



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 103

2 AMENDMENT NO. _____. Amend Senate Bill 103 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5B-8 and by adding Section 5-31 as follows:

6 (305 ILCS 5/5-31 new)

7 Sec. 5-31. Personal needs allowance. The minimum monthly
8 personal needs allowance, as authorized under Section 1902 (g)
9 of Title XIX of the Social Security Act, for a resident who is
10 determined to be eligible for medical assistance under this
11 Article and who is living in a long-term care facility
12 participating in the medical assistance program, shall be \$50.

13 (305 ILCS 5/5B-8) (from Ch. 23, par. 5B-8)

14 Sec. 5B-8. Long-Term Care Provider Fund.

15 (a) There is created in the State Treasury the Long-Term

1 Care Provider Fund. Interest earned by the Fund shall be
2 credited to the Fund. The Fund shall not be used to replace any
3 moneys appropriated to the Medicaid program by the General
4 Assembly.

5 (b) The Fund is created for the purpose of receiving and
6 disbursing moneys in accordance with this Article.
7 Disbursements from the Fund shall be made only as follows:

8 (1) For payments to nursing facilities, including
9 county nursing facilities but excluding State-operated
10 facilities, under Title XIX of the Social Security Act and
11 Article V of this Code.

12 (2) For the reimbursement of moneys collected by the
13 Illinois Department through error or mistake.

14 (3) For payment of administrative expenses incurred by
15 the Illinois Department or its agent in performing the
16 activities authorized by this Article.

17 (3.5) For reimbursement of expenses incurred by
18 long-term care facilities, and payment of administrative
19 expenses incurred by the Department of Public Health, in
20 relation to the conduct and analysis of background checks
21 for identified offenders under the Nursing Home Care Act.

22 (4) For payments of any amounts that are reimbursable
23 to the federal government for payments from this Fund that
24 are required to be paid by State warrant.

25 (5) For making transfers to the General Obligation Bond
26 Retirement and Interest Fund, as those transfers are

1 authorized in the proceedings authorizing debt under the
2 Short Term Borrowing Act, but transfers made under this
3 paragraph (5) shall not exceed the principal amount of debt
4 issued in anticipation of the receipt by the State of
5 moneys to be deposited into the Fund.

6 (6) For making transfers, at the direction of the
7 Director of the Governor's Office of Management and Budget
8 during each fiscal year beginning on or after July 1, 2011,
9 to other State funds in an annual amount of \$20,000,000 of
10 the tax collected pursuant to this Article for the purpose
11 of enforcement of nursing home standards, support of the
12 ombudsman program, and efforts to expand home and
13 community-based services.

14 (7) For the reimbursement of moneys passed on by
15 facilities for the purpose of increasing the personal needs
16 allowance pursuant to Section 5-31 of this Code.

17 Disbursements from the Fund, other than transfers made
18 pursuant to paragraphs (5) and (6) of this subsection, shall be
19 by warrants drawn by the State Comptroller upon receipt of
20 vouchers duly executed and certified by the Illinois
21 Department.

22 (c) The Fund shall consist of the following:

23 (1) All moneys collected or received by the Illinois
24 Department from the long-term care provider assessment
25 imposed by this Article.

26 (2) All federal matching funds received by the Illinois

1 Department as a result of expenditures made by the Illinois
2 Department that are attributable to moneys deposited in the
3 Fund.

4 (3) Any interest or penalty levied in conjunction with
5 the administration of this Article.

6 (4) (Blank).

7 (5) All other monies received for the Fund from any
8 other source, including interest earned thereon.

9 (Source: P.A. 95-707, eff. 1-11-08; 96-1530, eff. 2-16-11.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."