

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 adding Sections 5-5.4d and 5-5.4e as follows:

6 (305 ILCS 5/5-5.4d new)

7 Sec. 5-5.4d. ICF/DD; pass-through of SSI or Social Security
8 increase. For facilities licensed by the Department of Public
9 Health under the Nursing Home Care Act as Intermediate Care for
10 the Developmentally Disabled facilities, in any calendar year
11 in which there is a cost-of-living increase in federal
12 Supplemental Security Income benefits or Social Security
13 Administration payments, the Department of Healthcare and
14 Family Services shall increase the per diem rate paid to those
15 facilities under this Article by an amount equal to the total
16 amount of the increase in Supplemental Security Income benefits
17 or Social Security Administration payments.

18 Notwithstanding any other rulemaking authority that may
19 exist, neither the Governor nor any agency or agency head under
20 the jurisdiction of the Governor has any authority to make or
21 promulgate rules to implement or enforce the provisions of this
22 amendatory Act of the 95th General Assembly. If, however, the
23 Governor believes that rules are necessary to implement or

1 enforce the provisions of this amendatory Act of the 95th
2 General Assembly, the Governor may suggest rules to the General
3 Assembly by filing them with the Clerk of the House and
4 Secretary of the Senate and by requesting that the General
5 Assembly authorize such rulemaking by law, enact those
6 suggested rules into law, or take any other appropriate action
7 in the General Assembly's discretion. Nothing contained in this
8 amendatory Act of the 95th General Assembly shall be
9 interpreted to grant rulemaking authority under any other
10 Illinois statute where such authority is not otherwise
11 explicitly given. For the purposes of this amendatory Act of
12 the 95th General Assembly, "rules" is given the meaning
13 contained in Section 1-70 of the Illinois Administrative
14 Procedure Act, and "agency" and "agency head" are given the
15 meanings contained in Sections 1-20 and 1-25 of the Illinois
16 Administrative Procedure Act to the extent that such
17 definitions apply to agencies or agency heads under the
18 jurisdiction of the Governor.

19 (305 ILCS 5/5-5.4e new)

20 Sec. 5-5.4e. CILA; pass-through of SSI or Social Security
21 increase. For facilities licensed by the Department of Human
22 Services under the Community-Integrated Living Arrangements
23 Licensure and Certification Act, in any calendar year in which
24 there is a cost-of-living increase in federal Supplemental
25 Security Income benefits or Social Security Administration

1 payments, the Department of Healthcare and Family Services
2 shall increase the per diem rate paid to those facilities under
3 this Article by an amount equal to the total amount of the
4 increase in Supplemental Security Income benefits or Social
5 Security Administration payments.

6 Notwithstanding any other rulemaking authority that may
7 exist, neither the Governor nor any agency or agency head under
8 the jurisdiction of the Governor has any authority to make or
9 promulgate rules to implement or enforce the provisions of this
10 amendatory Act of the 95th General Assembly. If, however, the
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22 explicitly given. For the purposes of this amendatory Act of
23 the 95th General Assembly, "rules" is given the meaning
24 contained in Section 1-70 of the Illinois Administrative
25 Procedure Act, and "agency" and "agency head" are given the
26 meanings contained in Sections 1-20 and 1-25 of the Illinois

1 Administrative Procedure Act to the extent that such
2 definitions apply to agencies or agency heads under the
3 jurisdiction of the Governor.

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