



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2261

by Rep. Robyn Gabel

SYNOPSIS AS INTRODUCED:

New Act

Creates the Long Term Care Rebalancing Note Act. Provides that every bill, except those bills making a direct appropriation, the purpose or effect of which is (i) to expend any State funds for long term care services or (ii) to expend any State funds for community or home-based alternatives to long term care services, shall have prepared for it prior to second reading in the house of introduction a brief explanatory statement or note which shall include a reliable estimate of the anticipated change in State funding or revenues under its provisions. Provides that for purposes of the Act, revenues include, but are not limited to, changes to revenue received from Federal Medical Assistance Percentage (FMAP). Contains provisions concerning preparation of the note; confidentiality requirements; and other matters. Effective immediately.

LRB098 08115 KTG 38206 b

1 AN ACT concerning State government.

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 Long
5 Term Care Rebalancing Note Act.

6 Section 5. Notes required for certain bills. Every bill,
7 except those bills making a direct appropriation, the purpose
8 or effect of which is (i) to expend any State funds for long
9 term care services or (ii) to expend any State funds for
10 community or home-based alternatives to long term care
11 services, shall have prepared for it prior to second reading in
12 the house of introduction a brief explanatory statement or note
13 which shall include a reliable estimate of the anticipated
14 change in State funding or revenues under its provisions. The
15 statement or note shall also include an explanation of the
16 methodology used to determine the estimated direct and indirect
17 costs or estimated impact on FMAP. These statements or notes
18 shall be known as long term care rebalancing notes.

19 As used in this Act:

20 "Revenues" includes, but is not limited to, changes to
21 revenue received from Federal Medical Assistance Percentage
22 (FMAP).

23 "Long term care rebalancing" has the meaning given to the

1 term in paragraph (1) of Section 50-30 of the State Budget Law
2 of the Civil Administrative Code of Illinois.

3 Section 10. Preparation of notes. The sponsor of each bill
4 referred to in Section 5 shall present a copy of the bill, with
5 his or her request for a long term care rebalancing note, to
6 the State board, commission, department, agency, or other
7 entity which is to receive or expend the appropriation proposed
8 or which is responsible for collection of the revenue proposed
9 to be increased or decreased, or to be levied or provided for.
10 The long term care rebalancing note shall be prepared by that
11 board, commission, department, agency, or other entity and
12 furnished to the sponsor of the bill within 5 calendar days
13 thereafter, except that whenever, because of the complexity of
14 the measure, additional time is required for preparation of the
15 note, the board, commission, department, agency, or other
16 entity may so inform the sponsor of the bill and the sponsor
17 may approve an extension of the time within which the note is
18 to be furnished, not to extend, however, beyond June 15,
19 following the date of the request. Whenever any measure for
20 which a long term care rebalancing note is required affects
21 more than one State board, commission, department, agency, or
22 other entity, the board, commission, department, agency, or
23 other entity most affected by its provisions according to the
24 sponsor shall be responsible for preparation of the note.
25 Whenever any measure for which a long term care rebalancing

1 note is required does not affect a specific board, commission,
2 department, agency, or other entity, the sponsor of the measure
3 shall be responsible for preparation of the long term care
4 rebalancing note.

5 Section 15. Requests for notes. Whenever the sponsor of any
6 measure is of the opinion that no long term care rebalancing
7 note is necessary, any member of either house may thereafter
8 request that a note be obtained, and in such case the matter
9 shall be decided by majority vote of those present and voting
10 in the house of which he or she is a member.

11 Section 20. Contents of notes. The note shall be factual in
12 nature, as brief and concise as may be, and shall provide a
13 reliable estimate in dollars and, in addition, it shall include
14 both the immediate effect and, if determinable or reasonably
15 foreseeable, the long range effect of the measure. If, after
16 careful investigation, it is determined that no dollar estimate
17 is possible, the note shall contain a statement to that effect,
18 setting forth the reasons why no dollar estimate can be given.
19 A brief summary or work sheet of computations used in arriving
20 at long term care rebalancing note figures shall be included.

21 Section 25. Comments; work sheets. No comment or opinion
22 shall be included in the long term care rebalancing note with
23 regard to the merits of the measure for which the note is

1 prepared; however, technical or mechanical defects may be
2 noted. The work sheet shall include, insofar as practicable, a
3 breakdown of the costs or savings upon which any appropriation
4 measure or measure which is expected to cause an expenditure or
5 savings of State funds is based and the expectable direct or
6 indirect increase or decrease in State revenues, as the case
7 may be, including, but not necessarily limited to, FMAP. It
8 shall also include such other information as is required by
9 rules and regulations which may be promulgated by each house of
10 the General Assembly with respect to the preparation of long
11 term care rebalancing notes. The note shall be prepared in
12 quintuplicate, and the name of the State board, commission,
13 department, agency, or other entity preparing it shall appear
14 at the end of the note and the original of both the work sheet
15 and the note shall be signed by the head of the board,
16 commission, department, agency, or other entity or by a
17 responsible representative designated by him or her for the
18 purpose.

19 Section 30. Appearance before committees. The fact that a
20 long term care rebalancing note is prepared for any bill shall
21 not preclude or restrict the appearance before any committee of
22 the General Assembly of any official or authorized employee of
23 any State board, commission, department, agency, or other
24 entity who desires to be heard in support of or in opposition
25 to the measure.

1 Section 35. Amended bills. Whenever any committee of either
2 house reports any bill with an amendment of such nature as will
3 substantially affect the costs to or the revenues of the State
4 as stated in the long term care rebalancing note attached to
5 the measure at the time of its referral to the committee, there
6 shall be included with the report of the committee a statement
7 of the effect of the change proposed by the amendment reported
8 if desired by a majority of the committee. In like manner,
9 whenever any measure is amended on the floor of either house in
10 such manner as to substantially affect the costs thereof or the
11 revenues to be derived thereunder as stated in the long term
12 care rebalancing note attached to the measure prior to such
13 amendment, a majority of that house may propose that no action
14 shall be taken upon the amendment until the sponsor of the
15 amendment presents to the members a statement of the effect of
16 his or her proposed amendment.

17 Section 40. Confidentiality requirements. The subject
18 matter of bills submitted to boards, commissions, departments,
19 agencies, or other entities for preparation of long term care
20 rebalancing notes shall be kept in strict confidence and no
21 information relating thereto or relating to the fiscal effect
22 of any such measure shall be divulged by any official or
23 employee thereof prior to its introduction in the General
24 Assembly.

1 Section 45. Severability. The provisions of this Act are
2 severable and, if any part or provision of this Act is void,
3 the decision of the court so holding shall not affect or impair
4 any of the remaining parts or provisions of this Act.

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