

SB3649



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3649

Introduced 2/5/2026, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-54 new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that, in accordance with federal guidance issued by the federal Centers for Medicare and Medicaid Services, the Department of Healthcare and Family Services shall exempt from electronic visit verification requirements all live-in caregivers who provide Medicaid-funded personal care services or home health care services under the Illinois Title XIX State Plan or a waiver of the plan, including personal care services and home health care services provided under various home and community-based services waiver programs authorized under the Social Security Act. Defines "live-in caregiver". Grants the Department rulemaking authority. Effective immediately.

LRB104 19303 KTG 32749 b

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 adding Section 5-54 as follows:

6 (305 ILCS 5/5-54 new)

7 Sec. 5-54. Electronic visit verification system; live-in
8 caregiver exemption. In accordance with federal guidance
9 issued by the federal Centers for Medicare and Medicaid
10 Services in its "CMCS Informational Bulletin" on August 8,
11 2019 that allows state Medicaid agencies to exempt live-in
12 caregivers from the electronic visit verification requirements
13 authorized under Section 12006(a) of the 21st Century Cures
14 Act (Public Law 114-255), the Department of Healthcare and
15 Family Services shall exempt from electronic visit
16 verification requirements all live-in caregivers who provide
17 personal care services under the Adults with Developmental
18 Disabilities waiver and the Support Waiver for Children and
19 Young Adults with Developmental Disabilities authorized under
20 Section 1915(c) of the Social Security Act. As used in this
21 Section, "live-in caregiver" means a caregiver as defined by
22 the Department of Human Services. The Department of Healthcare
23 and Family Services and the Department of Human Services may

1 adopt any rules necessary to implement this Section, including
2 rules on the form and manner in which a live-in caregiver must
3 verify that he or she meets the definition of "live-in
4 caregiver".

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.