

HB4303



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4303

Introduced 1/30/2012, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

210 ILCS 9/5

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

LRB097 15294 RPM 60394 b

A BILL FOR

1 AN ACT concerning regulation.

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 ~~The~~ purpose of this Act is
8 to 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

1 with supportive services designed to meet the individual
2 resident's changing needs and preferences. The residential
3 environment shall be designed to encourage family and community
4 involvement. The services available to residents, either
5 directly or through contracts or agreements, are intended to
6 help residents remain as independent as possible. Assisted
7 living, which promotes resident choice, autonomy, and decision
8 making, should be based on a contract model designed to result
9 in a negotiated agreement between the resident or the
10 resident's representative and the provider, clearly
11 identifying the services to be provided. This model assumes
12 that residents are able to direct services provided for them
13 and will designate a representative to direct these services if
14 they themselves are unable to do so. This model supports the
15 principle that there is an acceptable balance between consumer
16 protection and resident willingness to accept risk and that
17 most consumers are competent to make their own judgments about
18 the services they are obtaining. Regulation of assisted living
19 establishments and shared housing establishments must be
20 sufficiently flexible to allow residents to age in place within
21 the parameters of this Act. The administration of this Act and
22 services provided must therefore ensure that the residents have
23 the rights and responsibilities to direct the scope of services
24 they receive and to make individual choices based on their
25 needs and preferences. These establishments shall be operated
26 in a manner that provides the least restrictive and most

1 homelike environment and that promotes independence, autonomy,
2 individuality, privacy, dignity, and the right to negotiated
3 risk in residential surroundings. It is not the intent of the
4 State that establishments licensed under this Act be used as
5 halfway houses for alcohol and substance abusers.

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