

1 AN ACT concerning public health.

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

4 Section 1. Short title. This Act may be cited as the
5 Excellence in Alzheimer's Disease Center Treatment Act.

6 Section 5. Purpose. This Act is intended to maintain and
7 enhance excellence in Alzheimer's disease treatment in
8 Illinois in order to develop strategies to treat and prevent
9 Alzheimer's disease in Illinois and across the United States,
10 ensure that all Illinois citizens obtain the highest quality
11 clinical care for Alzheimer's disease and other dementias,
12 reduce the enormous societal cost of this disease, ensure that
13 Illinois is a national center for Alzheimer's disease research,
14 and maintain and enhance Illinois' ability to attract
15 additional federal and private funding for these purposes.

16 Section 15. Definitions. As used in this Act:

17 "Academic medical center hospital" means a hospital
18 located in Illinois that is either (i) under common ownership
19 with the college of medicine of a college or university or (ii)
20 a free-standing hospital in which the majority of the clinical
21 chiefs of service are department chairmen in an affiliated
22 medical school.

23 "Qualified Academic Medical Center Hospital - Pre 1996
24 Designation" means any academic medical center hospital that
25 was designated by the National Institutes of Health and
26 National Institutes on Aging as an Alzheimer's Disease Core (or
27 Research) Center prior to calendar year 1996.

28 "Qualified Academic Medical Center Hospital - Post 1996
29 Designation" means any academic medical center hospital that
30 was designated by the National Institutes of Health and
31 National Institutes on Aging as an Alzheimer's Disease Core (or

1 Research) Center in or after calendar year 1996 through
2 calendar year 2003.

3 "Medicaid inpatient day of care" means each day contained
4 in the Illinois Department of Public Aid's paid claims
5 database, including obstetrical days multiplied by two and
6 excluding Medicare crossover days, for dates of service
7 occurring during State fiscal year 1998 and adjudicated through
8 June 30, 1999.

9 Section 20. Funds created.

10 (a) The Alzheimer's Disease Center Clinical Fund is created
11 as a special fund in the State treasury, to which the General
12 Assembly shall from time to time appropriate funds and from
13 which the Comptroller shall pay amounts as authorized by law.
14 This Fund is exempt from the provisions of Section 8h of the
15 State Finance Act.

16 (b) The Alzheimer's Disease Center Expanded Clinical Fund
17 is created as a special fund in the State treasury, to which
18 the General Assembly shall from time to time appropriate funds
19 and from which the Comptroller shall pay amounts as authorized
20 by law. This Fund is exempt from the provisions of Section 8h
21 of the State Finance Act.

22 (c) The Alzheimer's Disease Center Independent Clinical
23 Fund is created as a special fund in the State treasury, to
24 which the General Assembly shall from time to time appropriate
25 funds and from which the Comptroller shall pay amounts as
26 authorized by law. This Fund is exempt from the provisions of
27 Section 8h of the State Finance Act.

28 Section 25. The Alzheimer's Disease Center Clinical Fund.

29 (a) Each institution defined as a Qualified Academic
30 Medical Center Hospital - Pre 1996 Designation shall be
31 eligible for payments from the Alzheimer's Disease Center
32 Clinical Fund.

33 (b) Appropriations allocated to this Fund shall be divided
34 among the qualifying hospitals. The Department of Public Aid

1 shall calculate payment rates for each hospital qualifying
2 under this Section as follows:

3 (1) Hospitals that qualify under the Qualified
4 Academic Medical Center Hospital - Pre 1996 Designation
5 shall be paid a rate of \$55.50 for each Medicaid inpatient
6 day of care.

7 (2) No qualifying hospital shall receive payments
8 under this Section that exceed \$1,200,000.

9 (c) Payments under this Section shall be made at least
10 quarterly.

11 Section 30. The Alzheimer's Disease Center Expanded
12 Clinical Fund.

13 (a) Each institution defined as a Qualified Academic
14 Medical Center Hospital - Pre 1996 Designation or as a
15 Qualified Academic Medical Center Hospital - Post 1996
16 Designation shall be eligible for payments from the Alzheimer's
17 Disease Center Expanded Clinical Fund.

18 (b) Appropriations allocated to this Fund shall be divided
19 among the qualifying hospitals. The Department of Public Aid
20 shall calculate payment rates for each hospital qualifying
21 under this Section as follows:

22 (1) Hospitals that are defined as a Qualifying Academic
23 Medical Center Hospital - Pre 1996 Designation shall be
24 paid \$13.90 for each Medicaid inpatient day of care.

25 (2) Hospitals that are defined as a Qualifying Academic
26 Medical Center Hospital - Post 1996 Designation and do not
27 meet the Pre 1996 Designation criterion, shall be paid
28 \$10.75 for each Medicaid inpatient day of care.

29 (3) Hospitals that qualify under the Pre and Post 1996
30 Designation shall qualify for payments under this Section
31 according to the payment guidelines for Pre 1996 Designated
32 hospitals.

33 (4) No qualifying hospital shall receive payments
34 under this Section that exceed \$300,000.

35 (c) Payments under this Section shall be made at least

1 quarterly.

2 Section 35. The Alzheimer's Disease Center Independent
3 Clinical Fund.

4 (a) Each institution defined as a Qualified Academic
5 Medical Center Hospital - Pre 1996 Designation or as a
6 Qualified Academic Medical Center Hospital - Post 1996
7 Designation may be eligible for payments from the Alzheimer's
8 Disease Center Independent Clinical Fund.

9 (b) Appropriations allocated to this Fund shall be
10 allocated to specific Qualified Academic Medical Center
11 Hospitals (either Pre 1996 or Post 1996 Designation) for
12 specific and unique clinical/research projects as determined
13 by the General Assembly.

14 (c) Payments under this Section shall be made at least
15 quarterly.

16 Section 40. Use of funds. Reimbursement for medical
17 services under this Act eligible for federal financial
18 participation under Title XIX of the Social Security Act shall
19 be used for the following 6 general purposes:

20 (1) Clinical Care. Funds disbursed to each Qualified
21 Academic Medical Center Hospital (either Pre 1996 or Post
22 1996 Designation) must be used to support clinical care for
23 affected persons and their families. In addition to
24 providing clinical care, the Qualified Academic Medical
25 Center Hospitals (either Pre 1996 or Post 1996 Designation)
26 shall serve as models of multi-disciplinary diagnostic and
27 treatment facilities for Alzheimer's disease and other
28 dementias.

29 (2) Underserved Community Outreach. Funds disbursed to
30 each Qualified Academic Medical Center Hospital (either
31 Pre 1996 or Post 1996 Designation) must be used to support
32 some type of outreach program in underserved communities.

33 (3) Research. Funds disbursed to each Qualified
34 Academic Medical Center Hospital (either Pre 1996 or Post

1 1996 Designation) must be used to support research on aging
2 and dementia.

3 (4) Education. Funds disbursed to each Qualified
4 Academic Medical Center Hospital (either Pre 1996 or Post
5 1996 Designation) must be used to support education
6 regarding aging and dementia.

7 (5) Brain Bank. Funds should be used by each Qualified
8 Academic Medical Center Hospital (either Pre 1996 or Post
9 1996 Designation) to support a brain banking program.

10 (6) Administration. Funds, as needed, may be used to
11 cover administrative costs, facility costs, and other
12 costs commonly incurred by clinical, research, and
13 educational programs according to the rules governing each
14 Qualified Academic Medical Center Hospital (either Pre
15 1996 or Post 1996 Designation).

16 Section 45. Payment of funds. The Comptroller shall
17 disburse all funds appropriated to the Alzheimer's Disease
18 Center Clinical Fund, the Alzheimer's Disease Center Expanded
19 Clinical Fund, and the Alzheimer's Disease Center Independent
20 Clinical Fund to the appropriate Qualified Academic Medical
21 Center Hospitals (either Pre 1996 or Post 1996 Designation) as
22 the funds are appropriated by the General Assembly and come due
23 under this Act. The payment of these funds shall be made
24 through the Department of Public Aid.

25 Section 50. Reporting requirements. Qualified Academic
26 Medical Center Hospitals (either Pre 1996 or Post 1996
27 Designation) receiving payments from the Alzheimer's Disease
28 Center Clinical Fund, the Alzheimer's Disease Center Expanded
29 Clinical Fund, or the Alzheimer's Disease Center Independent
30 Clinical Fund shall submit annual reports to the Department of
31 Public Health and the ADA Advisory Committee.

32 Section 55. Payment methodology. The Department of Public
33 Aid shall promulgate rules necessary to make payments to the

1 Qualifying Academic Medical Center Hospitals (either Pre 1996
2 or Post 1996 Designation) utilizing a reimbursement
3 methodology consistent with this Act for distribution of all
4 moneys from the funds in a manner that would help ensure these
5 funds could be matchable to the maximum extent possible under
6 Title XIX of the Social Security Act.

7 Section 60. Reimbursements of payments by the State.
8 Nothing in this Act may be used to reduce reimbursements or
9 payments by the State to a Qualifying Academic Medical Center
10 Hospital (either Pre 1996 or Post 1996 Designation) under any
11 other Act.

12 Section 65. Contravention of law. Funds received under this
13 Act shall not be used in contravention of any law of this
14 State.

15 Section 900. The Department of Public Health Powers and
16 Duties Law of the Civil Administrative Code of Illinois is
17 amended by changing Section 2310-215 as follows:

18 (20 ILCS 2310/2310-215) (was 20 ILCS 2310/55.62)

19 Sec. 2310-215. Center for Minority Health Services.

20 (a) The Department shall establish a Center for Minority
21 Health Services to advise the Department on matters pertaining
22 to the health needs of minority populations within the State.

23 (b) The Center shall have the following duties:

24 (1) To assist in the assessment of the health needs of
25 minority populations in the State.

26 (2) To recommend treatment methods and programs that
27 are sensitive and relevant to the unique linguistic,
28 cultural, and ethnic characteristics of minority
29 populations.

30 (3) To provide consultation, technical assistance,
31 training programs, and reference materials to service
32 providers, organizations, and other agencies.

1 (4) To promote awareness of minority health concerns,
2 and encourage, promote, and aid in the establishment of
3 minority services.

4 (5) To disseminate information on available minority
5 services.

6 (6) To provide adequate and effective opportunities
7 for minority populations to express their views on
8 Departmental policy development and program
9 implementation.

10 (7) To coordinate with the Department on Aging and the
11 Department of Public Aid to coordinate services designed to
12 meet the needs of minority senior citizens.

13 (8) To promote awareness of the incidence of
14 Alzheimer's disease and related dementias among minority
15 populations and to encourage, promote, and aid in the
16 establishment of prevention and treatment programs and
17 services relating to this health problem.

18 (c) For the purpose of this Section, "minority" shall mean
19 and include any person or group of persons who are:

20 (1) African-American (a person having origins in any of
21 the black racial groups in Africa);

22 (2) Hispanic (a person of Spanish or Portuguese culture
23 with origins in Mexico, South or Central America, or the
24 Caribbean Islands, regardless of race);

25 (3) Asian American (a person having origins in any of
26 the original peoples of the Far East, Southeast Asia, the
27 Indian Subcontinent or the Pacific Islands); or

28 (4) American Indian or Alaskan Native (a person having
29 origins in any of the original peoples of North America).

30 (Source: P.A. 91-239, eff. 1-1-00.)

31 Section 905. The State Finance Act is amended by adding
32 Sections 5.625, 5.626, and 5.627 as follows:

33 (30 ILCS 105/5.625 new)

34 Sec. 5.625. The Alzheimer's Disease Center Clinical Fund.

1 (30 ILCS 105/5.626 new)

2 Sec. 5.626. The Alzheimer's Disease Center Expanded
3 Clinical Fund.

4 (30 ILCS 105/5.627 new)

5 Sec. 5.627. The Alzheimer's Disease Center Independent
6 Clinical Fund.

7 Section 910. The Alzheimer's Disease Assistance Act is
8 amended by changing Sections 2, 6, and 7 as follows:

9 (410 ILCS 405/2) (from Ch. 111 1/2, par. 6952)

10 Sec. 2. Policy declaration. The General Assembly finds that
11 Alzheimer's disease and related disorders are devastating
12 health conditions which destroy certain vital cells of the
13 brain and which affect an estimated 4,500,000 ~~1,500,000~~
14 Americans. This means that approximately 200,000 ~~111,000~~
15 Illinois citizens are victims. The General Assembly also finds
16 that 50% of all nursing home admissions in the State may be
17 attributable to the Alzheimer's disease and related disorders
18 and that these conditions are the fourth leading cause of death
19 among the elderly. It is the opinion of the General Assembly
20 that Alzheimer's disease and related disorders cause serious
21 financial, social and emotional hardships on the victims and
22 their families of such a major consequence that it is essential
23 for the State to develop and implement policies, plans,
24 programs and services to alleviate such hardships.

25 The General Assembly recognizes that there is no known
26 cause or cure of Alzheimer's disease at this time, and that it
27 can progress over an extended period of time and to such a
28 degree that the victim's deteriorated condition makes him or
29 her susceptible to other medical disorders that generally prove
30 fatal. It is the intent of the General Assembly, through
31 implementation of this Act, to establish a program for the
32 conduct of research regarding the cause, cure and treatment of

1 Alzheimer's disease and related disorders; and, through the
2 establishment of Regional Alzheimer's Disease Assistance
3 Centers and a comprehensive, Statewide system of regional and
4 community-based services, to provide for the identification,
5 evaluation, diagnosis, referral and treatment of victims of
6 such health problems.

7 (Source: P.A. 85-1209.)

8 (410 ILCS 405/6) (from Ch. 111 1/2, par. 6956)

9 Sec. 6. ADA Advisory Committee. There is created the
10 Alzheimer's Disease Advisory Committee consisting of 21 voting
11 members appointed by the Director of the Department, as well as
12 5 nonvoting members as hereinafter provided in this Section.
13 The Director or his designee shall serve as one of the 21
14 voting members and as the Chairman of the Committee. Those
15 appointed as voting members shall include persons who are
16 experienced in research and the delivery of services to victims
17 and their families. Such members shall include 4 physicians
18 licensed to practice medicine in all of its branches, one
19 representative of a postsecondary educational institution
20 which administers or is affiliated with a medical center in the
21 State, one representative of a licensed hospital, one
22 registered nurse, one representative of a long term care
23 facility under the Nursing Home Care Act, one representative of
24 an area agency on aging as defined by Section 3.07 of the
25 Illinois Act on the Aging, one social worker, one
26 representative of an organization established under the
27 Illinois Insurance Code for the purpose of providing health
28 insurance, 5 family members or representatives of victims of
29 Alzheimer's disease and related disorders, and 4 members of the
30 general public. Among the physician appointments shall be
31 persons with specialties in the fields of neurology, family
32 medicine, psychiatry and pharmacology. Among the general
33 public members, at least 2 appointments shall include persons
34 65 years of age or older.

35 In addition to the 21 voting members, the Secretary of

1 Human Services (or his or her designee) and one additional
2 representative of the Department of Human Services designated
3 by the Secretary plus the Directors of the following State
4 agencies or their designees shall serve as nonvoting members:
5 Department on Aging, Department of Public Aid, and Guardianship
6 and Advocacy Commission.

7 Each voting member appointed by the Director of Public
8 Health shall serve for a term of 2 years, and until his
9 successor is appointed and qualified. Members of the Committee
10 shall not be compensated but shall be reimbursed for expenses
11 actually incurred in the performance of their duties. No more
12 than 11 voting members may be of the same political party.
13 Vacancies shall be filled in the same manner as original
14 appointments.

15 The Committee shall review all State programs and services
16 provided by State agencies that are directed toward persons
17 with Alzheimer's disease and related dementias, and recommend
18 changes to improve the State's response to this serious health
19 problem.

20 (Source: P.A. 89-507, eff. 7-1-97.)

21 (410 ILCS 405/7) (from Ch. 111 1/2, par. 6957)

22 Sec. 7. Regional ADA center funding. Pursuant to
23 appropriations enacted by the General Assembly, the Department
24 shall provide funds to hospitals affiliated with each Regional
25 ADA Center for necessary research and for the development and
26 maintenance of services for victims of Alzheimer's disease and
27 related disorders and their families. For the fiscal year
28 beginning July 1, 2003, and each year thereafter, the
29 Department shall effect payments under this Section to
30 hospitals affiliated with each Regional ADA Center through the
31 Illinois Department of Public Aid under the Excellence in
32 Alzheimer's Disease Center Treatment Act. The Department of
33 Public Aid shall annually report to the Advisory Committee
34 established under this Act regarding the funding of centers
35 under this Act. The Department shall include the annual

1 expenditures for this purpose in the plan required by Section 5
2 of this Act.

3 (Source: P.A. 93-20, eff. 6-20-03.)

4 Section 999. Effective date. This Act takes effect upon
5 becoming law.