



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB2352

Introduced 2/15/2013, by Sen. Heather A. Steans

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Long Term Care Rebalancing Note Act. Provides that every bill, except those bills making a direct appropriation, the purpose or effect of which is (i) to expend any State funds for long term care services or (ii) to expend any State funds for community or home-based alternatives to long term care services, shall have prepared for it prior to second reading in the house of introduction a brief explanatory statement or note which shall include a reliable estimate of the anticipated change in State funding or revenues under its provisions. Provides that for purposes of the Act, revenues include, but are not limited to, changes to revenue received from Federal Medical Assistance Percentage (FMAP). Contains provisions concerning preparation of the note; confidentiality requirements; and other matters. Effective immediately.

LRB098 08113 KTG 38204 b

1 AN ACT concerning State government.

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 Long  
5 Term Care Rebalancing Note Act.

6 Section 5. Notes required for certain bills. Every bill,  
7 except those bills making a direct appropriation, the purpose  
8 or effect of which is (i) to expend any State funds for long  
9 term care services or (ii) to expend any State funds for  
10 community or home-based alternatives to long term care  
11 services, shall have prepared for it prior to second reading in  
12 the house of introduction a brief explanatory statement or note  
13 which shall include a reliable estimate of the anticipated  
14 change in State funding or revenues under its provisions. The  
15 statement or note shall also include an explanation of the  
16 methodology used to determine the estimated direct and indirect  
17 costs or estimated impact on FMAP. These statements or notes  
18 shall be known as long term care rebalancing notes.

19 As used in this Act:

20 "Revenues" includes, but is not limited to, changes to  
21 revenue received from Federal Medical Assistance Percentage  
22 (FMAP).

23 "Long term care rebalancing" has the meaning given to the

1 term in paragraph (1) of Section 50-30 of the State Budget Law  
2 of the Civil Administrative Code of Illinois.

3 Section 10. Preparation of notes. The sponsor of each bill  
4 referred to in Section 5 shall present a copy of the bill, with  
5 his or her request for a long term care rebalancing note, to  
6 the State board, commission, department, agency, or other  
7 entity which is to receive or expend the appropriation proposed  
8 or which is responsible for collection of the revenue proposed  
9 to be increased or decreased, or to be levied or provided for.  
10 The long term care rebalancing note shall be prepared by that  
11 board, commission, department, agency, or other entity and  
12 furnished to the sponsor of the bill within 5 calendar days  
13 thereafter, except that whenever, because of the complexity of  
14 the measure, additional time is required for preparation of the  
15 note, the board, commission, department, agency, or other  
16 entity may so inform the sponsor of the bill and the sponsor  
17 may approve an extension of the time within which the note is  
18 to be furnished, not to extend, however, beyond June 15,  
19 following the date of the request. Whenever any measure for  
20 which a long term care rebalancing note is required affects  
21 more than one State board, commission, department, agency, or  
22 other entity, the board, commission, department, agency, or  
23 other entity most affected by its provisions according to the  
24 sponsor shall be responsible for preparation of the note.  
25 Whenever any measure for which a long term care rebalancing

1 note is required does not affect a specific board, commission,  
2 department, agency, or other entity, the sponsor of the measure  
3 shall be responsible for preparation of the long term care  
4 rebalancing note.

5 Section 15. Requests for notes. Whenever the sponsor of any  
6 measure is of the opinion that no long term care rebalancing  
7 note is necessary, any member of either house may thereafter  
8 request that a note be obtained, and in such case the matter  
9 shall be decided by majority vote of those present and voting  
10 in the house of which he or she is a member.

11 Section 20. Contents of notes. The note shall be factual in  
12 nature, as brief and concise as may be, and shall provide a  
13 reliable estimate in dollars and, in addition, it shall include  
14 both the immediate effect and, if determinable or reasonably  
15 foreseeable, the long range effect of the measure. If, after  
16 careful investigation, it is determined that no dollar estimate  
17 is possible, the note shall contain a statement to that effect,  
18 setting forth the reasons why no dollar estimate can be given.  
19 A brief summary or work sheet of computations used in arriving  
20 at long term care rebalancing note figures shall be included.

21 Section 25. Comments; work sheets. No comment or opinion  
22 shall be included in the long term care rebalancing note with  
23 regard to the merits of the measure for which the note is

1 prepared; however, technical or mechanical defects may be  
2 noted. The work sheet shall include, insofar as practicable, a  
3 breakdown of the costs or savings upon which any appropriation  
4 measure or measure which is expected to cause an expenditure or  
5 savings of State funds is based and the expectable direct or  
6 indirect increase or decrease in State revenues, as the case  
7 may be, including, but not necessarily limited to, FMAP. It  
8 shall also include such other information as is required by  
9 rules and regulations which may be promulgated by each house of  
10 the General Assembly with respect to the preparation of long  
11 term care rebalancing notes. The note shall be prepared in  
12 quintuplicate, and the name of the State board, commission,  
13 department, agency, or other entity preparing it shall appear  
14 at the end of the note and the original of both the work sheet  
15 and the note shall be signed by the head of the board,  
16 commission, department, agency, or other entity or by a  
17 responsible representative designated by him or her for the  
18 purpose.

19 Section 30. Appearance before committees. The fact that a  
20 long term care rebalancing note is prepared for any bill shall  
21 not preclude or restrict the appearance before any committee of  
22 the General Assembly of any official or authorized employee of  
23 any State board, commission, department, agency, or other  
24 entity who desires to be heard in support of or in opposition  
25 to the measure.

1           Section 35. Amended bills. Whenever any committee of either  
2 house reports any bill with an amendment of such nature as will  
3 substantially affect the costs to or the revenues of the State  
4 as stated in the long term care rebalancing note attached to  
5 the measure at the time of its referral to the committee, there  
6 shall be included with the report of the committee a statement  
7 of the effect of the change proposed by the amendment reported  
8 if desired by a majority of the committee. In like manner,  
9 whenever any measure is amended on the floor of either house in  
10 such manner as to substantially affect the costs thereof or the  
11 revenues to be derived thereunder as stated in the long term  
12 care rebalancing note attached to the measure prior to such  
13 amendment, a majority of that house may propose that no action  
14 shall be taken upon the amendment until the sponsor of the  
15 amendment presents to the members a statement of the effect of  
16 his or her proposed amendment.

17           Section 40. Confidentiality requirements. The subject  
18 matter of bills submitted to boards, commissions, departments,  
19 agencies, or other entities for preparation of long term care  
20 rebalancing notes shall be kept in strict confidence and no  
21 information relating thereto or relating to the fiscal effect  
22 of any such measure shall be divulged by any official or  
23 employee thereof prior to its introduction in the General  
24 Assembly.

1           Section 45. Severability. The provisions of this Act are  
2 severable and, if any part or provision of this Act is void,  
3 the decision of the court so holding shall not affect or impair  
4 any of the remaining parts or provisions of this Act.

5           Section 99. Effective date. This Act takes effect upon  
6 becoming law.