



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4228**

Introduced 1/27/2004, by Angelo Saviano

**SYNOPSIS AS INTRODUCED:**

225 ILCS 51/86 new

Amends the Home Medical Equipment and Services Provider License Act. Provides guidelines for companies, organizations, and health care professionals concerning providing wheeled mobility systems. Effective immediately.

LRB093 19366 AMC 45104 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning professional regulation.

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

4 Section 5. The Home Medical Equipment and Services Provider  
5 License Act is amended by adding Section 86 as follows:

6 (225 ILCS 51/86 new)

7 Sec. 86. Wheeled mobility systems.

8 (a) For the purposes of this Section:

9 "Assistive technology supplier" means service providers  
10 involved in the sale and service of commercially available  
11 wheeled mobility systems.

12 "Assistive technology practitioner" means therapists or  
13 other allied health professionals primarily involved in  
14 evaluating the consumer's needs and training in use of a  
15 prescribed wheeled mobility system.

16 "Consumer" means the ultimate recipient of a wheeled  
17 mobility system.

18 "Full-time employment" means approximately a 40 hour work  
19 week.

20 "Health care professional" means a physician licensed to  
21 practice medicine in all its branches licensed under the  
22 Medical Practice Act of 1987, physical therapist, occupational  
23 therapist, or other allied health care professional that  
24 performs physical evaluations within their scope of practice.

25 "Physical evaluation" means the determination and  
26 documentation of the physiological, functional, and  
27 environmental factors that impact the selection of an  
28 appropriate seating and wheeled mobility system.

29 "Qualified rehabilitation professional" means: (A) an  
30 individual who has appropriately obtained the designation of  
31 assistive technology supplier, assistive technology  
32 practitioner, rehabilitation engineering technologist after

1 meeting all the requirements thereof as established by the  
2 Rehabilitation Engineering and Assistive Technology Society of  
3 North America (RESNA) or (B) an individual who (i) can provide  
4 documentation to prove completion of at least 15 contact hours  
5 of continuing education (CEC) within the 12 months immediately  
6 prior to July 1, 2005, and all other subsequent years  
7 thereafter by June 30, in the field of seating and wheeled  
8 mobility, which may include, but is not limited to, courses by  
9 health care professionals, courses by health care  
10 associations, courses by a college or university, courses by  
11 manufacturers, in-service training by manufacturers, or  
12 attendance at symposiums or conferences; (ii) can provide proof  
13 of at least one year experience, at least 10 hours a week in a  
14 forty hour work week in the field of rehabilitation technology;  
15 and (iii) can provide 3 recommendations from health care  
16 professionals who can attest to the skills of the provider in  
17 seating and wheeled mobility.

18 "Rehabilitation engineering technologist" means a person  
19 who applies engineering principles to the design,  
20 modification, and customization of wheeled mobility systems.

21 "Technology assessment" means the process and  
22 documentation of matching the pathology, history, and  
23 prognosis of the patient to the appropriate wheeled mobility  
24 system.

25 "Wheeled mobility system" means a power or manual mobility  
26 system prescribed by a physician and required for use by the  
27 patient for a period of 6 months or more that includes  
28 (i) customized seated positioning components, (ii) powered  
29 seating options, (iii) alternative driving controls,  
30 (iv) non-standard performance options, or (v) other complex or  
31 specialized components.

32 (b) On and after July 1, 2005, all companies or  
33 organizations must employ at least one qualified  
34 rehabilitation professional if that company or organization  
35 provides any wheeled mobility system to a consumer who:

36 (1) is under age 21;

1           (2) has a primary diagnosis that results from childhood  
2           or adult onset injury or trauma;

3           (3) has a primary diagnosis that is progressive or  
4           degenerative in nature and necessitates a specialized  
5           mobility system;

6           (4) has a primary diagnosis that is neuromuscular in  
7           nature and necessitates a specialized mobility system;

8           (5) requires adaptive seating or positioning  
9           equipment; or

10          (6) has a diagnosis that indicates a need for other  
11          assistive technology such as speech generating devices or  
12          environmental controls.

13          (c) On and after July 1, 2005, in order for company or  
14          organization to supply a wheeled mobility system, the recipient  
15          must have undergone a physical evaluation by a health care  
16          professional, who shall provide a written report of the  
17          evaluation to be included in the consumer medical record and  
18          maintained on file by the supplier.

19          (d) Health care professionals, except physicians licensed  
20          to practice medicine in all its branches under the Medical  
21          Practice Act of 1987, shall complete 5 contact hours (CEC) a  
22          year in the area of rehabilitation seating and positioning.

23          (e) On and after July 1, 2005, all home care organizations  
24          making available technology assessments on prescribed wheeled  
25          mobility systems shall have on staff a qualified rehabilitation  
26          professional.

27          (f) On and after July 1, 2005, qualified rehabilitation  
28          professionals shall perform a complete, face-to-face  
29          technology assessment, based upon the physical evaluation  
30          required in subsection (c) and document, in writing,  
31          recommendations for a wheeled mobility system as appropriate to  
32          meet the consumer's needs.

33          (g) On and after July 1, 2008, a 180-day grace period shall  
34          be provided to home care organizations that provide technology  
35          assessments on prescribed wheeled mobility systems if the  
36          qualified rehabilitation professional on staff ceases to be

1 employed and the organization has no other qualified  
2 rehabilitation professional on staff. During the grace period,  
3 the standards regarding qualified rehabilitation professionals  
4 contained in subsections (e) and (f) shall apply.

5 (h) On and after July 1, 2008, the qualified rehabilitation  
6 professional shall be RESNA certified with the designation of  
7 assistive technology supplier, assistive technology  
8 practitioner, or rehabilitation engineer technologist or have  
9 an assistive technology degree from an accredited college or  
10 university or any other designation approved by the Board.

11 (i) Final fitting of a wheeled mobility device shall be  
12 completed with a qualified rehabilitation professional or  
13 health care professional present.

14 (j) On and after July 1, 2005, all home care organizations  
15 making available prescribed wheeled mobility system shall have  
16 a physical location with a working telephone and maintain  
17 \$1,000,000 in liability insurance coverage.

18 (k) On or after July 1, 2008, all companies providing  
19 wheeled mobility systems must be accredited by a nationally  
20 recognized accreditation body.

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