

1 AN ACT concerning public health.

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

4 Section 1. Short title. This Act may be cited as the
5 Excellence in Alzheimer's Disease Center Treatment Act.

6 Section 5. Purpose. This Act is intended to maintain and
7 enhance excellence in Alzheimer's disease treatment in
8 Illinois in order to develop strategies to treat and prevent
9 Alzheimer's disease in Illinois and across the United States,
10 ensure that all Illinois citizens obtain the highest quality
11 clinical care for Alzheimer's disease and other dementias,
12 reduce the enormous societal cost of this disease, ensure that
13 Illinois is a national center for Alzheimer's disease research,
14 and maintain and enhance Illinois' ability to attract
15 additional federal and private funding for these purposes.

16 Section 15. Definitions. As used in this Act:

17 "Academic medical center hospital" means a hospital
18 located in Illinois that is either (i) under common ownership
19 with the college of medicine of a college or university or (ii)
20 a free-standing hospital in which the majority of the clinical
21 chiefs of service are department chairmen in an affiliated
22 medical school.

23 "Qualified Academic Medical Center Hospital - Pre 1996
24 Designation" means any academic medical center hospital that
25 was designated by the National Institutes of Health and
26 National Institutes on Aging as an Alzheimer's Disease Core (or
27 Research) Center prior to calendar year 1996.

28 "Qualified Academic Medical Center Hospital - Post 1996
29 Designation" means any academic medical center hospital that
30 was designated by the National Institutes of Health and
31 National Institutes on Aging as an Alzheimer's Disease Core (or

1 Research) Center in or after calendar year 1996 through
2 calendar year 2003.

3 "Medicaid inpatient day of care" means total days contained
4 in the Illinois Department of Public Aid's paid claims
5 database, including obstetrical days multiplied by two and
6 excluding Medicare crossover days, for dates of service
7 occurring during State fiscal year 1998 and adjudicated through
8 June 30, 1999.

9 Section 20. Funds created.

10 (a) The Alzheimer's Disease Center Clinical Fund is created
11 as a special fund in the State treasury, to which the General
12 Assembly shall from time to time appropriate funds and from
13 which the Comptroller shall pay amounts as authorized by law.

14 (b) The Alzheimer's Disease Center Expanded Clinical Fund
15 is created as a special fund in the State treasury, to which
16 the General Assembly shall from time to time appropriate funds
17 and from which the Comptroller shall pay amounts as authorized
18 by law.

19 (c) The Alzheimer's Disease Center Independent Clinical
20 Fund is created as a special fund in the State treasury, to
21 which the General Assembly shall from time to time appropriate
22 funds and from which the Comptroller shall pay amounts as
23 authorized by law.

24 Section 25. The Alzheimer's Disease Center Clinical Fund.

25 (a) Each institution defined as a Qualified Academic
26 Medical Center Hospital - Pre 1996 Designation shall be
27 eligible for payments from the Alzheimer's Disease Center
28 Clinical Fund.

29 (b) Appropriations allocated to this Fund shall be divided
30 among the qualifying hospitals. The Department of Public Aid
31 shall calculate payment rates for each hospital qualifying
32 under this Section as follows:

33 (1) Hospitals that qualify under the Qualified
34 Academic Medical Center Hospital - Pre 1996 Designation

1 shall be paid a rate of \$55.50 for each Medicaid inpatient
2 day of care.

3 (2) No qualifying hospital shall receive payments
4 under this Section that exceed \$1,200,000.

5 (c) Payments under this Section shall be made at least
6 quarterly.

7 Section 30. The Alzheimer's Disease Center Expanded
8 Clinical Fund.

9 (a) Each institution defined as a Qualified Academic
10 Medical Center Hospital - Pre 1996 Designation or as a
11 Qualified Academic Medical Center Hospital - Post 1996
12 Designation shall be eligible for payments from the Alzheimer's
13 Disease Center Expanded Clinical Fund.

14 (b) Appropriations allocated to this Fund shall be divided
15 among the qualifying hospitals. The Department of Public Aid
16 shall calculate payment rates for each hospital qualifying
17 under this Section as follows:

18 (1) Hospitals that are defined as a Qualifying Academic
19 Medical Center Hospital - Pre 1996 Designation shall be
20 paid \$13.90 for each Medicaid inpatient day of care.

21 (2) Hospitals that are defined as a Qualifying Academic
22 Medical Center Hospital - Post 1996 Designation and do not
23 meet the Pre 1996 Designation criterion, shall be paid
24 \$10.75 for each Medicaid inpatient day of care.

25 (3) Hospitals that qualify under the Pre and Post 1996
26 Designation shall qualify for payments under this Section
27 according to the payment guidelines for Pre 1996 Designated
28 hospitals.

29 (4) No qualifying hospital shall receive payments
30 under this Section that exceed \$300,000.

31 (c) Payments under this Section shall be made at least
32 quarterly.

33 Section 35. The Alzheimer's Disease Center Independent
34 Clinical Fund.

1 (a) Each institution defined as a Qualified Academic
2 Medical Center Hospital - Pre 1996 Designation or as a
3 Qualified Academic Medical Center Hospital - Post 1996
4 Designation shall be eligible for payments from the Alzheimer's
5 Disease Center Independent Clinical Fund.

6 (b) Appropriations allocated to this Fund shall be
7 allocated to specific Qualified Academic Medical Center
8 Hospitals (either Pre 1996 or Post 1996 Designation) for
9 specific and unique clinical/research projects as determined
10 by the General Assembly.

11 (c) Payments under this Section shall be made at least
12 quarterly.

13 Section 40. Use of funds. Reimbursement for medical
14 services under this Act eligible for federal financial
15 participation under Title XIX of the Social Security Act shall
16 be used for the following 6 general purposes:

17 (1) Clinical Care. Funds disbursed to each Qualified
18 Academic Medical Center Hospital (either Pre 1996 or Post
19 1996 Designation) must be used to support clinical care for
20 affected persons and their families. In addition to
21 providing clinical care, the Qualified Academic Medical
22 Center Hospitals (either Pre 1996 or Post 1996 Designation)
23 shall serve as models of multi-disciplinary diagnostic and
24 treatment facilities for Alzheimer's disease and other
25 dementias.

26 (2) Underserved Community Outreach. Funds disbursed to
27 each Qualified Academic Medical Center Hospital (either
28 Pre 1996 or Post 1996 Designation) must be used to support
29 some type of outreach program in underserved communities.

30 (3) Research. Funds disbursed to each Qualified
31 Academic Medical Center Hospital (either Pre 1996 or Post
32 1996 Designation) must be used to support research on aging
33 and dementia.

34 (4) Education. Funds disbursed to each Qualified
35 Academic Medical Center Hospital (either Pre 1996 or Post

1 1996 Designation) must be used to support education
2 regarding aging and dementia.

3 (5) Brain Bank. Funds should be used by each Qualified
4 Academic Medical Center Hospital (either Pre 1996 or Post
5 1996 Designation) to support a brain banking program.

6 (6) Administration. Funds, as needed, may be used to
7 cover administrative costs, facility costs, and other
8 costs commonly incurred by clinical, research, and
9 educational programs according to the rules governing each
10 Qualified Academic Medical Center Hospital (either Pre
11 1996 or Post 1996 Designation).

12 Section 45. Payment of funds. The Comptroller shall
13 disburse all funds appropriated to the Alzheimer's Disease
14 Center Clinical Fund, the Alzheimer's Disease Center Expanded
15 Clinical Fund, and the Alzheimer's Disease Center Independent
16 Clinical Fund to the appropriate Qualified Academic Medical
17 Center Hospitals (either Pre 1996 or Post 1996 Designation) as
18 the funds are appropriated by the General Assembly and come due
19 under this Act. The payment of these funds shall be made
20 through the Department of Public Aid.

21 Section 50. Reporting requirements. Qualified Academic
22 Medical Center Hospitals (either Pre 1996 or Post 1996
23 Designation) receiving payments from the Alzheimer's Disease
24 Center Clinical Fund, the Alzheimer's Disease Center Expanded
25 Clinical Fund, or the Alzheimer's Disease Center Independent
26 Clinical Fund shall submit annual reports to the Department of
27 Public Health and the ADA Advisory Committee.

28 Section 55. Payment methodology. The Department of Public
29 Aid shall promulgate rules necessary to make payments to the
30 Qualifying Academic Medical Center Hospitals (either Pre 1996
31 or Post 1996 Designation) utilizing a reimbursement
32 methodology consistent with this Act for distribution of all
33 moneys from the funds in a manner that would help ensure these

1 funds could be matchable to the maximum extent possible under
2 Title XIX of the Social Security Act.

3 Section 60. Reimbursements of payments by the State.
4 Nothing in this Act may be used to reduce reimbursements or
5 payments by the State to a Qualifying Academic Medical Center
6 Hospital (either Pre 1996 or Post 1996 Designation) under any
7 other Act.

8 Section 65. Contravention of law. Funds received under this
9 Act shall not be used in contravention of any law of this
10 State.

11 Section 90. The State Finance Act is amended by adding
12 Sections 5.625, 5.626, and 5.627 as follows:

13 (30 ILCS 105/5.625 new)

14 Sec. 5.625. The Alzheimer's Disease Center Clinical Fund.

15 (30 ILCS 105/5.626 new)

16 Sec. 5.626. The Alzheimer's Disease Center Expanded
17 Clinical Fund.

18 (30 ILCS 105/5.627 new)

19 Sec. 5.627. The Alzheimer's Disease Center Independent
20 Clinical Fund.

21 Section 95. The Alzheimer's Disease Assistance Act is
22 amended by changing Sections 2, 6, and 7 as follows:

23 (410 ILCS 405/2) (from Ch. 111 1/2, par. 6952)

24 Sec. 2. Policy declaration. The General Assembly finds that
25 Alzheimer's disease and related disorders are devastating
26 health conditions which destroy certain vital cells of the
27 brain and which affect an estimated 4,500,000 ~~1,500,000~~
28 Americans. This means that approximately 200,000 ~~111,000~~

1 Illinois citizens are victims. The General Assembly also finds
2 that 50% of all nursing home admissions in the State may be
3 attributable to the Alzheimer's disease and related disorders
4 and that these conditions are the fourth leading cause of death
5 among the elderly. It is the opinion of the General Assembly
6 that Alzheimer's disease and related disorders cause serious
7 financial, social and emotional hardships on the victims and
8 their families of such a major consequence that it is essential
9 for the State to develop and implement policies, plans,
10 programs and services to alleviate such hardships.

11 The General Assembly recognizes that there is no known
12 cause or cure of Alzheimer's disease at this time, and that it
13 can progress over an extended period of time and to such a
14 degree that the victim's deteriorated condition makes him or
15 her susceptible to other medical disorders that generally prove
16 fatal. It is the intent of the General Assembly, through
17 implementation of this Act, to establish a program for the
18 conduct of research regarding the cause, cure and treatment of
19 Alzheimer's disease and related disorders; and, through the
20 establishment of Regional Alzheimer's Disease Assistance
21 Centers and a comprehensive, Statewide system of regional and
22 community-based services, to provide for the identification,
23 evaluation, diagnosis, referral and treatment of victims of
24 such health problems.

25 (Source: P.A. 85-1209.)

26 (410 ILCS 405/6) (from Ch. 111 1/2, par. 6956)

27 Sec. 6. ADA Advisory Committee. There is created the
28 Alzheimer's Disease Advisory Committee consisting of 21 voting
29 members appointed by the Director of the Department, as well as
30 5 nonvoting members as hereinafter provided in this Section.
31 The Director or his designee shall serve as one of the 21
32 voting members and as the Chairman of the Committee. Those
33 appointed as voting members shall include persons who are
34 experienced in research and the delivery of services to victims
35 and their families. Such members shall include 4 physicians

1 licensed to practice medicine in all of its branches, one
2 representative of a postsecondary educational institution
3 which administers or is affiliated with a medical center in the
4 State, one representative of a licensed hospital, one
5 registered nurse, one representative of a long term care
6 facility under the Nursing Home Care Act, one representative of
7 an area agency on aging as defined by Section 3.07 of the
8 Illinois Act on the Aging, one social worker, one
9 representative of an organization established under the
10 Illinois Insurance Code for the purpose of providing health
11 insurance, 5 family members or representatives of victims of
12 Alzheimer's disease and related disorders, and 4 members of the
13 general public. Among the physician appointments shall be
14 persons with specialties in the fields of neurology, family
15 medicine, psychiatry and pharmacology. Among the general
16 public members, at least 2 appointments shall include persons
17 65 years of age or older.

18 In addition to the 21 voting members, the Secretary of
19 Human Services (or his or her designee) and one additional
20 representative of the Department of Human Services designated
21 by the Secretary plus the Directors of the following State
22 agencies or their designees shall serve as nonvoting members:
23 Department on Aging, Department of Public Aid, and Guardianship
24 and Advocacy Commission.

25 Each voting member appointed by the Director of Public
26 Health shall serve for a term of 2 years, and until his
27 successor is appointed and qualified. Members of the Committee
28 shall not be compensated but shall be reimbursed for expenses
29 actually incurred in the performance of their duties. No more
30 than 11 voting members may be of the same political party.
31 Vacancies shall be filled in the same manner as original
32 appointments.

33 The Committee shall review all State programs and services
34 provided by State agencies that are directed toward persons
35 with Alzheimer's disease and related dementias, and recommend
36 changes to improve the State's response to this serious health

1 problem.

2 (Source: P.A. 89-507, eff. 7-1-97.)

3 (410 ILCS 405/7) (from Ch. 111 1/2, par. 6957)

4 Sec. 7. Regional ADA center funding. Pursuant to
5 appropriations enacted by the General Assembly, the Department
6 shall provide funds to hospitals affiliated with each Regional
7 ADA Center for necessary research and for the development and
8 maintenance of services for victims of Alzheimer's disease and
9 related disorders and their families. For the fiscal year
10 beginning July 1, 2003, and each year thereafter, the
11 Department shall effect payments under this Section to
12 hospitals affiliated with each Regional ADA Center through the
13 Illinois Department of Public Aid under the Excellence in
14 Alzheimer's Disease Center Treatment Act. The Department of
15 Public Aid shall annually report to the Advisory Committee
16 established under this Act regarding the funding of centers
17 under this Act. The Department shall include the annual
18 expenditures for this purpose in the plan required by Section 5
19 of this Act.

20 (Source: P.A. 93-20, eff. 6-20-03.)

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