



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5345

Introduced 2/8/2012, by Rep. Bill Mitchell

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5B-2

from Ch. 23, par. 5B-2

Amends the Long-Term Care Provider Funding Article of the Illinois Public Aid Code. Provides that specified assessments imposed on long-term care providers shall not be due and payable until after the Department of Healthcare and Family Services reimburses a long-term care provider for services rendered for the month of the required assessment. Effective immediately.

LRB097 19257 KTG 64501 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by  
5 changing Section 5B-2 as follows:

6 (305 ILCS 5/5B-2) (from Ch. 23, par. 5B-2)

7 Sec. 5B-2. Assessment; no local authorization to tax.

8 (a) For the privilege of engaging in the occupation of  
9 long-term care provider, beginning July 1, 2011 an assessment  
10 is imposed upon each long-term care provider in an amount equal  
11 to \$6.07 times the number of occupied bed days due and payable  
12 each month. Notwithstanding any provision of any other Act to  
13 the contrary, this assessment shall be construed as a tax, but  
14 shall not be billed or passed on to any resident of a nursing  
15 home operated by the nursing home provider.

16 (b) Nothing in this amendatory Act of 1992 shall be  
17 construed to authorize any home rule unit or other unit of  
18 local government to license for revenue or impose a tax or  
19 assessment upon long-term care providers or the occupation of  
20 long-term care provider, or a tax or assessment measured by the  
21 income or earnings or occupied bed days of a long-term care  
22 provider.

23 (c) The assessment imposed by this Section shall not be due

1 and payable, however, until after the Department notifies the  
2 long-term care providers, in writing, that the payment  
3 methodologies to long-term care providers required under  
4 Section 5-5.4 of this Code have been approved by the Centers  
5 for Medicare and Medicaid Services of the U.S. Department of  
6 Health and Human Services and the waivers under 42 CFR 433.68  
7 for the assessment imposed by this Section, if necessary, have  
8 been granted by the Centers for Medicare and Medicaid Services  
9 of the U.S. Department of Health and Human Services, and not  
10 until after the Department reimburses a long-term care provider  
11 for services rendered for the month of the required assessment.  
12 (Source: P.A. 96-1530, eff. 2-16-11; 97-10, eff. 6-14-11;  
13 97-584, eff. 8-26-11.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.