

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 5-52 as follows:

6 (305 ILCS 5/5-52 new)

7 Sec. 5-52. Electronic visit verification system; live-in
8 caregiver exemption. In accordance with federal guidance
9 issued by the federal Centers for Medicare and Medicaid
10 Services in its "CMCS Informational Bulletin" on August 8,
11 2019 that allows state Medicaid agencies to exempt live-in
12 caregivers from the electronic visit verification requirements
13 authorized under Section 12006(a) of the 21st Century Cures
14 Act (Public Law 114-255), the Department of Healthcare and
15 Family Services shall exempt from electronic visit
16 verification requirements all live-in caregivers who provide
17 personal care services under the Adults with Developmental
18 Disabilities waiver and the Support Waiver for Children and
19 Young Adults with Developmental Disabilities authorized under
20 Section 1915(c) of the Social Security Act.

21 As used in this Section, "live-in caregiver" means a
22 caregiver who permanently or for an extended period of time
23 resides in the same residence as the individual receiving

1 Medicaid-funded personal care services or home health care
2 services. Live-in caregiver status shall be determined by
3 meeting requirements established by the U.S. Department of
4 Labor, Internal Revenue Service, or extenuating circumstances
5 approved by the Department of Healthcare and Family Services.

6 The Department of Healthcare and Family Services may adopt
7 any rules necessary to implement this Section, including rules
8 on the form and manner in which a caregiver must verify that he
9 or she meets the definition of "live-in caregiver".

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.