

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 residing in facilities  
11 licensed or regulated under the Nursing Home Care Act,  
12 Skilled Nursing and Intermediate Care Facilities Code,  
13 Sheltered Care Facilities Code, and the Illinois Veteran's  
14 Homes Code receive high quality long-term care through an  
15 effective Illinois Long-Term Care Council.

16 (b) Maintenance and operation of the Illinois Long-Term  
17 Care Council.

18 (1) The Department shall develop a fair and  
19 impartial process for recruiting and receiving  
20 nominations for members for the Illinois Long-Term Care  
21 Council from the State Long-Term Care Ombudsman, the area  
22 agencies on aging, regional ombudsman programs, provider

1 agencies, and other public agencies, using a nomination  
2 form provided by the Department.

3 (2) The Department shall appoint members to the  
4 Illinois Long-Term Care Council in a timely manner.

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

8 (4) The Director shall appoint to the Illinois  
9 Long-Term Care Council at least 18 but not more than 25  
10 members.

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

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

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

24 (2) Advise the Department on matters pertaining to  
25 the quality of life and quality of care in the continuum  
26 of long-term care.

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

32 (4) Prepare and circulate an annual report to the  
33 Governor, the General Assembly, and other interested  
34 parties concerning the duties and accomplishments of the

1 Illinois Long-Term Care Council and all other related  
2 matters pertaining to long-term care and the protection  
3 of residents' rights.

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

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

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

25 (f) Member requirements. All members shall be  
26 individuals who have demonstrated concern about the quality  
27 of life in long-term care facilities. A minimum of 3 members  
28 must be current or former residents of long-term care  
29 facilities or the family member of a current or former  
30 resident of a long-term care facility. A minimum of 2 members  
31 shall represent current or former long term care facility  
32 resident councils or family councils. A minimum of 4 members  
33 shall be selected from recommendations by organizations whose  
34 members consist of long term care facilities. A

1 representative of long-term care facility employees must also  
2 be included as a member. A minimum of 2 members shall be  
3 selected from recommendations of membership-based senior  
4 advocacy groups or consumer organizations that engage solely  
5 in legal representation on behalf of residents and immediate  
6 families. There shall be non-voting State agency members on  
7 the Long-Term Care Council from the following agencies: (i)  
8 the Department of Veterans Affairs; (ii) the Department of  
9 Human Services; (iii) the Department of Public Health; (iv)  
10 the Department on Aging; (v) the Department of Public Aid;  
11 (vi) the Illinois State Police Medicaid Fraud Control Unit;  
12 and (vii) others as appropriate.

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law."