



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4223

by Rep. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.01a

Amends the Illinois Public Aid Code. In a provision concerning the Supportive Living Facilities Program, provides that a supportive living facility includes a distinct physical and operational entity within a mixed-use building that meets certain criteria. Requires the Department of Healthcare and Family Services to accept for certification under the program any application for a site or building where some of the apartments or distinct parts of the site or building are designated for purposes other than the provision of supportive living services, but only if those other apartments or distinct parts of the site or building are not designated for the purpose of providing assisted living services as required under the Assisted Living and Shared Housing Act. Effective immediately.

LRB100 15312 KTG 30257 b

FISCAL NOTE ACT  
MAY APPLY

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

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

21 Sites for the operation of the program shall be selected by  
22 the Department based upon criteria that may include the need  
23 for services in a geographic area, the availability of funding,

1 and the site's ability to meet the standards.

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

15 The Medicaid rates for supportive living facilities  
16 effective on July 1, 2017 must be equal to the rates in effect  
17 for supportive living facilities on June 30, 2017 increased by  
18 2.8%.

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

26 (d) The Department shall accept for certification under the

1 program any application for a site or building where some of  
2 the apartments or distinct parts of the site or building are  
3 designated for purposes other than the provision of supportive  
4 living services, but only if those other apartments or distinct  
5 parts of the site or building are not designated for the  
6 purpose of providing assisted living services as required under  
7 the Assisted Living and Shared Housing Act.

8 (e) Facilities or distinct parts of facilities which are  
9 selected as supportive living facilities and are in good  
10 standing with the Department's rules are exempt from the  
11 provisions of the Nursing Home Care Act and the Illinois Health  
12 Facilities Planning Act.

13 (Source: P.A. 100-23, eff. 7-6-17.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.