



Rep. Sara Feigenholtz

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10000HB4223ham001

LRB100 15312 KTG 36819 a

1 AMENDMENT TO HOUSE BILL 4223

2 AMENDMENT NO. _____. Amend House Bill 4223 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-5.01a as follows:

6 (305 ILCS 5/5-5.01a)

7 Sec. 5-5.01a. Supportive living facilities program.

8 (a) The Department shall establish and provide oversight
9 for a program of supportive living facilities that seek to
10 promote resident independence, dignity, respect, and
11 well-being in the most cost-effective manner.

12 A supportive living facility is (i) ~~either~~ a free-standing
13 facility or (ii) a distinct physical and operational entity
14 within a mixed-use building that meets the criteria established
15 in subsection (d) nursing facility. A supportive living
16 facility integrates housing with health, personal care, and

1 supportive services and is a designated setting that offers
2 residents their own separate, private, and distinct living
3 units.

4 Sites for the operation of the program shall be selected by
5 the Department based upon criteria that may include the need
6 for services in a geographic area, the availability of funding,
7 and the site's ability to meet the standards.

8 (b) Beginning July 1, 2014, subject to federal approval,
9 the Medicaid rates for supportive living facilities shall be
10 equal to the supportive living facility Medicaid rate effective
11 on June 30, 2014 increased by 8.85%. Once the assessment
12 imposed at Article V-G of this Code is determined to be a
13 permissible tax under Title XIX of the Social Security Act, the
14 Department shall increase the Medicaid rates for supportive
15 living facilities effective on July 1, 2014 by 9.09%. The
16 Department shall apply this increase retroactively to coincide
17 with the imposition of the assessment in Article V-G of this
18 Code in accordance with the approval for federal financial
19 participation by the Centers for Medicare and Medicaid
20 Services.

21 The Medicaid rates for supportive living facilities
22 effective on July 1, 2017 must be equal to the rates in effect
23 for supportive living facilities on June 30, 2017 increased by
24 2.8%.

25 (c) The Department may adopt rules to implement this
26 Section. Rules that establish or modify the services,

1 standards, and conditions for participation in the program
2 shall be adopted by the Department in consultation with the
3 Department on Aging, the Department of Rehabilitation
4 Services, and the Department of Mental Health and Developmental
5 Disabilities (or their successor agencies).

6 (d) Subject to federal approval by the Centers for Medicare
7 and Medicaid Services, the Department shall accept for
8 consideration of certification under the program any
9 application for a site or building where distinct parts of the
10 site or building are designated for purposes other than the
11 provision of supportive living services, but only if:

12 (1) those distinct parts of the site or building are
13 not designated for the purpose of providing assisted living
14 services as required under the Assisted Living and Shared
15 Housing Act;

16 (2) those distinct parts of the site or building are
17 completely separate from the part of the building used for
18 the provision of supportive living program services,
19 including separate entrances;

20 (3) those distinct parts of the site or building do not
21 share any common spaces with the part of the building used
22 for the provision of supportive living program services;
23 and

24 (4) those distinct parts of the site or building do not
25 share staffing with the part of the building used for the
26 provision of supportive living program services.

1 (e) Facilities or distinct parts of facilities which are
2 selected as supportive living facilities and are in good
3 standing with the Department's rules are exempt from the
4 provisions of the Nursing Home Care Act and the Illinois Health
5 Facilities Planning Act.

6 (Source: P.A. 100-23, eff. 7-6-17.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".