



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5908

Introduced 11/12/2024, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

20 ILCS 105/7.09
20 ILCS 105/8.10

from Ch. 23, par. 6107.09

Amends the Illinois Act on the Aging. In provisions setting forth the powers and duties of the Illinois Commission on LGBTQ Aging, requires the Commission to prepare and submit an annual report (rather than a First Report) to the Governor, the Illinois General Assembly, the Director, and the Illinois Council on Aging that details the progress made toward its stated objectives. Provides that the annual report shall be made public on the Department on Aging's website. Requires the Commission to submit, no later than March 30, 2028, a Final Report (rather than a Second Report by March 30, 2025) in the same manner as the annual report detailing the work the Commission has done since its inception and providing findings and recommendations, including any recommended legislation. Permits the Department and the Commission to collaborate with any institution of higher education in Illinois to compile any required reports. Extends the repealer date for the amendatory provision to May 16, 2028 (rather than May 16, 2025).

LRB103 43188 KTG 76452 b

1 AN ACT concerning aging.

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

4 Section 5. The Illinois Act on the Aging is amended by
5 changing Sections 7.09 and 8.10 as follows:

6 (20 ILCS 105/7.09) (from Ch. 23, par. 6107.09)

7 Sec. 7.09. The Council shall have the following powers and
8 duties:

9 (1) review and comment upon reports of the Department
10 to the Governor and the General Assembly;

11 (2) prepare and submit to the Governor, the General
12 Assembly and the Director an annual report evaluating the
13 level and quality of all programs, services and facilities
14 provided to the aging by State agencies;

15 (3) review and comment upon the comprehensive state
16 plan prepared by the Department;

17 (4) review and comment upon disbursements by the
18 Department of public funds to private agencies;

19 (5) recommend candidates to the Governor for
20 appointment as Director of the Department;

21 (6) consult with the Director regarding the operations
22 of the Department; and

23 (7) review and support implementation of the

1 Commission's recommendations as identified in the
2 Commission's Final ~~Second~~ Report, which shall be issued no
3 later than March 30, 2028 ~~2025~~.

4 The requirement for reporting to the General Assembly
5 shall be satisfied by filing copies of the report as required
6 by Section 3.1 of the General Assembly Organization Act, and
7 filing such additional copies with the State Government Report
8 Distribution Center for the General Assembly as is required
9 under paragraph (t) of Section 7 of the State Library Act.
10 (Source: P.A. 102-885, eff. 5-16-22.)

11 (20 ILCS 105/8.10)

12 (Section scheduled to be repealed on May 16, 2025)

13 Sec. 8.10. The Illinois Commission on LGBTQ Aging.

14 (a) Commission purpose. The Commission is created to
15 investigate, analyze, and study the health, housing,
16 financial, psychosocial, home-and-community-based services,
17 assisted living, and long-term care needs of LGBTQ older
18 adults and their caregivers. The Commission shall make
19 recommendations to improve access to benefits, services, and
20 supports for LGBTQ older adults and their caregivers. The
21 Commission, in formulating its recommendations, shall take
22 into account the best policies and practices in other states
23 and jurisdictions. Specifically, the Commission shall:

24 (1) Examine the impact of State and local laws,
25 policies, and regulations on LGBTQ older adults and make

1 recommendations to ensure equitable access, treatment,
2 care and benefits, and overall quality of life.

3 (2) Examine best practices for increasing access,
4 reducing isolation, preventing abuse and exploitation,
5 promoting independence and self-determination,
6 strengthening caregiving, eliminating disparities, and
7 improving overall quality of life for LGBTQ older adults.

8 (3) Examine the impact of race, ethnicity, sex
9 assigned at birth, socioeconomic status, disability,
10 sexual orientation, gender identity, and other
11 characteristics on access to services for LGBTQ older
12 adults and make recommendations to ensure equitable
13 access, treatment, care, and benefits and overall quality
14 of life.

15 (4) Examine the experiences and needs of LGBTQ older
16 adults living with HIV/AIDS and make recommendations to
17 ensure equitable access, treatment, care, benefits, and
18 overall quality of life.

19 (5) Examine strategies to increase provider awareness
20 of the needs of LGBTQ older adults and their caregivers
21 and to improve the competence of and access to treatment,
22 services, and ongoing care, including preventive care.

23 (6) Examine the feasibility of developing statewide
24 training curricula to improve provider competency in the
25 delivery of culturally responsive health, housing, and
26 long-term support services to LGBTQ older adults and their

1 caregivers.

2 (7) Assess the funding and programming needed to
3 enhance services to the growing population of LGBTQ older
4 adults.

5 (8) Examine whether certain policies and practices, or
6 the absence thereof, promote the premature admission of
7 LGBTQ older adults to institutional care, and examine
8 whether potential cost-savings exist for LGBTQ older
9 adults as a result of providing lower cost and culturally
10 responsive home and community-based alternatives to
11 institutional care.

12 (9) Examine outreach protocols to reduce apprehension
13 among LGBTQ older adults and caregivers of utilizing
14 mainstream providers.

15 (10) Evaluate the implementation status of Public Act
16 101-325.

17 (11) Evaluate the implementation status of Public Act
18 102-543, examine statewide strategies for the collection
19 of sexual orientation and gender identity data and the
20 impact of these strategies on the provision of services to
21 LGBTQ older adults, and conduct a statewide survey
22 designed to approximate the number of LGBTQ older adults
23 in the State and collect demographic information (if
24 resources allow for the implementation of a survey
25 instrument).

26 (b) Commission members.

1 (1) The Commission shall include at least all of the
2 following persons who must be appointed by the Governor
3 within 60 days after the effective date of this amendatory
4 Act of the 102nd General Assembly:

5 (A) one member from a statewide organization that
6 advocates for older adults;

7 (B) one member from a national organization that
8 advocates for LGBTQ older adults;

9 (C) one member from a community-based, multi-site
10 healthcare organization founded to serve LGBTQ people;

11 (D) the director of senior services from a
12 community center serving LGBTQ people, or the
13 director's designee;

14 (E) one member from an HIV/AIDS service
15 organization;

16 (F) one member from an organization that is a
17 project incubator and think tank that is focused on
18 action that leads to improved outcomes and
19 opportunities for LGBTQ communities;

20 (G) one member from a labor organization that
21 provides care and services for older adults in
22 long-term care facilities;

23 (H) one member from a statewide association
24 representing long-term care facilities;

25 (I) 5 members from organizations that serve Black,
26 Asian-American, Pacific Islander, Indigenous, or

1 Latinx LGBTQ people;

2 (J) one member from a statewide organization for
3 people with disabilities; and

4 (K) 10 LGBTQ older adults, including at least:

5 (i) 3 members who are transgender or
6 gender-expansive individuals;

7 (ii) 2 members who are older adults living
8 with HIV;

9 (iii) one member who is Two-Spirit;

10 (iv) one member who is an African-American or
11 Black individual;

12 (v) one member who is a Latinx individual;

13 (vi) one member who is an Asian-American or
14 Pacific Islander individual; and

15 (vii) one member who is an ethnically diverse
16 individual.

17 (2) The following State agencies shall each designate
18 one representative to serve as an ex officio member of the
19 Commission: the Department, the Department of Public
20 Health, the Department of Human Services, the Department
21 of Healthcare and Family Services, and the Department of
22 Veterans' Affairs.

23 (3) Appointing authorities shall ensure, to the
24 maximum extent practicable, that the Commission is diverse
25 with respect to race, ethnicity, age, sexual orientation,
26 gender identity, gender expression, and geography.

1 (4) Members of the Commission shall serve until this
2 Section is repealed. Members shall continue to serve until
3 their successors are appointed. Any vacancy shall be
4 filled by the appointing authority. Any vacancy occurring
5 other than by the dissolution of the Commission shall be
6 filled for the balance of the unexpired term. Members of
7 the Commission shall serve without compensation but shall
8 be reimbursed for expenses necessarily incurred in the
9 performance of their duties.

10 (c) Commission organization. The Commission shall provide
11 for its organization and procedure, including selection of the
12 chairperson and vice-chairperson. A majority of the Commission
13 shall constitute a quorum for the transaction of business.
14 Administrative and other support for the Commission shall be
15 provided by the Department. Any State agency under the
16 jurisdiction of the Governor shall provide testimony and
17 information as directed by the Commission.

18 (d) Meetings and reports. The Commission shall:

19 (1) Hold at least one public meeting per quarter.
20 Public meetings may be virtually conducted.

21 (2) Prepare and submit an annual report to the
22 Governor, No later than March 30, 2023, submit a First
23 Report to the Illinois General Assembly, the Director, and
24 the Illinois Council on Aging that details the progress
25 made toward achieving its stated objectives and that
26 contains findings and recommendations, including any

1 recommended legislation. The annual report ~~First Report~~
2 shall be made available to the public on the Department's
3 publicly accessible website.

4 (3) No later than March 30, 2028 ~~2025~~, submit a Final
5 ~~Second~~ Report in the same manner as the annual report
6 detailing the work the Commission has done since its
7 inception and providing ~~First Report, containing updates~~
8 ~~to the~~ findings and recommendations, including any
9 recommended legislation ~~contained in the First Report~~. The
10 Final ~~Second~~ Report shall be made available to the public
11 on the Department's publicly accessible website.

12 The Department and Commission may collaborate with an
13 institution of higher education in Illinois to compile any
14 required reports ~~the First Report and Second Report~~.

15 (e) This Section is repealed on May 16, 2028 ~~3 years after~~
16 ~~the effective date of this amendatory Act of the 102nd General~~
17 ~~Assembly~~.

18 (Source: P.A. 102-885, eff. 5-16-22.)