

SB1087



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1087

Introduced 2/25/2021, by Sen. Don Harmon

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.

LRB102 04910 CPF 14929 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
8 is to permit the development and availability of assisted
9 living establishments and shared housing establishments based
10 on a 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
14 residing in assisted living and shared housing establishments
15 in this State; to promote continuous quality improvement in
16 assisted living; and to encourage the development of
17 innovative and affordable assisted living establishments and
18 shared housing with service establishments for elderly persons
19 of all income levels. It is the public policy of this State
20 that assisted living is an important part of the continuum of
21 long term care. In support of the goal of aging in place within
22 the parameters established by this Act, assisted living and
23 shared housing establishments shall be operated as residential

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

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

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