

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 adding Section 4.02c as follows:

6 (20 ILCS 105/4.02c new)

7 Sec. 4.02c. Comprehensive Care in Residential Settings  
8 Demonstration Project.

9 (a) The Department may establish and fund a demonstration  
10 program of bundled services designed to support the specialized  
11 needs of clients currently residing in projects that were  
12 formerly designated as Community Based Residential Facilities.  
13 Participating projects must hold a valid license, which remains  
14 unsuspended, unrevoked, and unexpired, under the provisions of  
15 the Assisted Living and Shared Housing Act.

16 (b) The demonstration program must include, at a minimum:

17 (1) 3 meals per day;

18 (2) routine housekeeping services;

19 (3) 24-hour-a-day security;

20 (4) an emergency response system;

21 (5) personal laundry and linen service;

22 (6) assistance with activities of daily living;

23 (7) medication management; and

24 (8) money management.

25 Optional services, such as transportation and social  
26 activities, may be provided.

27 (c) Reimbursement for the program shall be based on the  
28 client's level of need and functional impairment, as determined  
29 by the Department. Clients must meet all eligibility  
30 requirements established by rule. The Department may establish  
31 a capitated reimbursement mechanism based on the client's level  
32 of need and functional impairment. Reimbursement for program

1 must be made to the Department-contracted provider delivering  
2 the services.

3 (d) The Department shall adopt rules and provide oversight  
4 for the project, with assistance and advice provided by the  
5 Assisted Living and Shared Housing Advisory Board and Assisted  
6 Living and Shared Housing Quality of Life Committee.

7 The project may be funded through the Department  
8 appropriations that may include Medicaid waiver funds.

9 (e) Before January 1, 2008, the Department, in consultation  
10 with the Assisted Living and Shared Housing Advisory Board,  
11 must report to the General Assembly on the results of the  
12 demonstration project. The report must include, without  
13 limitation, any recommendations for changes or improvements,  
14 including changes or improvements in the administration of the  
15 program and an evaluation.

16 Section 10. The Assisted Living and Shared Housing Act is  
17 amended by changing Sections 90 and 140 as follows:

18 (210 ILCS 9/90)

19 Sec. 90. Contents of service delivery contract. A contract  
20 between an establishment and a resident must be entitled  
21 "assisted living establishment contract" or "shared housing  
22 establishment contract" as applicable, shall be printed in no  
23 less than 12 point type, and shall include at least the  
24 following elements in the body or through supporting documents  
25 or attachments:

26 (1) the name, street address, and mailing address of  
27 the establishment;

28 (2) the name and mailing address of the owner or owners  
29 of the establishment and, if the owner or owners are not  
30 natural persons, the type of business entity of the owner  
31 or owners;

32 (3) the name and mailing address of the managing agent  
33 of the establishment, whether hired under a management  
34 agreement or lease agreement, if the managing agent is

1 different from the owner or owners;

2 (4) the name and address of at least one natural person  
3 who is authorized to accept service on behalf of the owners  
4 and managing agent;

5 (5) a statement describing the license status of the  
6 establishment and the license status of all providers of  
7 health-related or supportive services to a resident under  
8 arrangement with the establishment;

9 (6) the duration of the contract;

10 (7) the base rate to be paid by the resident and a  
11 description of the services to be provided as part of this  
12 rate;

13 (8) a description of any additional services to be  
14 provided for an additional fee by the establishment  
15 directly or by a third party provider under arrangement  
16 with the establishment;

17 (9) the fee schedules outlining the cost of any  
18 additional services;

19 (10) a description of the process through which the  
20 contract may be modified, amended, or terminated;

21 (11) a description of the establishment's complaint  
22 resolution process available to residents and notice of the  
23 availability of the Department on Aging's Senior Helpline  
24 for complaints;

25 (12) the name of the resident's designated  
26 representative, if any;

27 (13) the resident's obligations in order to maintain  
28 residency and receive services including compliance with  
29 all assessments required under Section 15;

30 (14) the billing and payment procedures and  
31 requirements;

32 (15) a statement affirming the resident's freedom to  
33 receive services from service providers with whom the  
34 establishment does not have a contractual arrangement,  
35 which may also disclaim liability on the part of the  
36 establishment for those services;

1 (16) a statement that medical assistance under Article  
2 V or Article VI of the Illinois Public Aid Code is not  
3 available for payment for services provided in an  
4 establishment, excluding contracts executed with residents  
5 residing in licensed establishments participating in the  
6 Department on Aging's Comprehensive Care in Residential  
7 Settings Demonstration Project;

8 (17) a statement detailing the admission, risk  
9 management, and residency termination criteria and  
10 procedures;

11 (18) a statement listing the rights specified in  
12 Section 95 and acknowledging that, by contracting with the  
13 assisted living or shared housing establishment, the  
14 resident does not forfeit those rights; and

15 (19) a statement detailing the Department's annual  
16 on-site review process including what documents contained  
17 in a resident's personal file shall be reviewed by the  
18 on-site reviewer as defined by rule.

19 (Source: P.A. 91-656, eff. 1-1-01.)

20 (210 ILCS 9/140)

21 Sec. 140. State and private funding. Nothing in this Act  
22 shall:

23 (1) require or authorize the State agency responsible  
24 for the administration of the medical assistance program  
25 established under Article V and Article VI of the Illinois  
26 Public Aid Code to approve, supply, or cover services  
27 provided in an assisted living or shared housing  
28 establishment, with the exception of licensed facilities  
29 that participate in the Department on Aging's  
30 Comprehensive Care in Residential Settings Demonstration  
31 Project, which may be covered under provisions of the  
32 Illinois Public Aid Code;

33 (2) require an agency or a managed care organization to  
34 approve, supply, or cover services provided in an assisted  
35 living or shared housing establishment; or

1           (3) require any other third party payer to approve,  
2           supply or cover medically necessary home care services  
3           provided in an assisted living establishment.

4           (Source: P.A. 91-656, eff. 1-1-01.)

5           (20 ILCS 105/4.02b rep.) (from Ch. 23, par. 6104.02b)

6           Section 90. The Illinois Act on the Aging is amended by  
7           repealing Section 4.02b.