



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/04/04, by Jack McGuire

SYNOPSIS AS INTRODUCED:

20 ILCS 105/4.02b

from Ch. 23, par. 6104.02b

Amends the Illinois Act on Aging. Deletes a provision requiring the Department on Aging to submit an annual report concerning community-based residential facilities.

LRB093 18943 BDD 44678 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning the Department on 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 Section 4.02b as follows:

6 (20 ILCS 105/4.02b) (from Ch. 23, par. 6104.02b)

7 Sec. 4.02b. Community based residential facilities. The
8 Department may develop criteria for no more than 3 projects to
9 participate in a supported congregate living arrangement
10 demonstration. No other projects may be added to the
11 demonstration unless one of the projects previously approved by
12 the Department and the Illinois Department of Public Health
13 withdraws or is terminated from the demonstration. Each project
14 may serve a maximum of 60 clients, except that one project may
15 be increased to serve a maximum of 175 clients upon approval by
16 the Department and the Illinois Department of Public Health.
17 The demonstration may include the use of community-based,
18 multi-day residential facilities. Clients may be served
19 long-term or short-term as a means of relieving family
20 caregivers. Management of these projects may offer or contract
21 for such services to preclude the need for nursing home care;
22 however, projects shall not provide sheltered care, or other
23 nursing home care as defined in the Nursing Home Care Act,
24 unless a waiver is obtained pursuant to Section 3-102.2 of that
25 Act.

26 Supported congregate living arrangements must apply to the
27 Department for participation in the demonstration project. The
28 Department shall develop, in consultation with the Illinois
29 Department of Public Health, criteria for participation in the
30 project. A project shall have one year from the date of
31 approval to become operational. One project must involve the
32 conversion of an existing licensed long-term care facility or

1 portion thereof. If no existing facility applies within one
2 year after the Department begins to accept applications for the
3 pilot project, the Department may select an alternate project
4 that does not involve the conversion of an existing facility.
5 During the period of operation of the demonstration project,
6 the existing licensed beds shall remain licensed as long-term
7 care beds. At the conclusion of the demonstration project, the
8 beds may revert to long-term care or the facility may choose to
9 seek appropriate approval to continue to operate as an assisted
10 living facility or a similar program as established by law.
11 Upon approval of an application, the Department and the
12 applicant shall submit a joint waiver request to the Department
13 of Public Health pursuant to Section 3-102.2 of the Nursing
14 Home Care Act. If the Department does not act upon an
15 application within 60 days, the applicant may file a written
16 waiver request on its own behalf.

17 The Department shall promulgate rules and provide
18 oversight for the project. The Department of Public Aid and the
19 Department of Public Health may offer advice and assistance as
20 needed.

21 The project may be funded through the Department's
22 community care program appropriations that may include
23 medicaid waiver funds available through the Department of
24 Public Aid.

25 ~~The Department shall report annually to the General~~
26 ~~Assembly by January 1 upon its activities under this Section.~~

27 The demonstration project shall terminate when an assisted
28 living or similar client focused residential program is
29 established by law or on June 30, 2001, whichever is earlier.

30 (Source: P.A. 89-530, eff. 7-19-96.)