

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Essential Support Person Act is amended by
5 changing Section 5 as follows:

6 (210 ILCS 175/5)

7 Sec. 5. Definitions. In this Act:

8 "Department" means the Department of Public Health or,
9 with respect to community-integrated living arrangements, as
10 defined in the Community-Integrated Living Arrangements
11 Licensure and Certification Act, the Department of Human
12 Services.

13 "Essential support" means support that includes, but is
14 not limited to:

15 (1) assistance with activities of daily living; and

16 (2) physical, emotional, psychological, and
17 socialization support for the resident.

18 "Facility" means any of the following: a facility as
19 defined in Section 10 of the Alzheimer's Disease and Related
20 Dementias Special Care Disclosure Act; an assisted living
21 establishment or shared housing establishment as defined in
22 Section 10 of the Assisted Living and Shared Housing Act; a
23 Community Living Facility as defined in Section 3 of the

1 Community Living Facilities Licensing Act; a facility as
2 defined in Section 2 of the Life Care Facilities Act; a
3 continuum of care facility as defined in Section 10 of the
4 Continuum of Care Services for the Developmentally Disabled
5 Act; a facility as defined in Section 1-113 of the Nursing Home
6 Care Act; a MC/DD facility as defined in Section 1-113 of the
7 MC/DD Act; an ID/DD facility as defined in Section 1-113 of the
8 ID/DD Community Care Act; a hospice program as defined in
9 Section 3 of the Hospice Program Licensing Act; a Supportive
10 Residence as defined in Section 10 of the Supportive
11 Residences Licensing Act; a facility as defined in Section
12 1-102 of the Specialized Mental Health Rehabilitation Act of
13 2013; a home, institution, or other place operated by or under
14 the authority of the Department of Veterans' Affairs; an
15 Alzheimer's disease management center alternative health care
16 model under the Alternative Health Care Delivery Act; and a
17 home, institution, or other place that is a State-operated
18 mental health or developmental disability center or facility.
19 "Facility" does not include a hospital as defined in the
20 Hospital Licensing Act or any hospital authorized under the
21 University of Illinois Hospital Act. "Facility" does not
22 include any facility that the Department of Public Health or
23 the Department of Veterans' Affairs does not regulate.

24 "Home" means a community-integrated living arrangement as
25 defined in the Community-Integrated Living Arrangements
26 Licensure and Certification Act.

1 "Office" means the Office of State Long Term Care
2 Ombudsman.

3 "Person-centered care plan" means a care plan for a
4 resident developed by the resident or resident's
5 representative in consultation with health professionals that
6 focuses on the resident's physical, emotional, psychological,
7 and socialization needs and describes the resident's right to
8 designate a primary essential support person or secondary
9 essential support person.

10 "Primary essential support person" means a person
11 designated by a resident, or the resident's representative,
12 who has access to the resident in accordance with rules set by
13 the Department to provide essential support according to the
14 resident's person-centered care plan.

15 "Resident" means a person who is living in a facility or
16 home or is seeking admission to a facility or home. "Resident"
17 includes a guardian of the person or an agent for the person
18 under a power of attorney.

19 "Secondary essential support person" means a person
20 designated by the resident, or the resident's representative,
21 to serve as a backup to a primary essential support person.

22 (Source: P.A. 103-261, eff. 6-30-23.)