

1 for inflation shall be provided on or after July 1, 1994 and
2 before July 1, 2003, unless specifically provided for in this
3 Section.

4 The capital cost element of rates for all facilities
5 licensed by the Department of Public Health under the Nursing
6 Home Care Act as an Intermediate Care Facility for the
7 Developmentally Disabled with a capacity of 100 or more beds
8 that receive a permit for a replacement facility required
9 under Sections 5 and 13.1 of the Illinois Health Facilities
10 Planning Act after July 1, 1994 shall be increased, effective
11 July 1, 2003, to reimburse 100% of the permitted cost of the
12 structure over the ensuing 78 months.

13 For facilities licensed by the Department of Public
14 Health under the Nursing Home Care Act as Intermediate Care
15 for the Developmentally Disabled facilities or Long Term Care
16 for Under Age 22 facilities, the rates taking effect on July
17 1, 1998 shall include an increase of 3%. For facilities
18 licensed by the Department of Public Health under the Nursing
19 Home Care Act as Skilled Nursing facilities or Intermediate
20 Care facilities, the rates taking effect on July 1, 1998
21 shall include an increase of 3% plus \$1.10 per resident-day,
22 as defined by the Department.

23 For facilities licensed by the Department of Public
24 Health under the Nursing Home Care Act as Intermediate Care
25 for the Developmentally Disabled facilities or Long Term Care
26 for Under Age 22 facilities, the rates taking effect on July
27 1, 1999 shall include an increase of 1.6% plus \$3.00 per
28 resident-day, as defined by the Department. For facilities
29 licensed by the Department of Public Health under the Nursing
30 Home Care Act as Skilled Nursing facilities or Intermediate
31 Care facilities, the rates taking effect on July 1, 1999
32 shall include an increase of 1.6% and, for services provided
33 on or after October 1, 1999, shall be increased by \$4.00 per
34 resident-day, as defined by the Department.

1 For facilities licensed by the Department of Public
2 Health under the Nursing Home Care Act as Intermediate Care
3 for the Developmentally Disabled facilities or Long Term Care
4 for Under Age 22 facilities, the rates taking effect on July
5 1, 2000 shall include an increase of 2.5% per resident-day,
6 as defined by the Department. For facilities licensed by the
7 Department of Public Health under the Nursing Home Care Act
8 as Skilled Nursing facilities or Intermediate Care
9 facilities, the rates taking effect on July 1, 2000 shall
10 include an increase of 2.5% per resident-day, as defined by
11 the Department.

12 For facilities licensed by the Department of Public
13 Health under the Nursing Home Care Act as skilled nursing
14 facilities or intermediate care facilities, a new payment
15 methodology must be implemented for the nursing component of
16 the rate effective July 1, 2003. The Department of Public Aid
17 shall develop the new payment methodology using the Minimum
18 Data Set (MDS) as the instrument to collect information
19 concerning nursing home resident condition necessary to
20 compute the rate. The Department of Public Aid shall develop
21 the new payment methodology to meet the unique needs of
22 Illinois nursing home residents while remaining subject to
23 the appropriations provided by the General Assembly. A
24 transition period from the payment methodology in effect on
25 June 30, 2003 to the payment methodology in effect on July 1,
26 2003 shall be provided for a period not exceeding 2 years
27 after implementation of the new payment methodology as
28 follows:

29 (A) For a facility that would receive a lower
30 nursing component rate per patient day under the new
31 system than the facility received effective on the date
32 immediately preceding the date that the Department
33 implements the new payment methodology, the nursing
34 component rate per patient day for the facility shall be

1 held at the level in effect on the date immediately
2 preceding the date that the Department implements the new
3 payment methodology until a higher nursing component rate
4 of reimbursement is achieved by that facility.

5 (B) For a facility that would receive a higher
6 nursing component rate per patient day under the payment
7 methodology in effect on July 1, 2003 than the facility
8 received effective on the date immediately preceding the
9 date that the Department implements the new payment
10 methodology, the nursing component rate per patient day
11 for the facility shall be adjusted.

12 (C) Notwithstanding paragraphs (A) and (B), the
13 nursing component rate per patient day for the facility
14 shall be adjusted subject to appropriations provided by
15 the General Assembly.

16 For facilities licensed by the Department of Public
17 Health under the Nursing Home Care Act as Intermediate Care
18 for the Developmentally Disabled facilities or Long Term Care
19 for Under Age 22 facilities, the rates taking effect on March
20 1, 2001 shall include a statewide increase of 7.85%, as
21 defined by the Department.

22 For facilities licensed by the Department of Public
23 Health under the Nursing Home Care Act as Intermediate Care
24 for the Developmentally Disabled facilities or Long Term Care
25 for Under Age 22 facilities, the rates taking effect on April
26 1, 2002 shall include a statewide increase of 2.0%, as
27 defined by the Department. This increase terminates on July
28 1, 2002; beginning July 1, 2002 these rates are reduced to
29 the level of the rates in effect on March 31, 2002, as
30 defined by the Department.

31 For facilities licensed by the Department of Public
32 Health under the Nursing Home Care Act as skilled nursing
33 facilities or intermediate care facilities, the rates taking
34 effect on July 1, 2001, and each subsequent year thereafter,

1 shall be computed using the most recent cost reports on file
2 with the Department of Public Aid no later than April 1,
3 2000, updated for inflation to January 1, 2001. For rates
4 effective July 1, 2001 only, rates shall be the greater of
5 the rate computed for July 1, 2001 or the rate effective on
6 June 30, 2001.

7 Notwithstanding any other provision of this Section, for
8 facilities licensed by the Department of Public Health under
9 the Nursing Home Care Act as skilled nursing facilities or
10 intermediate care facilities, the Illinois Department shall
11 determine by rule the rates taking effect on July 1, 2002,
12 which shall be 5.9% less than the rates in effect on June 30,
13 2002.

14 Rates established effective each July 1 shall govern
15 payment for services rendered throughout that fiscal year,
16 except that rates established on July 1, 1996 shall be
17 increased by 6.8% for services provided on or after January
18 1, 1997. Such rates will be based upon the rates calculated
19 for the year beginning July 1, 1990, and for subsequent years
20 thereafter until June 30, 2001 shall be based on the facility
21 cost reports for the facility fiscal year ending at any point
22 in time during the previous calendar year, updated to the
23 midpoint of the rate year. The cost report shall be on file
24 with the Department no later than April 1 of the current rate
25 year. Should the cost report not be on file by April 1, the
26 Department shall base the rate on the latest cost report
27 filed by each skilled care facility and intermediate care
28 facility, updated to the midpoint of the current rate year.
29 In determining rates for services rendered on and after July
30 1, 1985, fixed time shall not be computed at less than zero.
31 The Department shall not make any alterations of regulations
32 which would reduce any component of the Medicaid rate to a
33 level below what that component would have been utilizing in
34 the rate effective on July 1, 1984.

1 (2) Shall take into account the actual costs incurred by
2 facilities in providing services for recipients of skilled
3 nursing and intermediate care services under the medical
4 assistance program.

5 (3) Shall take into account the medical and
6 psycho-social characteristics and needs of the patients.

7 (4) Shall take into account the actual costs incurred by
8 facilities in meeting licensing and certification standards
9 imposed and prescribed by the State of Illinois, any of its
10 political subdivisions or municipalities and by the U.S.
11 Department of Health and Human Services pursuant to Title XIX
12 of the Social Security Act.

13 The Department of Public Aid shall develop precise
14 standards for payments to reimburse nursing facilities for
15 any utilization of appropriate rehabilitative personnel for
16 the provision of rehabilitative services which is authorized
17 by federal regulations, including reimbursement for services
18 provided by qualified therapists or qualified assistants, and
19 which is in accordance with accepted professional practices.
20 Reimbursement also may be made for utilization of other
21 supportive personnel under appropriate supervision.

22 (Source: P.A. 91-24, eff. 7-1-99; 91-712, eff. 7-1-00; 92-10,
23 eff. 6-11-01; 92-31, eff. 6-28-01; 92-597, eff. 6-28-02;
24 92-651, eff. 7-11-02; 92-848, eff. 1-1-03; revised 9-20-02.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law."