

# HB5446



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5446

by Rep. Sara Feigenholtz

### SYNOPSIS AS INTRODUCED:

210 ILCS 9/5

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

LRB098 18351 RPS 53488 b

A BILL FOR

1 AN ACT concerning regulation.

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 ~~The~~ purpose of this Act is  
8 to 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

1 with supportive services designed to meet the individual  
2 resident's changing needs and preferences. The residential  
3 environment shall be designed to encourage family and community  
4 involvement. The services available to residents, either  
5 directly or through contracts or agreements, are intended to  
6 help residents remain as independent as possible. Assisted  
7 living, which promotes resident choice, autonomy, and decision  
8 making, should be based on a contract model designed to result  
9 in a negotiated agreement between the resident or the  
10 resident's representative and the provider, clearly  
11 identifying the services to be provided. This model assumes  
12 that residents are able to direct services provided for them  
13 and will designate a representative to direct these services if  
14 they themselves are unable to do so. This model supports the  
15 principle that there is an acceptable balance between consumer  
16 protection and resident willingness to accept risk and that  
17 most consumers are competent to make their own judgments about  
18 the services they are obtaining. Regulation of assisted living  
19 establishments and shared housing establishments must be  
20 sufficiently flexible to allow residents to age in place within  
21 the parameters of this Act. The administration of this Act and  
22 services provided must therefore ensure that the residents have  
23 the rights and responsibilities to direct the scope of services  
24 they receive and to make individual choices based on their  
25 needs and preferences. These establishments shall be operated  
26 in a manner that provides the least restrictive and most

1 homelike environment and that promotes independence, autonomy,  
2 individuality, privacy, dignity, and the right to negotiated  
3 risk in residential surroundings. It is not the intent of the  
4 State that establishments licensed under this Act be used as  
5 halfway houses for alcohol and substance abusers.

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