

# HB1435



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1435

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.

LRB100 03145 KTG 13150 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. The  
8 ~~The~~ Department shall establish and provide oversight for a  
9 program of supportive living facilities that seek to promote  
10 resident independence, dignity, respect, and well-being in the  
11 most cost-effective manner.

12 A supportive living facility is either a free-standing  
13 facility or a distinct physical and operational entity within a  
14 nursing facility. A supportive living facility integrates  
15 housing with health, personal care, and supportive services and  
16 is a designated setting that offers residents their own  
17 separate, private, and distinct living units.

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

22 Beginning July 1, 2014, subject to federal approval, the  
23 Medicaid rates for supportive living facilities shall be equal

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

12 The Department may adopt rules to implement this Section.  
13 Rules that establish or modify the services, standards, and  
14 conditions for participation in the program shall be adopted by  
15 the Department in consultation with the Department on Aging,  
16 the Department of Rehabilitation Services, and the Department  
17 of Mental Health and Developmental Disabilities (or their  
18 successor agencies).

19 Facilities or distinct parts of facilities which are  
20 selected as supportive living facilities and are in good  
21 standing with the Department's rules are exempt from the  
22 provisions of the Nursing Home Care Act and the Illinois Health  
23 Facilities Planning Act.

24 (Source: P.A. 98-651, eff. 6-16-14.)