



Sen. William Delgado

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1 AMENDMENT TO SENATE BILL 2574

2 AMENDMENT NO. _____. Amend Senate Bill 2574 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nursing Home Care Act is amended by
5 changing Section 3-405 as follows:

6 (210 ILCS 45/3-405) (from Ch. 111 1/2, par. 4153-405)

7 Sec. 3-405. A copy of the notice required by Section 3-402
8 shall be placed in the resident's clinical record and a copy
9 shall be transmitted to the Department, the resident, and the
10 resident's representative, ~~and, if the resident's care is paid~~
11 ~~for in whole or part through Title XIX, the Department of~~
12 ~~Healthcare and Family Services.~~

13 (Source: P.A. 95-331, eff. 8-21-07.)

14 Section 10. The ID/DD Community Care Act is amended by
15 changing Section 3-405 as follows:

1 (210 ILCS 47/3-405)

2 Sec. 3-405. Copy of notice in resident's record; copy to
3 Department. A copy of the notice required by Section 3-402
4 shall be placed in the resident's clinical record and a copy
5 shall be transmitted to the Department, the resident, and the
6 resident's representative, ~~and, if the resident's care is paid~~
7 ~~for in whole or part through Title XIX, the Department of~~
8 ~~Healthcare and Family Services.~~

9 (Source: P.A. 96-339, eff. 7-1-10.)

10 Section 15. The Illinois Public Aid Code is amended by
11 changing Section 5-1.1 as follows:

12 (305 ILCS 5/5-1.1) (from Ch. 23, par. 5-1.1)

13 Sec. 5-1.1. Definitions. The terms defined in this Section
14 shall have the meanings ascribed to them, except when the
15 context otherwise requires.

16 (a) "Nursing facility" means a facility, licensed by the
17 Department of Public Health under the Nursing Home Care Act,
18 that provides nursing facility services within the meaning of
19 Title XIX of the federal Social Security Act.

20 (b) "Intermediate care facility for the developmentally
21 disabled" or "ICF/DD" means a facility, licensed by the
22 Department of Public Health under the ID/DD Community Care Act,
23 that is an intermediate care facility for the mentally retarded

1 within the meaning of Title XIX of the federal Social Security
2 Act.

3 (c) "Standard services" means those services required for
4 the care of all patients in the facility and shall, as a
5 minimum, include the following: (1) administration; (2)
6 dietary (standard); (3) housekeeping; (4) laundry and linen;
7 (5) maintenance of property and equipment, including
8 utilities; (6) medical records; (7) training of employees; (8)
9 utilization review; (9) activities services; (10) social
10 services; (11) disability services; and all other similar
11 services required by either the laws of the State of Illinois
12 or one of its political subdivisions or municipalities or by
13 Title XIX of the Social Security Act.

14 (d) "Patient services" means those which vary with the
15 number of personnel; professional and para-professional skills
16 of the personnel; specialized equipment, and reflect the
17 intensity of the medical and psycho-social needs of the
18 patients. Patient services shall as a minimum include: (1)
19 physical services; (2) nursing services, including restorative
20 nursing; (3) medical direction and patient care planning; (4)
21 health related supportive and habilitative services and all
22 similar services required by either the laws of the State of
23 Illinois or one of its political subdivisions or municipalities
24 or by Title XIX of the Social Security Act.

25 (e) "Ancillary services" means those services which
26 require a specific physician's order and defined as under the

1 medical assistance program as not being routine in nature for
2 skilled nursing facilities and ICF/DDs. Such services
3 generally must be authorized prior to delivery and payment as
4 provided for under the rules of the Department of Healthcare
5 and Family Services.

6 (f) "Capital" means the investment in a facility's assets
7 for both debt and non-debt funds. Non-debt capital is the
8 difference between an adjusted replacement value of the assets
9 and the actual amount of debt capital.

10 (g) "Profit" means the amount which shall accrue to a
11 facility as a result of its revenues exceeding its expenses as
12 determined in accordance with generally accepted accounting
13 principles.

14 (h) "Non-institutional services" means those services
15 provided under paragraph (f) of Section 3 of the Disabled
16 Persons Rehabilitation Act and those services provided under
17 Section 4.02 of the Illinois Act on the Aging.

18 (i) ~~(Blank) "Exceptional medical care" means the level of~~
19 ~~medical care required by persons who are medically stable for~~
20 ~~discharge from a hospital but who require acute intensity~~
21 ~~hospital level care for physician, nurse and ancillary~~
22 ~~specialist services, including persons with acquired~~
23 ~~immunodeficiency syndrome (AIDS) or a related condition. Such~~
24 ~~care shall consist of those services which the Department shall~~
25 ~~determine by rule.~~

26 (j) "Institutionalized person" means an individual who is

1 an inpatient in an ICF/DD or nursing facility, or who is an
2 inpatient in a medical institution receiving a level of care
3 equivalent to that of an ICF/DD or nursing facility, or who is
4 receiving services under Section 1915(c) of the Social Security
5 Act.

6 (k) "Institutionalized spouse" means an institutionalized
7 person who is expected to receive services at the same level of
8 care for at least 30 days and is married to a spouse who is not
9 an institutionalized person.

10 (l) "Community spouse" is the spouse of an
11 institutionalized spouse.

12 (Source: P.A. 96-1530, eff. 2-16-11; 97-227, eff. 1-1-12.)

13 (305 ILCS 5/12-10.8 rep.)

14 (305 ILCS 5/12-10.9 rep.)

15 Section 20. The Illinois Public Aid Code is amended by
16 repealing Sections 12-10.8 and 12-10.9.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."