



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 02/05/04, by Harry Osterman

#### SYNOPSIS AS INTRODUCED:

210 ILCS 9/5

Amends the Assisted Living and Shared Housing Act. Makes a technical change in the legislative purpose Section.

LRB093 16925 DRJ 42582 b

1 AN ACT concerning health care.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Assisted Living and Shared Housing Act is  
5 amended by changing Section 5 as follows:

6 (210 ILCS 9/5)

7 Sec. 5. Legislative purpose. The purpose of this Act is to  
8 permit the development and availability of assisted living  
9 establishments and shared housing establishments based on a  
10 social model that promotes the dignity, individuality,  
11 privacy, independence, autonomy, and decision-making ability  
12 and the right to negotiated risk of those persons; to provide  
13 for the health, safety, and welfare of ~~those~~ residents residing  
14 in assisted living and shared housing establishments in this  
15 State; to promote continuous quality improvement in assisted  
16 living; and to encourage the development of innovative and  
17 affordable assisted living establishments and shared housing  
18 with service establishments for elderly persons of all income  
19 levels. It is the public policy of this State that assisted  
20 living is an important part of the continuum of long term care.  
21 In support of the goal of aging in place within the parameters  
22 established by this Act, assisted living and shared housing  
23 establishments shall be operated as residential environments  
24 with supportive services designed to meet the individual  
25 resident's changing needs and preferences. The residential  
26 environment shall be designed to encourage family and community  
27 involvement. The services available to residents, either  
28 directly or through contracts or agreements, are intended to  
29 help residents remain as independent as possible. Assisted  
30 living, which promotes resident choice, autonomy, and decision  
31 making, should be based on a contract model designed to result  
32 in a negotiated agreement between the resident or the

1 resident's representative and the provider, clearly  
2 identifying the services to be provided. This model assumes  
3 that residents are able to direct services provided for them  
4 and will designate a representative to direct these services if  
5 they themselves are unable to do so. This model supports the  
6 principle that there is an acceptable balance between consumer  
7 protection and resident willingness to accept risk and that  
8 most consumers are competent to make their own judgments about  
9 the services they are obtaining. Regulation of assisted living  
10 establishments and shared housing establishments must be  
11 sufficiently flexible to allow residents to age in place within  
12 the parameters of this Act. The administration of this Act and  
13 services provided must therefore ensure that the residents have  
14 the rights and responsibilities to direct the scope of services  
15 they receive and to make individual choices based on their  
16 needs and preferences. These establishments shall be operated  
17 in a manner that provides the least restrictive and most  
18 homelike environment and that promotes independence, autonomy,  
19 individuality, privacy, dignity, and the right to negotiated  
20 risk in residential surroundings. It is not the intent of the  
21 State that establishments licensed under this Act be used as  
22 halfway houses for alcohol and substance abusers.

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