

# SB1591



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1591

Introduced 2/8/2023, by Sen. Neil Anderson

### SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45.35 new  
305 ILCS 5/5-47 new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to increase reimbursement rates to facilities licensed under the Nursing Home Care Act on January 1 of 2024 through 2025 to a level that is sufficient to pay wages of not less than the State minimum wage rates in effect on each of those dates. Amends the Illinois Administrative Procedure Act to provide that the Department shall adopt rules, including emergency rules, to implement the rate increases. Effective immediately.

LRB103 24881 KTG 51214 b

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 5. The Illinois Administrative Procedure Act is  
5 amended by adding Section 5-45.35 as follows:

6 (5 ILCS 100/5-45.35 new)

7 Sec. 5-45.35. Emergency rulemaking; nursing facility rate  
8 increases. To provide for the expeditious and timely  
9 implementation of the provisions of Section 5-47 of the  
10 Illinois Public Aid Code, emergency rules implementing Section  
11 5-47 of the Illinois Public Aid Code may be adopted in  
12 accordance with Section 5-45 by the Department of Healthcare  
13 and Family Services. The adoption of emergency rules  
14 authorized by Section 5-45 and this Section is deemed to be  
15 necessary for the public interest, safety, and welfare.

16 This Section is repealed one year after the effective date  
17 of this amendatory Act of the 103rd General Assembly.

18 Section 10. The Illinois Public Aid Code is amended by  
19 adding Section 5-47 as follows:

20 (305 ILCS 5/5-47 new)

21 Sec. 5-47. Rate increase; nursing facilities.

1       (a) The Department shall increase reimbursement rates to  
2 facilities licensed under the Nursing Home Care Act according  
3 to the following schedule:

4           (1) on January 1, 2024, the Department shall increase  
5 reimbursement rates to a level that is sufficient to pay  
6 wages of not less than the State minimum wage rate in  
7 effect on January 1, 2024;

8           (2) on January 1, 2025, the Department shall increase  
9 reimbursement rates to a level that is sufficient to pay  
10 wages of not less than the State minimum wage rate in  
11 effect on January 1, 2025;

12       (b) The Department shall adopt rules, including emergency  
13 rules under Section 5-45.35 of the Illinois Administrative  
14 Code, to implement this Section. For purposes of that Act, the  
15 General Assembly finds that the adoption of rules to implement  
16 this Section is deemed an emergency and necessary for the  
17 public interest, safety, and welfare.

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