

1 AMENDMENT TO HOUSE BILL 1240

2 AMENDMENT NO. _____. Amend House Bill 1240, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Act on the Aging is amended by
6 adding Section 4.04a as follows:

7 (20 ILCS 105/4.04a new)

8 Sec. 404a. Illinois Long-Term Care Council.

9 (a) Purpose. The purpose of this Section is to ensure
10 that consumers over the age of 60 receive high quality
11 long-term care through an effective Illinois Long-Term Care
12 Council.

13 (b) Maintenance and operation of the Illinois Long-Term
14 Care Council.

15 (1) The Department shall develop a fair and
16 impartial process for recruiting and receiving
17 nominations for members for the Illinois Long-Term Care
18 Council from the State Long-Term Care Ombudsman, the area
19 agencies on aging, regional ombudsman programs, provider
20 agencies, and other public agencies, using a nomination
21 form provided by the Department.

22 (2) The Department shall appoint members to the

1 Illinois Long-Term Care Council in a timely manner.

2 (3) The Department shall consider and act in good
3 faith regarding the Illinois Long-Term Care Council's
4 annual report and its recommendations.

5 (4) The Director shall appoint to the Illinois
6 Long-Term Care Council at least 15 but not more than 25
7 members.

8 (c) Responsibilities of the State Long-Term Care
9 Ombudsman, area agencies on aging, regional long-term care
10 ombudsman programs, and provider agencies. The State
11 Long-Term Care Ombudsman and each area agency on aging,
12 regional long-term care ombudsman program, and provider
13 agency shall solicit names and recommend members to the
14 Department for appointment to the Illinois Long-Term Care
15 Council.

16 (d) Powers and duties. The Illinois Long-Term Care
17 Council shall do the following:

18 (1) Make recommendations and comment on issues
19 pertaining to long-term care and the State Long-Term Care
20 Ombudsman Program to the Department.

21 (2) Advise the Department on matters pertaining to
22 the quality of life and quality of care in the continuum
23 of long-term care.

24 (3) Evaluate, comment on reports regarding, and
25 make recommendations on, the quality of life and quality
26 of care in long-term care facilities and on the duties
27 and responsibilities of the State Long-Term Care
28 Ombudsman Program.

29 (4) Prepare and circulate an annual report to the
30 Governor, the General Assembly, and other interested
31 parties concerning the duties and accomplishments of the
32 Illinois Long-Term Care Council and all other related
33 matters pertaining to long-term care and the protection
34 of residents' rights.

1 (5) Provide an opportunity for public input at each
2 scheduled meeting.

3 (6) Make recommendations to the Director, upon his
4 or her request, as to individuals who are capable of
5 serving as the State Long-Term Care Ombudsman and who
6 should make appropriate application for that position
7 should it become vacant.

8 (7) Develop bylaws for efficient operation,
9 including, but not limited to, rules regarding the
10 chairmanship of the council, and establish a yearly
11 calendar, which shall be made public.

12 (8) Promote citizen input and participation,
13 through statewide hearings or other means, regarding the
14 policies of the State Long-Term Care Ombudsman Program.

15 (e) Composition and operation. The Illinois Long-Term
16 Care Council shall be composed of at least 16 but not more
17 than 25 members concerned about the quality of life in
18 long-term care facilities and protecting the rights of
19 residents, including members from long-term care facilities.
20 The State Long-Term Care Ombudsman shall be a permanent
21 member of the Long-Term Care Council. Members shall be
22 appointed for a 4-year term with initial appointments
23 staggered with 2-year, 3-year, and 4-year terms. A lottery
24 will determine the terms of office for the members of the
25 first term. Members may be reappointed to a term but no
26 member may be reappointed to more than 2 consecutive terms.
27 The Illinois Long-Term Care Council shall meet a minimum of 3
28 times per calendar year.

29 (f) Member requirements. All members shall be
30 individuals who have demonstrated concern about the quality
31 of life in long-term care facilities. A minimum of 3 members
32 must be current or former residents of long-term care
33 facilities or the family member of a current or former
34 resident of a long-term care facility. A minimum of 2 members

1 shall represent current or former long term care facility
2 resident councils or family councils. Long-term care facility
3 members shall be long-term care facility employees or
4 consultants as follows: (i) 2 from for-profit facilities;
5 (ii) one from a not-for-profit facility; and (iii) one from a
6 county facility. A representative of long-term care facility
7 employees must also be included as a member. There shall be
8 non-voting State agency members on the Long-Term Care Council
9 from the following agencies: (i) the Department of Veterans
10 Affairs; (ii) the Department of Human Services; (iii) the
11 Department of Public Health; (iv) the Department on Aging;
12 (v) the Department of Public Aid; (vi) the Illinois State
13 Police Medicaid Fraud Control Unit; and (vii) others as
14 appropriate.

15 Section 99. Effective date. This Act takes effect on
16 January 1, 2004."