



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/05/04, by Joseph M. Lyons

SYNOPSIS AS INTRODUCED:

New Act

Creates the Long-Term Care Planning Strategy Act. Provides that the purpose of the Act is to achieve an awareness and use of alternatives to nursing homes. Provides for a long-term care planning committee, to be established by the Director of Aging, to consist of representatives of (i) the Department on Aging and the departments of Public Aid, Public Health, Human Services, Insurance, and Commerce and Economic Opportunity and (ii) consumers of long-term care services and others. Requires the committee to identify long-term care issues, refine State long-term goals, make recommendations, and perform other functions. Requires reports from the committee, beginning January 1, 2005. Requires the Director of Aging, with the assistance and advice of others, to contract for a public awareness campaign concerning the aging process, the long-term care system, and alternatives available. Effective immediately.

LRB093 15236 DRJ 40832 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to long-term care planning.

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

4 Section 1. Short title. This Act may be cited as the
5 Long-Term Care Planning Strategy Act.

6 Section 5. Purpose. This Act is created to achieve a broad
7 awareness and use of the alternatives to nursing homes to serve
8 the increased number of people needing long-term care.

9 Section 10. Long-term care planning committee. The
10 Director of Aging shall establish, by September 1, 2004, a
11 committee of individuals who are knowledgeable and employed in
12 the areas of long-term care, geriatric care, community services
13 for the elderly, long-term care facility inspection, or
14 quality-of-care assurance. The number of committee members
15 shall not exceed 15, including (i) one member each to represent
16 the Department of Public Aid, the Department of Public Health,
17 the Department on Aging, the Department of Human Services, the
18 Department of Insurance, and the Department of Commerce and
19 Economic Opportunity and (ii) up to 9 members representing
20 consumers of long-term care services, advocates, trade
21 associations, facility administrators, public and private
22 service agencies, and other interested persons knowledgeable
23 about long-term care needs and services. The committee may
24 utilize the expertise and time of other individuals employed by
25 each department as needed.

26 The committee may recommend that the chair contract for
27 services as needed. The committee shall meet as often as
28 necessary to accomplish its duties, but at least quarterly. The
29 committee shall conduct research, including public hearings,
30 and carry out the duties indicated in Section 15 of this Act.

1 Section 15. Committee duties. The committee shall identify
2 long-term care issues requiring new or revised State policies
3 and shall conduct analyses, coordinate policy development, and
4 make recommendations for effective implementation of these
5 policies. The committee shall refine State long-term goals,
6 establish performance indicators, and develop other methods or
7 measures to evaluate program performance, including client
8 outcomes. The committee shall review the effectiveness of
9 programs in meeting their objectives.

10 The committee shall also do the following:

11 (1) Facilitate the development of regional and local
12 bodies to plan and coordinate regional and local services.

13 (2) Recommend a single point of access for persons
14 seeking information on long-term care services.

15 (3) Recommend changes in State funding and
16 administrative policies that are necessary to maximize the
17 use of home and community-based care and that promote the
18 use of the least costly alternative without sacrificing
19 quality of care.

20 (4) Develop methods of identifying and serving seniors
21 who need minimal services to remain independent but who are
22 likely to develop a need for more extensive services in the
23 absence of these minimal services.

24 (5) Develop and implement strategies for advocating,
25 promoting, and developing long-term care insurance; and
26 encourage insurance companies to offer long-term care
27 insurance policies that are affordable and offer a wide
28 range of benefits.

29 Section 20. Committee goals. The long-term goals of the
30 committee include the following:

31 (1) Achieve a broad awareness and use of low-cost home
32 care and other residential alternatives to nursing homes.

33 (2) Develop a statewide system of information and
34 assistance to enable easy access to long-term care
35 services.

1 (3) Develop sufficient alternatives to nursing homes
2 to serve the increased number of people needing long-term
3 care.

4 (4) Monitor the moratorium on new construction of
5 nursing home beds and lower the percentage of elderly
6 served in institutional settings.

7 These goals are designed to create a new community-based
8 care paradigm for long-term care in order to maximize
9 independence of the older adult population and ensure the
10 cost-effective use of financial and human resources.

11 Section 25. Recommendations. The committee shall develop
12 and recommend for implementation effective methods of
13 enforcing quality-of-care standards. The committee shall
14 develop a resident relocation plan that ensures that the needs
15 of residents in nursing homes or other care homes that are
16 about to be closed are met. The relocation plan may also
17 stipulate policies and procedures that would apply when
18 residents are to be discharged from a nursing home or other
19 care home as a result of a change in certification, closure, or
20 loss or termination of the facility's medical assistance
21 provider agreement. A resident relocation plan developed under
22 this Section may apply to the voluntary or involuntary closure,
23 or reduction in services or size of, an intermediate care
24 facility for the mentally retarded. The committee may recommend
25 the waiving of a portion of existing rules that it determines
26 do not apply to persons with mental retardation or related
27 conditions. The county shall ensure appropriate placement of
28 residents in licensed and certified facilities or other
29 alternative care, including home health care and foster care
30 placement. In preparing a relocation plan, the committee shall
31 ensure that residents and their families or guardians are
32 involved in planning the relocation.

33 Section 30. Reports. The committee shall prepare a report
34 every 2 years, and the chair shall deliver this report to the

1 legislature beginning January 1, 2005. The report shall list
2 progress, achievements, and current goals and objectives. The
3 chair shall recommend changes in, or additions to, legislation
4 necessary or desirable to fulfill the committee's
5 responsibilities.

6 Section 35. Data. The committee shall have access to data
7 from the Department of Public Aid, the Department of Public
8 Health, the Department on Aging, the Department of Human
9 Services, and the Department of Insurance for carrying out its
10 duties under this Act. The committee may have access to data on
11 persons, including data on vendors of services, to carry out
12 the purposes of this Act. If the committee receives data that
13 is collected, maintained, used, or disseminated in an
14 investigation, authorized by statute, and relating to
15 enforcement of rules or law, the committee or the chair shall
16 not disclose that information except under statute or valid
17 court order, or to a party named in a civil or criminal
18 proceeding, administrative or judicial, for preparation of a
19 defense.

20 Data described in this Section is classified as public data
21 upon its submission to an administrative law judge or court in
22 an administrative or judicial proceeding.

23 Section 40. Long-term care research and database. The
24 committee shall collect and analyze State and national
25 long-term care data and research, including relevant health
26 data, information, and research relating to long-term care and
27 social needs, service utilization, costs, and client outcomes.
28 The committee shall make recommendations to State agencies and
29 other public and private agencies for methods of improving
30 coordination of existing data, develop data needed for
31 long-term care research, and promote new research activities.
32 Research and data activities shall be designed to accomplish
33 the following:

34 (1) Improve the validity and reliability of existing

1 data and research information.

2 (2) Identify sources of funding and potential uses of
3 funding sources.

4 (3) Evaluate the effectiveness and client outcomes of
5 existing programs.

6 (4) Identify and plan for future changes in the number,
7 level, and type of services needed by seniors.

8 Section 45. Public awareness campaign. The Director of
9 Aging, with assistance from the directors of the Department of
10 Public Health and the Department of Public Aid, and with the
11 advice of the long-term care planning committee established
12 under Section 10, shall contract for a public awareness
13 campaign to educate the general public, seniors, consumers,
14 caregivers, and professionals about the aging process, the
15 long-term care system, and alternatives available, including
16 alternative care and residential alternatives. Particular
17 emphasis will be given to informing consumers on how to access
18 the alternatives and obtain information on the long-term care
19 system. The Director of Aging shall pursue the development of
20 new names for preadmission screening, alternative care, foster
21 care, and other services as deemed necessary for the public
22 awareness campaign.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.