



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5384

Introduced 2/9/2024, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

210 ILCS 9/3 new
305 ILCS 5/5-501.c new

Amends the Assisted Living and Shared Housing Act. Provides for the employment of resident attendants in establishments licensed under the Act. Provides that a resident attendant shall assist the residents of a licensed establishment with: (i) eating and drinking; and (ii) personal hygiene limited to washing a resident's hands and face, brushing and combing a resident's hair, shaving residents with an electric razor, and applying makeup. Sets forth required training and competency validation of a resident attendant. Makes a related change in the Illinois Public Aid Code. Effective immediately.

LRB103 38268 CES 68403 b

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 adding Section 3 as follows:

6 (210 ILCS 9/3 new)

7 Sec. 3. Resident attendants.

8 (a) As used in this Section, "resident attendant" means an
9 individual who assists the residents of an establishment that
10 is licensed under this Act with the following activities:

11 (1) eating and drinking; and

12 (2) personal hygiene, limited to washing a resident's
13 hands and face, brushing and combing a resident's hair,
14 oral hygiene, shaving residents with an electric razor,
15 and applying makeup.

16 The term "resident attendant" does not include an
17 individual who:

18 (1) is a licensed health professional or a registered
19 dietitian;

20 (2) volunteers without monetary compensation;

21 (3) is a nurse assistant; or

22 (4) performs any nursing or nursing-related services
23 for residents of a establishment.

1 (b) An establishment that is licensed under this Act may
2 employ resident attendants to assist the nurse aides with the
3 activities authorized under subsection (a).

4 (c) An establishment that is licensed under this Act may
5 not use on a full-time or other paid basis any individual as a
6 resident attendant in the establishment unless the individual:

7 (1) has completed a training and competency evaluation
8 program encompassing the tasks the individual provides;
9 and

10 (2) is competent to provide feeding, hydration, and
11 personal hygiene services.

12 (d) The training and competency evaluation program may be
13 establishment-based, and it may include one or more of the
14 following units:

15 (1) A feeding unit that is a maximum of 5 hours in
16 length.

17 (2) A hydration unit that is a maximum of 3 hours in
18 length.

19 (3) A personal hygiene unit that is a maximum of 5
20 hours in length.

21 These programs must be reviewed and approved by the
22 Department every 2 years.

23 (e) A person seeking employment as a resident attendant is
24 subject to the Health Care Worker Background Check Act.

25 Section 10. The Illinois Public Aid Code is amended by

1 adding Section 5-501.c as follows:

2 (305 ILCS 5/5-501.c new)

3 Sec. 5-501.c. Resident attendants.

4 (a) As used in this Section, "resident attendant" means an
5 individual who assists residents in a establishment that is
6 licensed under the Assisted Living and Shared Housing Act with
7 the following activities:

8 (1) eating and drinking; and

9 (2) personal hygiene limited to washing a resident's
10 hands and face, brushing and combing a resident's hair,
11 oral hygiene, shaving residents with an electric razor,
12 and applying makeup.

13 The term "resident attendant" does not include an
14 individual who:

15 (1) is a licensed health professional or a registered
16 dietitian;

17 (2) volunteers without monetary compensation;

18 (3) is a nurse assistant; or

19 (4) performs any nursing or nursing-related services
20 for residents of a establishment.

21 (b) An establishment that is licensed under the Assisted
22 Living and Shared Housing Act may employ resident attendants
23 to assist the nurse aides with the activities authorized under
24 subsection (a).

25 (c) An establishment that is licensed under the Assisted

1 Living and Shared Housing Act may not use on a full-time or
2 other paid basis any individual as a resident attendant in the
3 establishment unless the individual:

4 (1) has completed a training and competency evaluation
5 program encompassing the tasks the individual provides;
6 and

7 (2) is competent to provide feeding, hydration, and
8 personal hygiene services.

9 (d) The training and competency evaluation program may be
10 establishment-based, and it may include one or more of the
11 following units:

12 (1) A feeding unit that is a maximum of 5 hours in
13 length.

14 (2) A hydration unit that is a maximum of 3 hours in
15 length.

16 (3) A personal hygiene unit that is a maximum of 5
17 hours in length.

18 These programs must be reviewed and approved by the
19 Department every 2 years.

20 (e) A person seeking employment as a resident attendant is
21 subject to the Health Care Worker Background Check Act.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.