

HB0371



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0371

by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.01a

Amends the Illinois Public Aid Code. Makes a technical change in a Section concerning supportive living facilities.

LRB101 03529 KTG 48537 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 changing Section 5-5.01a as follows:

6 (305 ILCS 5/5-5.01a)

7 Sec. 5-5.01a. Supportive living facilities program.

8 (a) The ~~The~~ Department shall establish and provide
9 oversight for a program of supportive living facilities that
10 seek to promote resident independence, dignity, respect, and
11 well-being in the most cost-effective manner.

12 A supportive living facility is (i) a free-standing
13 facility or (ii) a distinct physical and operational entity
14 within a mixed-use building that meets the criteria established
15 in subsection (d). A supportive living facility integrates
16 housing with health, personal care, and supportive services and
17 is a designated setting that offers residents their own
18 separate, private, and distinct living units.

19 Sites for the operation of the program shall be selected by
20 the Department based upon criteria that may include the need
21 for services in a geographic area, the availability of funding,
22 and the site's ability to meet the standards.

23 (b) Beginning July 1, 2014, subject to federal approval,

1 the Medicaid rates for supportive living facilities shall be
2 equal to the supportive living facility Medicaid rate effective
3 on June 30, 2014 increased by 8.85%. Once the assessment
4 imposed at Article V-G of this Code is determined to be a
5 permissible tax under Title XIX of the Social Security Act, the
6 Department shall increase the Medicaid rates for supportive
7 living facilities effective on July 1, 2014 by 9.09%. The
8 Department shall apply this increase retroactively to coincide
9 with the imposition of the assessment in Article V-G of this
10 Code in accordance with the approval for federal financial
11 participation by the Centers for Medicare and Medicaid
12 Services.

13 The Medicaid rates for supportive living facilities
14 effective on July 1, 2017 must be equal to the rates in effect
15 for supportive living facilities on June 30, 2017 increased by
16 2.8%.

17 The Medicaid rates for supportive living facilities
18 effective on July 1, 2018 must be equal to the rates in effect
19 for supportive living facilities on June 30, 2018.

20 (c) The Department may adopt rules to implement this
21 Section. Rules that establish or modify the services,
22 standards, and conditions for participation in the program
23 shall be adopted by the Department in consultation with the
24 Department on Aging, the Department of Rehabilitation
25 Services, and the Department of Mental Health and Developmental
26 Disabilities (or their successor agencies).

1 (d) Subject to federal approval by the Centers for Medicare
2 and Medicaid Services, the Department shall accept for
3 consideration of certification under the program any
4 application for a site or building where distinct parts of the
5 site or building are designated for purposes other than the
6 provision of supportive living services, but only if:

7 (1) those distinct parts of the site or building are
8 not designated for the purpose of providing assisted living
9 services as required under the Assisted Living and Shared
10 Housing Act;

11 (2) those distinct parts of the site or building are
12 completely separate from the part of the building used for
13 the provision of supportive living program services,
14 including separate entrances;

15 (3) those distinct parts of the site or building do not
16 share any common spaces with the part of the building used
17 for the provision of supportive living program services;
18 and

19 (4) those distinct parts of the site or building do not
20 share staffing with the part of the building used for the
21 provision of supportive living program services.

22 (e) Facilities or distinct parts of facilities which are
23 selected as supportive living facilities and are in good
24 standing with the Department's rules are exempt from the
25 provisions of the Nursing Home Care Act and the Illinois Health
26 Facilities Planning Act.

1 (Source: P.A. 100-23, eff. 7-6-17; 100-583, eff. 4-6-18;
2 100-587, eff. 6-4-18.)