

1 AN ACT concerning the Department on Aging.

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 4.02c as follows:

6 (20 ILCS 105/4.02c new)

7 Sec. 4.02c. Comprehensive Care in Residential Settings
8 Demonstration Project.

9 (a) The Department may establish and fund a demonstration
10 program of bundled services designed to support the specialized
11 needs of clients currently residing in projects that were
12 formerly designated as Community Based Residential Facilities
13 and licensed under the Assisted Living and Shared Housing Act.

14 (b) The demonstration program must include, at a minimum:

15 (1) 3 meals per day;

16 (2) routine housekeeping services;

17 (3) 24-hour-a-day security;

18 (4) an emergency response system;

19 (5) personal laundry and linen service;

20 (6) assistance with activities of daily living;

21 (7) medication management; and

22 (8) money management.

23 Optional services, such as transportation and social
24 activities, may be provided.

25 (c) Reimbursement for the program shall be based on the
26 client's level of need and functional impairment, as determined
27 by the Department. Clients must meet all eligibility
28 requirements established by rule. The Department may establish
29 a capitated reimbursement mechanism based on the client's level
30 of need and functional impairment. Reimbursement for program
31 must be made to the Department-contracted provider delivering
32 the services.

1 (d) The Department shall adopt rules and provide oversight
2 for the project, with assistance and advice provided by the
3 Assisted Living and Shared Housing Advisory Board and Assisted
4 Living and Shared Housing Quality of Life Committee.

5 The project may be funded through the Department
6 appropriations that may include Medicaid waiver funds.

7 (e) Before January 1, 2008, the Department, in consultation
8 with the Assisted Living and Shared Housing Advisory Board,
9 must report to the General Assembly on the results of the
10 demonstration project. The report must include, without
11 limitation, any recommendations for changes or improvements,
12 including changes or improvements in the administration of the
13 program and an evaluation.

14 Section 10. The Assisted Living and Shared Housing Act is
15 amended by changing Sections 90 and 140 as follows:

16 (210 ILCS 9/90)

17 Sec. 90. Contents of service delivery contract. A contract
18 between an establishment and a resident must be entitled
19 "assisted living establishment contract" or "shared housing
20 establishment contract" as applicable, shall be printed in no
21 less than 12 point type, and shall include at least the
22 following elements in the body or through supporting documents
23 or attachments:

24 (1) the name, street address, and mailing address of
25 the establishment;

26 (2) the name and mailing address of the owner or owners
27 of the establishment and, if the owner or owners are not
28 natural persons, the type of business entity of the owner
29 or owners;

30 (3) the name and mailing address of the managing agent
31 of the establishment, whether hired under a management
32 agreement or lease agreement, if the managing agent is
33 different from the owner or owners;

34 (4) the name and address of at least one natural person

1 who is authorized to accept service on behalf of the owners
2 and managing agent;

3 (5) a statement describing the license status of the
4 establishment and the license status of all providers of
5 health-related or supportive services to a resident under
6 arrangement with the establishment;

7 (6) the duration of the contract;

8 (7) the base rate to be paid by the resident and a
9 description of the services to be provided as part of this
10 rate;

11 (8) a description of any additional services to be
12 provided for an additional fee by the establishment
13 directly or by a third party provider under arrangement
14 with the establishment;

15 (9) the fee schedules outlining the cost of any
16 additional services;

17 (10) a description of the process through which the
18 contract may be modified, amended, or terminated;

19 (11) a description of the establishment's complaint
20 resolution process available to residents and notice of the
21 availability of the Department on Aging's Senior Helpline
22 for complaints;

23 (12) the name of the resident's designated
24 representative, if any;

25 (13) the resident's obligations in order to maintain
26 residency and receive services including compliance with
27 all assessments required under Section 15;

28 (14) the billing and payment procedures and
29 requirements;

30 (15) a statement affirming the resident's freedom to
31 receive services from service providers with whom the
32 establishment does not have a contractual arrangement,
33 which may also disclaim liability on the part of the
34 establishment for those services;

35 (16) a statement that medical assistance under Article
36 V or Article VI of the Illinois Public Aid Code is not

1 available for payment for services provided in an
2 establishment, excluding contracts executed with residents
3 residing in licensed establishments participating in the
4 Department on Aging's Comprehensive Care in Residential
5 Settings Demonstration Project;

6 (17) a statement detailing the admission, risk
7 management, and residency termination criteria and
8 procedures;

9 (18) a statement listing the rights specified in
10 Section 95 and acknowledging that, by contracting with the
11 assisted living or shared housing establishment, the
12 resident does not forfeit those rights; and

13 (19) a statement detailing the Department's annual
14 on-site review process including what documents contained
15 in a resident's personal file shall be reviewed by the
16 on-site reviewer as defined by rule.

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

18 (210 ILCS 9/140)

19 Sec. 140. State and private funding. Nothing in this Act
20 shall:

21 (1) require or authorize the State agency responsible
22 for the administration of the medical assistance program
23 established under Article V and Article VI of the Illinois
24 Public Aid Code to approve, supply, or cover services
25 provided in an assisted living or shared housing
26 establishment, with the exception of licensed facilities
27 that participate in the Department on Aging's
28 Comprehensive Care in Residential Settings Demonstration
29 Project, which may be covered under provisions of the
30 Illinois Public Aid Code;

31 (2) require an agency or a managed care organization to
32 approve, supply, or cover services provided in an assisted
33 living or shared housing establishment; or

34 (3) require any other third party payer to approve,
35 supply or cover medically necessary home care services

1 provided in an assisted living establishment.

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

3 (20 ILCS 105/4.02b rep.) (from Ch. 23, par. 6104.02b)

4 Section 90. The Illinois Act on the Aging is amended by
5 repealing Section 4.02b.