



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3499

Introduced 2/14/2020, by Sen. Heather A. Steans

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45.1 new
305 ILCS 5/5-5.4k new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that for facilities licensed by the Department of Public Health as ID/DD facilities or MC/DD facilities, the rates and reimbursements taking effect within 30 days after the effective date of the amendatory Act shall be sufficient to fund a per hour wage increase for non-executive front line personnel to ensure that the wages and benefits paid to non-executive front-line personnel at ID/DD and MC/DD facilities are equal to the wages and benefits paid to non-executive front-line personnel at community-based provider organizations serving individuals with developmental disabilities. Provides that the term "non-executive front-line personnel" includes, but is not limited to, direct support persons, aides, front-line supervisors, qualified intellectual disabilities professionals, nurses, and non-administrative support staff. Requires the Department of Healthcare and Family Services to adopt rules. Amends the Illinois Administrative Procedure Act. Permits the Department of Healthcare and Family Services to adopt emergency rules to implement the provisions of the amendatory Act. Effective immediately.

LRB101 19824 KTG 69342 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 1. The Illinois Administrative Procedure Act is
5 amended by adding Section 5-45.1 as follows:

6 (5 ILCS 100/5-45.1 new)

7 Sec. 5-45.1. Emergency rulemaking; Department of
8 Healthcare and Family Services. To provide for the expeditious
9 and timely implementation of Section 5-5.4k of the Illinois
10 Public Aid Code, emergency rules may be adopted in accordance
11 with Section 5-45 by the Department of Healthcare and Family
12 Services. The adoption of emergency rules authorized by Section
13 5-45 and this Section is deemed to be necessary for the public
14 interest, safety, and welfare.

15 This Section is repealed on January 1, 2026.

16 Section 5. The Illinois Public Aid Code is amended by
17 adding Section 5-5.4k as follows:

18 (305 ILCS 5/5-5.4k new)

19 Sec. 5-5.4k. Rates and reimbursements; ID/DD and MC/DD
20 facilities. Notwithstanding any other provision of this Code,
21 for facilities licensed by the Department of Public Health

1 under the ID/DD Community Care Act as ID/DD facilities and
2 under the MC/DD Act as MC/DD facilities, the rates and
3 reimbursements taking effect within 30 days after the effective
4 date of this amendatory Act of the 101st General Assembly shall
5 be sufficient to fund a per hour wage increase for
6 non-executive front line personnel to ensure that the wages and
7 benefits paid to non-executive front-line personnel at ID/DD
8 and MC/DD facilities are equal to the wages and benefits paid
9 to non-executive front-line personnel at community-based
10 provider organizations serving individuals with developmental
11 disabilities. As used in this Section, "front-line personnel"
12 includes, but is not limited to, direct support persons, aides,
13 front-line supervisors, qualified intellectual disabilities
14 professionals, nurses, and non-administrative support staff.
15 The Department shall adopt rules, including emergency rules
16 under the Illinois Administrative Procedure Act, to implement
17 the provisions of this Section.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.