7-19-96.)

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