



Sen. Doris Turner

**Filed: 3/3/2025**

10400SB0084sam001

LRB104 06084 BAB 22967 a

1 AMENDMENT TO SENATE BILL 84

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 84 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Assisted Living and Shared Housing Act is  
5 amended by adding Section 151 as follows:

6 (210 ILCS 9/151 new)

7 Sec. 151. Automated external defibrillators. The  
8 administrator of an assisted living or shared housing  
9 establishment shall ensure the establishment has an automated  
10 external defibrillator and policies and procedures for the  
11 rendering of automated external defibrillation in the  
12 establishment.

13 (1) All persons certified to provide automated  
14 external defibrillation shall:

15 (A) successfully complete a course in  
16 cardiopulmonary resuscitation and in the use of an

1           automated external defibrillator that meets or exceeds  
2           the standards established by the American Heart  
3           Association or the American National Red Cross; and

4           (B) have evidence that course completion is  
5           current and not expired.

6           (2) The establishment shall provide maintenance and  
7           oversight of the automated external defibrillator in  
8           accordance with the Automated External Defibrillator Act  
9           and develop policies and procedures consistent with  
10           current medical practice regarding the use of automated  
11           external defibrillators.

12           Section 10. The Nursing Home Care Act is amended by adding  
13           Section 2-213.5 as follows:

14           (210 ILCS 45/2-213.5 new)

15           Sec. 2-213.5. Automated external defibrillators. The  
16           administrator of a nursing facility shall ensure the facility  
17           has an automated external defibrillator and policies and  
18           procedures for the rendering of automated external  
19           defibrillation in the facility.

20           (1) All persons certified to provide automated  
21           external defibrillation shall:

22           (A) successfully complete a course in  
23           cardiopulmonary resuscitation and in the use of an  
24           automated external defibrillator that meets or exceeds

1           the standards established by the American Heart  
2           Association or the American National Red Cross; and

3           (B) have evidence that course completion is  
4           current and not expired.

5           (2) The facility shall provide maintenance and  
6           oversight of the automated external defibrillator in  
7           accordance with the Automated External Defibrillator Act  
8           and develop policies and procedures consistent with  
9           current medical practice regarding the use of automated  
10          external defibrillators.

11          Section 15. The MC/DD Act is amended by adding Section  
12          2-219 as follows:

13           (210 ILCS 46/2-219 new)

14          Sec. 2-219. Automated external defibrillators. The  
15          administrator of a facility shall ensure the facility has an  
16          automated external defibrillator and policies and procedures  
17          for the rendering of automated external defibrillation in the  
18          facility.

19          (1) All persons certified to provide automated  
20          external defibrillation shall:

21           (A) successfully complete a course in  
22           cardiopulmonary resuscitation and in the use of an  
23           automated external defibrillator that meets or exceeds  
24           the standards established by the American Heart

1 Association or the American National Red Cross; and

2 (B) have evidence that course completion is  
3 current and not expired.

4 (2) The facility shall provide maintenance and  
5 oversight of the automated external defibrillator in  
6 accordance with the Automated External Defibrillator Act  
7 and develop policies and procedures consistent with  
8 current medical practice regarding the use of automated  
9 external defibrillators.

10 Section 20. The ID/DD Community Care Act is amended by  
11 adding Section 2-219 as follows:

12 (210 ILCS 47/2-219 new)

13 Sec. 2-219. Automated external defibrillators. The  
14 administrator of a facility with 40 beds or more shall ensure  
15 the facility has an automated external defibrillator and  
16 policies and procedures for the rendering of automated  
17 external defibrillation in the facility.

18 (1) All persons certified to provide automated  
19 external defibrillation shall:

20 (A) successfully complete a course in  
21 cardiopulmonary resuscitation and in the use of an  
22 automated external defibrillator that meets or exceeds  
23 the standards established by the American Heart  
24 Association or the American National Red Cross; and

1           (B) have evidence that course completion is  
2           current and not expired.

3           (2) The facility shall provide maintenance and  
4           oversight of the automated external defibrillator in  
5           accordance with the Automated External Defibrillator Act  
6           and develop policies and procedures consistent with  
7           current medical practice regarding the use of automated  
8           external defibrillators.

9           Section 25. The Illinois Public Aid Code is amended by  
10          changing Section 5-5.01a as follows:

11           (305 ILCS 5/5-5.01a)

12           Sec. 5-5.01a. Supportive living facilities program.

13           (a) The Department shall establish and provide oversight  
14          for a program of supportive living facilities that seek to  
15          promote resident independence, dignity, respect, and  
16          well-being in the most cost-effective manner.

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

24           Sites for the operation of the program shall be selected

1 by the Department based upon criteria that may include the  
2 need for services in a geographic area, the availability of  
3 funding, and the site's ability to meet the standards.

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

17 The Medicaid rates for supportive living facilities  
18 effective on July 1, 2017 must be equal to the rates in effect  
19 for supportive living facilities on June 30, 2017 increased by  
20 2.8%.

21 The Medicaid rates for supportive living facilities  
22 effective on July 1, 2018 must be equal to the rates in effect  
23 for supportive living facilities on June 30, 2018.

24 Subject to federal approval, the Medicaid rates for  
25 supportive living services on and after July 1, 2019 must be at  
26 least 54.3% of the average total nursing facility services per

1 diem for the geographic areas defined by the Department while  
2 maintaining the rate differential for dementia care and must  
3 be updated whenever the total nursing facility service per  
4 diems are updated. Beginning July 1, 2022, upon the  
5 implementation of the Patient Driven Payment Model, Medicaid  
6 rates for supportive living services must be at least 54.3% of  
7 the average total nursing services per diem rate for the  
8 geographic areas. For purposes of this provision, the average  
9 total nursing services per diem rate shall include all add-ons  
10 for nursing facilities for the geographic area provided for in  
11 Section 5-5.2. The rate differential for dementia care must be  
12 maintained in these rates and the rates shall be updated  
13 whenever nursing facility per diem rates are updated.

14 Subject to federal approval, beginning January 1, 2024,  
15 the dementia care rate for supportive living services must be  
16 no less than the non-dementia care supportive living services  
17 rate multiplied by 1.5.

18 (b-5) Subject to federal approval, beginning January 1,  
19 2025, Medicaid rates for supportive living services must be at  
20 least 54.75% of the average total nursing services per diem  
21 rate for the geographic areas defined by the Department and  
22 shall include all add-ons for nursing facilities for the  
23 geographic area provided for in Section 5-5.2.

24 (c) The Department may adopt rules to implement this  
25 Section. Rules that establish or modify the services,  
26 standards, and conditions for participation in the program

1 shall be adopted by the Department in consultation with the  
2 Department on Aging, the Department of Rehabilitation  
3 Services, and the Department of Mental Health and  
4 Developmental Disabilities (or their successor agencies).

5 (d) Subject to federal approval by the Centers for  
6 Medicare and Medicaid Services, the Department shall accept  
7 for consideration of certification under the program any  
8 application for a site or building where distinct parts of the  
9 site or building are designated for purposes other than the  
10 provision of supportive living services, but only if:

11 (1) those distinct parts of the site or building are  
12 not designated for the purpose of providing assisted  
13 living services as required under the Assisted Living and  
14 Shared Housing Act;

15 (2) those distinct parts of the site or building are  
16 completely separate from the part of the building used for  
17 the provision of supportive living program services,  
18 including separate entrances;

19 (3) those distinct parts of the site or building do  
20 not share any common spaces with the part of the building  
21 used for the provision of supportive living program  
22 services; and

23 (4) those distinct parts of the site or building do  
24 not share staffing with the part of the building used for  
25 the provision of supportive living program services.

26 (e) Facilities or distinct parts of facilities which are

1 selected as supportive living facilities and are in good  
2 standing with the Department's rules are exempt from the  
3 provisions of the Nursing Home Care Act and the Illinois  
4 Health Facilities Planning Act.

5 (f) Section 9817 of the American Rescue Plan Act of 2021  
6 (Public Law 117-2) authorizes a 10% enhanced federal medical  
7 assistance percentage for supportive living services for a  
8 12-month period from April 1, 2021 through March 31, 2022.  
9 Subject to federal approval, including the approval of any  
10 necessary waiver amendments or other federally required  
11 documents or assurances, for a 12-month period the Department  
12 must pay a supplemental \$26 per diem rate to all supportive  
13 living facilities with the additional federal financial  
14 participation funds that result from the enhanced federal  
15 medical assistance percentage from April 1, 2021 through March  
16 31, 2022. The Department may issue parameters around how the  
17 supplemental payment should be spent, including quality  
18 improvement activities. The Department may alter the form,  
19 methods, or timeframes concerning the supplemental per diem  
20 rate to comply with any subsequent changes to federal law,  
21 changes made by guidance issued by the federal Centers for  
22 Medicare and Medicaid Services, or other changes necessary to  
23 receive the enhanced federal medical assistance percentage.

24 (g) All applications for the expansion of supportive  
25 living dementia care settings involving sites not approved by  
26 the Department by January 1, 2024 ~~(Public Act 103-102)~~ may

1 allow new elderly non-dementia units in addition to new  
2 dementia care units. The Department may approve such  
3 applications only if the application has: (1) no more than one  
4 non-dementia care unit for each dementia care unit and (2) the  
5 site is not located within 4 miles of an existing supportive  
6 living program site in Cook County (including the City of  
7 Chicago), not located within 12 miles of an existing  
8 supportive living program site in Alexander, Bond, Boone,  
9 Calhoun, Champaign, Clinton, DeKalb, DuPage, Fulton, Grundy,  
10 Henry, Jackson, Jersey, Johnson, Kane, Kankakee, Kendall,  
11 Lake, Macon, Macoupin, Madison, Marshall, McHenry, McLean,  
12 Menard, Mercer, Monroe, Peoria, Piatt, Rock Island, Sangamon,  
13 Stark, St. Clair, Tazewell, Vermilion, Will, Williamson,  
14 Winnebago, or Woodford counties, or not located within 25  
15 miles of an existing supportive living program site in any  
16 other county.

17 (h) Beginning January 1, 2025, subject to federal  
18 approval, for a person who is a resident of a supportive living  
19 facility under this Section, the monthly personal needs  
20 allowance shall be \$120 per month.

21 (i) ~~(h)~~ As stated in the supportive living program home  
22 and community-based service waiver approved by the federal  
23 Centers for Medicare and Medicaid Services, and beginning July  
24 1, 2025, the Department must maintain the rate add-on  
25 implemented on January 1, 2023 for the provision of 2 meals per  
26 day at no less than \$6.15 per day.

1        (j) ~~(f)~~ Subject to federal approval, the Department shall  
2 allow a certified medication aide to administer medication in  
3 a supportive living facility. For purposes of this subsection,  
4 "certified medication aide" means a person who has met the  
5 qualifications for certification under Section 79 of the  
6 Assisted Living and Shared Housing Act and assists with  
7 medication administration while under the supervision of a  
8 registered professional nurse as authorized by Section 50-75  
9 of the Nurse Practice Act. The Department may adopt rules to  
10 implement this subsection.

11        (k) The administrator of a supportive living facility  
12 shall ensure the facility has an automated external  
13 defibrillator and policies and procedures for the rendering of  
14 automated external defibrillation in the facility.

15            (1) All persons certified to provide automated  
16 external defibrillation shall:

17                    (A) successfully complete a course in  
18 cardiopulmonary resuscitation and in the use of an  
19 automated external defibrillator that meets or exceeds  
20 the standards established by the American Heart  
21 Association or the American National Red Cross; and

22                    (B) have evidence that course completion is  
23 current and not expired.

24            (2) The facility shall provide maintenance and  
25 oversight of the automated external defibrillator in  
26 accordance with the Automated External Defibrillator Act

1       and develop policies and procedures consistent with  
2       current medical practice regarding the use of automated  
3       external defibrillators.

4       (Source: P.A. 102-43, eff. 7-6-21; 102-699, eff. 4-19-22;  
5       103-102, Article 20, Section 20-5, eff. 1-1-24; 103-102,  
6       Article 100, Section 100-5, eff. 1-1-24; 103-593, Article 15,  
7       Section 15-5, eff. 6-7-24; 103-593, Article 100, Section  
8       100-5, eff. 6-7-24; 103-593, Article 165, Section 165-5, eff.  
9       6-7-24; 103-605, eff. 7-1-24; 103-886, eff. 8-9-24; revised  
10      10-8-24.)".