



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/6/2004, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

210 ILCS 9/5

Amends the Assisted Living and Shared Housing Act. Makes a technical change in the legislative purpose Section.

LRB093 16605 DRJ 42254 b

1 AN ACT concerning assisted living.

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

4 Section 5. The Assisted Living and Shared Housing Act is
5 amended by changing Section 5 as follows:

6 (210 ILCS 9/5)

7 Sec. 5. Legislative purpose. The purpose of this Act is to
8 permit the development and availability of assisted living
9 establishments and shared housing establishments based on a
10 social model that promotes the dignity, individuality,
11 privacy, independence, autonomy, and decision-making ability
12 and the right to negotiated risk of those persons; to provide
13 for the health, safety, and welfare of ~~those~~ residents residing
14 in assisted living and shared housing establishments in this
15 State; to promote continuous quality improvement in assisted
16 living; and to encourage the development of innovative and
17 affordable assisted living establishments and shared housing
18 with service establishments for elderly persons of all income
19 levels. It is the public policy of this State that assisted
20 living is an important part of the continuum of long term care.
21 In support of the goal of aging in place within the parameters
22 established by this Act, assisted living and shared housing
23 establishments shall be operated as residential environments
24 with supportive services designed to meet the individual
25 resident's changing needs and preferences. The residential
26 environment shall be designed to encourage family and community
27 involvement. The services available to residents, either
28 directly or through contracts or agreements, are intended to
29 help residents remain as independent as possible. Assisted
30 living, which promotes resident choice, autonomy, and decision
31 making, should be based on a contract model designed to result
32 in a negotiated agreement between the resident or the

1 resident's representative and the provider, clearly
2 identifying the services to be provided. This model assumes
3 that residents are able to direct services provided for them
4 and will designate a representative to direct these services if
5 they themselves are unable to do so. This model supports the
6 principle that there is an acceptable balance between consumer
7 protection and resident willingness to accept risk and that
8 most consumers are competent to make their own judgments about
9 the services they are obtaining. Regulation of assisted living
10 establishments and shared housing establishments must be
11 sufficiently flexible to allow residents to age in place within
12 the parameters of this Act. The administration of this Act and
13 services provided must therefore ensure that the residents have
14 the rights and responsibilities to direct the scope of services
15 they receive and to make individual choices based on their
16 needs and preferences. These establishments shall be operated
17 in a manner that provides the least restrictive and most
18 homelike environment and that promotes independence, autonomy,
19 individuality, privacy, dignity, and the right to negotiated
20 risk in residential surroundings. It is not the intent of the
21 State that establishments licensed under this Act be used as
22 halfway houses for alcohol and substance abusers.

23 (Source: P.A. 91-656, eff. 1-1-01.)