

1 AMENDMENT TO HOUSE BILL 771

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 771 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Act on the Aging is amended by  
5 adding Section 4.04a as follows:

6 (20 ILCS 105/4.04a new)

7 Sec. 4.04a. Illinois Long-Term Care Council.

8 (a) Purpose. The purpose of this Section is to ensure  
9 that consumers over the age of 60 residing in facilities  
10 licensed or regulated under the Nursing Home Care Act,  
11 Skilled Nursing and Intermediate Care Facilities Code,  
12 Sheltered Care Facilities Code, and the Illinois Veterans'  
13 Homes Code receive high quality long-term care through an  
14 effective Illinois Long-Term Care Council.

15 (b) Maintenance and operation of the Illinois Long-Term  
16 Care Council.

17 (1) The Department shall develop a fair and  
18 impartial process for recruiting and receiving  
19 nominations for members for the Illinois Long-Term Care  
20 Council from the State Long-Term Care Ombudsman, the area  
21 agencies on aging, regional ombudsman programs, provider  
22 agencies, and other public agencies, using a nomination

1 form provided by the Department.

2 (2) The Department shall appoint members to the  
3 Illinois Long-Term Care Council in a timely manner.

4 (3) The Department shall consider and act in good  
5 faith regarding the Illinois Long-Term Care Council's  
6 annual report and its recommendations.

7 (4) The Director shall appoint to the Illinois  
8 Long-Term Care Council at least 18 but not more than 25  
9 members.

10 (c) Responsibilities of the State Long-Term Care  
11 Ombudsman, area agencies on aging, regional long-term care  
12 ombudsman programs, and provider agencies. The State  
13 Long-Term Care Ombudsman and each area agency on aging,  
14 regional long-term care ombudsman program, and provider  
15 agency shall solicit names and recommend members to the  
16 Department for appointment to the Illinois Long-Term Care  
17 Council.

18 (d) Powers and duties. The Illinois Long-Term Care  
19 Council shall do the following:

20 (1) Make recommendations and comment on issues  
21 pertaining to long-term care and the State Long-Term Care  
22 Ombudsman Program to the Department.

23 (2) Advise the Department on matters pertaining to  
24 the quality of life and quality of care in the continuum  
25 of long-term care.

26 (3) Evaluate, comment on reports regarding, and  
27 make recommendations on, the quality of life and quality  
28 of care in long-term care facilities and on the duties  
29 and responsibilities of the State Long-Term Care  
30 Ombudsman Program.

31 (4) Prepare and circulate an annual report to the  
32 Governor, the General Assembly, and other interested  
33 parties concerning the duties and accomplishments of the  
34 Illinois Long-Term Care Council and all other related

1 matters pertaining to long-term care and the protection  
2 of residents' rights.

3 (5) Provide an opportunity for public input at each  
4 scheduled meeting.

5 (6) Make recommendations to the Director, upon his  
6 or her request, as to individuals who are capable of  
7 serving as the State Long-Term Care Ombudsman and who  
8 should make appropriate application for that position  
9 should it become vacant.

10 (e) Composition and operation. The Illinois Long-Term  
11 Care Council shall be composed of at least 18 but not more  
12 than 25 members concerned about the quality of life in  
13 long-term care facilities and protecting the rights of  
14 residents, including members from long-term care facilities.  
15 The State Long-Term Care Ombudsman shall be a permanent  
16 member of the Long-Term Care Council. Members shall be  
17 appointed for a 4-year term with initial appointments  
18 staggered with 2-year, 3-year, and 4-year terms. A lottery  
19 will determine the terms of office for the members of the  
20 first term. Members may be reappointed to a term but no  
21 member may be reappointed to more than 2 consecutive terms.  
22 The Illinois Long-Term Care Council shall meet a minimum of 3  
23 times per calendar year.

24 (f) Member requirements. All members shall be  
25 individuals who have demonstrated concern about the quality  
26 of life in long-term care facilities. A minimum of 3 members  
27 must be current or former residents of long-term care  
28 facilities or the family member of a current or former  
29 resident of a long-term care facility. A minimum of 2 members  
30 shall represent current or former long term care facility  
31 resident councils or family councils. A minimum of 4 members  
32 shall be selected from recommendations by organizations whose  
33 members consist of long term care facilities. A  
34 representative of long-term care facility employees must also

1 be included as a member. A minimum of 2 members shall be  
2 selected from recommendations of membership-based senior  
3 advocacy groups or consumer organizations that engage solely  
4 in legal representation on behalf of residents and immediate  
5 families. There shall be non-voting State agency members on  
6 the Long-Term Care Council from the following agencies: (i)  
7 the Department of Veterans Affairs; (ii) the Department of  
8 Human Services; (iii) the Department of Public Health; (iv)  
9 the Department on Aging; (v) the Department of Public Aid;  
10 (vi) the Illinois State Police Medicaid Fraud Control Unit;  
11 and (vii) others as appropriate.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law."