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1 AMENDMENT TO HOUSE BILL 5058

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5058 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Act on the Aging is amended by  
5 adding Section 8.08 as follows:

6 (20 ILCS 105/8.08 new)

7 Sec. 8.08. Critical access service areas; Long-term Care  
8 Services for Older Adults Fund.

9 (a) For the purposes of this Section:

10 "Coordinating Committee" means the Housing, Health, and  
11 Supportive Services for Older Adults Coordinating Committee  
12 established in subsection (d) of this Section.

13 "Critical access service area" means an area of the State  
14 that is being underserved with respect to services, on the  
15 basis of being more than 30 minutes travel time under normal  
16 driving conditions from the next nearest provider, or an  
17 underserved area or health professional shortage area served by  
18 a single provider.

19 "Provider" means any supplier of services to an older adult  
20 under this Act.

21 "Services" includes housing, health, and supportive  
22 services.

23 (b) The Director of Aging, in collaboration with the  
24 Director of Public Health and the Director of Public Aid and in

1 consultation with the Coordinating Committee, shall monitor  
2 and analyze the distribution of services for older adults in  
3 each geographic area of the State, identify service deficits or  
4 problems, and designate critical access service areas. By July  
5 1, 2005 and every 5 years thereafter, the Director of Aging  
6 shall submit to the General Assembly an assessment of the  
7 availability of services that identifies service deficits or  
8 problems and includes a plan to address these deficits or  
9 problems.

10 (c) At the end of each State fiscal year, except for  
11 continuing appropriations subject to subsection (b) of Section  
12 25 of the State Finance Act, any unexpended and unreserved  
13 General Revenue Fund appropriations for long-term care for  
14 older adults, including nursing facilities, elderly waivers,  
15 alternative care, and home care services, shall be deposited  
16 into the Long-Term Care Services for Older Adults Fund, a  
17 special fund hereby created in the State treasury that is not  
18 subject to Section 8h of the State Finance Act. Moneys in the  
19 Fund shall be used to fund the following alternative long-term  
20 care services, with priority given to the distribution of funds  
21 for services in critical access service areas:

22 (1) adult day services;

23 (2) home health services;

24 (3) homemaker services;

25 (4) personal care;

26 (5) case management;

27 (6) respite care;

28 (7) services provided under the Assisted Living and  
29 Shared Housing Act, sheltered care services that meet the  
30 requirements of the Assisted Living and Shared Housing Act,  
31 or services provided under Section 5-5.01a of the Public  
32 Aid Code, the Supportive Living Facilities Pilot Program;

33 (8) emergency response services;

34 (9) transition services;

- 1           (10) residential care services;  
2           (11) care-related supplies and equipment;  
3           (12) meals delivered to the home;  
4           (13) congregate meals;  
5           (14) money management;  
6           (15) transportation;  
7           (16) companion services;  
8           (17) nutrition services;  
9           (18) family care services;  
10          (19) training for direct informal caregivers;  
11          (20) telemedicine devices to monitor recipients in  
12          their own homes as an alternative to hospital care, nursing  
13          home care, or home visits;  
14          (21) environmental modifications;  
15          (22) adult day services for persons with Alzheimer's  
16          disease and related dementias;  
17          (23) senior centers; and  
18          (24) other programs designed to assist older  
19          Illinoisans to remain independent and receive services in  
20          the most integrated setting possible for that person.

21          (d) The Housing, Health, and Supportive Services for Older  
22          Adults Coordinating Committee is hereby created. The Committee  
23          shall be comprised of the following:

24                 (1) The Director of Aging or his or her designee, who  
25                 shall serve as chair and shall be an ex officio and  
26                 nonvoting member.

27                 (2) The Director of Public Aid and the Director of  
28                 Public Health, who shall serve as vice-chairs and shall be  
29                 ex officio and nonvoting members.

30                 (3) One representative each of the Department of Public  
31                 Aid, the Department of Public Health, the Department of  
32                 Human Services, the Department of Insurance, the  
33                 Department of Commerce and Economic Affairs, the  
34                 Department on Aging, the Office of the State Ombudsman, and

1 the Illinois Housing Finance Authority, who shall be  
2 appointed by the Governor and shall be nonvoting members.

3 (4) One member appointed by the Governor selected from  
4 the recommendations of the statewide organization  
5 representing the Area Agencies on Aging.

6 (5) Four members appointed by the Governor selected  
7 from the recommendations of statewide provider  
8 organizations whose membership consists of nursing homes  
9 or assisted living establishments.

10 (6) One member appointed by the Governor selected from  
11 the recommendations of the statewide provider organization  
12 whose membership consists of home health agencies.

13 (7) One member appointed by the Governor selected from  
14 the recommendations of the statewide provider organization  
15 whose membership provides case coordination services.

16 (8) Two members appointed by the Governor selected from  
17 the recommendations of statewide senior center  
18 associations.

19 (9) One member appointed by the Governor selected from  
20 the recommendations of statewide provider organizations  
21 whose membership provides community care homemaker  
22 services.

23 (10) One member appointed by the Governor selected from  
24 the recommendations of the statewide provider organization  
25 whose membership provides community care adult day  
26 services.

27 (11) One member appointed by the Governor selected from  
28 the recommendations of the statewide provider organization  
29 representing nutrition project directors.

30 (12) Two members appointed by the Governor selected  
31 from the recommendations of statewide membership based  
32 organizations that engage solely in advocacy or legal  
33 representation on behalf of the senior population.

34 (13) One member appointed by the Governor selected from

1       the recommendations of organizations representing  
2       individuals with Alzheimer's disease and related  
3       dementias.

4       (14) Two members appointed by the Governor selected  
5       from the recommendations of statewide trade or labor  
6       unions.

7       (15) One professional nurse appointed by the Governor  
8       selected from the recommendations of statewide  
9       professional nursing associations.

10       (16) One physician appointed by the Governor  
11       specializing in gerontology selected from the  
12       recommendations of statewide organizations representing  
13       physicians.

14       Members of the Coordinating Committee appointed by the  
15       Governor shall be appointed to serve for terms of 3 years. All  
16       members shall be appointed no later than January 1, 2005. Of  
17       the initial appointees, 6 members shall serve a term of one  
18       year; 6 shall serve for a term of 2 years; and 7 shall serve for  
19       a term of 3 years. A member's term does not expire until a  
20       successor is appointed by the Governor. Any member appointed to  
21       fill a vacancy occurring prior to the expiration of the term  
22       for which his or her predecessor was appointed shall be  
23       appointed for the remainder of that term. The Committee shall  
24       meet at the call of the Chair. The affirmative vote of 10  
25       members of the Coordinating Committee shall be necessary for  
26       committee action. Members of the Coordinating Committee shall  
27       receive no compensation for their services.

28       (e) Nothing in this Section prevents a nursing facility  
29       from being eligible to provide any of the services listed in  
30       subsection (c).

31       Section 10. The State Finance Act is amended by amending  
32       Section 8h and by adding Section 5.625 as follows:

1 (30 ILCS 105/5.625 new)

2 Sec. 5.625. The Long-term Care Services for Older Adults  
3 Fund.

4 (30 ILCS 105/8h)

5 Sec. 8h. Transfers to General Revenue Fund.

6 (a) Except as provided in subsection (b), notwithstanding  
7 ~~Notwithstanding~~ any other State law to the contrary, the  
8 Director of the Governor's Office of Management and Budget may  
9 from time to time direct the State Treasurer and Comptroller to  
10 transfer a specified sum from any fund held by the State  
11 Treasurer to the General Revenue Fund in order to help defray  
12 the State's operating costs for the fiscal year. The total  
13 transfer under this Section from any fund in any fiscal year  
14 shall not exceed the lesser of 8% of the revenues to be  
15 deposited into the fund during that year or 25% of the  
16 beginning balance in the fund. No transfer may be made from a  
17 fund under this Section that would have the effect of reducing  
18 the available balance in the fund to an amount less than the  
19 amount remaining unexpended and unreserved from the total  
20 appropriation from that fund for that fiscal year. This Section  
21 does not apply to any funds that are restricted by federal law  
22 to a specific use or to any funds in the Motor Fuel Tax Fund or  
23 the Hospital Provider Fund. Notwithstanding any other  
24 provision of this Section, the total transfer under this  
25 Section from the Road Fund or the State Construction Account  
26 Fund shall not exceed 5% of the revenues to be deposited into  
27 the fund during that year.

28 In determining the available balance in a fund, the  
29 Director of the Governor's Office of Management and Budget may  
30 include receipts, transfers into the fund, and other resources  
31 anticipated to be available in the fund in that fiscal year.

32 The State Treasurer and Comptroller shall transfer the  
33 amounts designated under this Section as soon as may be

1 practicable after receiving the direction to transfer from the  
2 Director of the Governor's Office of Management and Budget.

3 (b) This Section does not apply to the Long-term Care  
4 Services for Older Adults Fund.

5 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04.)

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