

1 AN ACT concerning assisted living.

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 purpose of this Act is
8 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
13 provide for the health, safety, and welfare of these
14 residents residing in assisted living and shared housing
15 establishments in this State; to promote continuous quality
16 improvement in assisted living; and to encourage the
17 development of innovative and affordable assisted living
18 establishments and shared housing with service
19 establishments for elderly persons of all income levels. It
20 is the public policy of this State that assisted living is
21 an important part of the continuum of long term care. In
22 support of the goal of aging in place within the parameters
23 established by this Act, assisted living and shared housing
24 establishments shall be operated as residential environments
25 with supportive services designed to meet the individual
26 resident's changing needs and preferences. The residential
27 environment shall be designed to encourage family and
28 community involvement. The services available to residents,
29 either directly or through contracts or agreements, are
30 intended to help residents remain as independent as
31 possible. Assisted living, which promotes resident choice,

1 autonomy, and decision making, should be based on a contract
2 model designed to result in a negotiated agreement between
3 the resident or the resident's representative and the
4 provider, clearly identifying the services to be provided.
5 This model assumes that residents are able to direct services
6 provided for them and will designate a representative to
7 direct these services if they themselves are unable to do so.
8 This model supports the principle that there is an
9 acceptable balance between consumer protection and
10 resident willingness to accept risk and that most consumers
11 are competent to make their own judgments about the services
12 they are obtaining. Regulation of assisted living
13 establishments and shared housing establishments must be
14 sufficiently flexible to allow residents to age in place
15 within the parameters of this Act. The administration of this
16 Act and services provided must therefore ensure that the
17 residents have the rights and responsibilities to direct the
18 scope of services they receive and to make individual choices
19 based on their needs and preferences. These establishments
20 shall be operated in a manner that provides the least
21 restrictive and most homelike environment and that promotes
22 independence, autonomy, individuality, privacy, dignity, and
23 the right to negotiated risk in residential surroundings. It
24 is not the intent of the State that establishments licensed
25 under this Act be used as halfway houses for alcohol and
26 substance abusers.

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