

1 AN ACT in relation to health care.

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

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
23 form provided by the Department.

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

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

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

1 (c) Responsibilities of the State Long-Term Care
2 Ombudsman, area agencies on aging, regional long-term care
3 ombudsman programs, and provider agencies. The State
4 Long-Term Care Ombudsman and each area agency on aging,
5 regional long-term care ombudsman program, and provider
6 agency shall solicit names and recommend members to the
7 Department for appointment to the Illinois Long-Term Care
8 Council.

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

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

14 (2) Advise the Department on matters pertaining to
15 the quality of life and quality of care in the continuum
16 of long-term care.

17 (3) Evaluate, comment on reports regarding, and
18 make recommendations on, the quality of life and quality
19 of care in long-term care facilities and on the duties
20 and responsibilities of the State Long-Term Care
21 Ombudsman Program.

22 (4) Prepare and circulate an annual report to the
23 Governor, the General Assembly, and other interested
24 parties concerning the duties and accomplishments of the
25 Illinois Long-Term Care Council and all other related
26 matters pertaining to long-term care and the protection
27 of residents' rights.

28 (5) Provide an opportunity for public input at each
29 scheduled meeting.

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

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

15 (f) Member requirements. All members shall be
16 individuals who have demonstrated concern about the quality
17 of life in long-term care facilities. A minimum of 3 members
18 must be current or former residents of long-term care
19 facilities or the family member of a current or former
20 resident of a long-term care facility. A minimum of 2 members
21 shall represent current or former long term care facility
22 resident councils or family councils. A minimum of 4 members
23 shall be selected from recommendations by organizations whose
24 members consist of long term care facilities. A
25 representative of long-term care facility employees must also
26 be included as a member. A minimum of 2 members shall be
27 selected from recommendations of membership-based senior
28 advocacy groups or consumer organizations that engage solely
29 in legal representation on behalf of residents and immediate
30 families. There shall be non-voting State agency members on
31 the Long-Term Care Council from the following agencies: (i)
32 the Department of Veterans Affairs; (ii) the Department of
33 Human Services; (iii) the Department of Public Health; (iv)
34 the Department on Aging; (v) the Department of Public Aid;

1 (vi) the Illinois State Police Medicaid Fraud Control Unit;
2 and (vii) others as appropriate.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.