



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/05/04, by Joseph M. Lyons

SYNOPSIS AS INTRODUCED:

New Act

Creates the Independent Living Projects Act. Requires the Department on Aging and the Department of Human Services to contract with independent living projects in different regions of the State to demonstrate the feasibility and cost-effectiveness of using low-cost home care and other residential alternatives to nursing home care and to achieve other goals. Sets forth criteria that such projects must meet. Requires the Department on Aging to conduct a public awareness campaign.

LRB093 15226 DRJ 40822 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning long-term care.

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 Independent Living Projects Act.

6 Section 5. Purpose; objectives.

7 (a) The purpose of implementing independent living
8 projects under this Act is to demonstrate a new cooperative
9 strategy for the long-term care system in the State of
10 Illinois. The projects are part of the initial plan for a
11 20-year strategy. The mission of the 20-year strategy is to
12 create a new community-based care paradigm for long-term care
13 in Illinois in order to maximize independence of the older
14 adult population and to ensure cost-effective use of financial
15 and human resources. The goals for the 20-year strategy are to:

16 (1) achieve a broad awareness and use of low-cost home
17 care and other residential alternatives to nursing homes;

18 (2) develop a statewide system of information and
19 assistance to enable easy access to long-term care
20 services;

21 (3) develop sufficient alternatives to nursing homes
22 to serve the increased number of people needing long-term
23 care;

24 (4) maintain a moratorium on new construction of
25 nursing home beds and to lower the percentage of elderly
26 persons served in institutional settings; and

27 (5) build a community-based approach and community
28 commitment to delivering long-term care services for
29 elderly persons in their homes.

30 (b) The objective for the strategy is to continue at least
31 4 but not more than 6 projects in anticipation of a statewide
32 program. These projects will continue the process of

1 implementing:

2 (1) a coordinated planning and administrative process;

3 (2) a refocused function of the preadmission screening
4 program;

5 (3) the development of additional home, community, and
6 residential alternatives to nursing homes;

7 (4) a program to support the informal caregivers for
8 elderly persons;

9 (5) programs to strengthen the use of volunteers; and

10 (6) programs to support the building of community
11 commitment to provide long-term care for elderly persons.

12 The services offered through these projects shall be made
13 available to those who have their own funds to pay for
14 services, as well as to persons who are eligible for medical
15 assistance under Article V of the Illinois Public Aid Code and
16 to persons who are 180-day eligible clients to the extent
17 authorized in this Act.

18 Section 10. Definitions. In this Act, "Department" means
19 the Department on Aging or the Department of Human Services, as
20 applicable.

21 Section 15. Independent living projects.

22 (a) The Department on Aging and the Department of Human
23 Services shall contract with independent living projects in 4
24 to 6 service regions of the State to demonstrate the
25 feasibility and cost-effectiveness of a local long-term care
26 strategy that is consistent with the State's long-term care
27 goals identified in Section 5. Each department shall publish a
28 notice in the Illinois Procurement Bulletin announcing the
29 availability of project funding and giving instructions for
30 making an application for funding. The instructions for the
31 application shall identify the amount of funding available for
32 project components.

33 (b) To be selected for the project, an applicant must
34 establish a long-term care coordinating team consisting of

1 social service agencies, public health nursing service
2 agencies, local boards of health, a representative of local
3 nursing home providers, a representative of local home care
4 providers, and the area agencies on aging in a geographic area.

5 The team is responsible for:

6 (1) developing a local long-term care strategy
7 consistent with State goals and objectives;

8 (2) submitting an application to be selected as a
9 project;

10 (3) coordinating planning for funds to provide
11 services to elderly persons, including funds received
12 under Title III of the Older Americans Act, the Community
13 Social Services Act, Title XX of the Social Security Act,
14 and the Local Public Health Act; and

15 (4) ensuring efficient services provision and
16 nonduplication of funding.

17 (c) The applicant must designate a public agency to serve
18 as the lead agency. The lead agency shall receive and manage
19 the project funds from the State and is responsible for the
20 implementation of the local strategy. If selected as a project,
21 the local long-term care coordinating team must evaluate the
22 progress of the local long-term care strategy in meeting State
23 measures of performance and results as established in the
24 contract. The team must conduct such an evaluation every 6
25 months.

26 (d) Each member of the local coordinating team must
27 indicate its endorsement of the local strategy. The local
28 long-term care coordinating team may include in its membership
29 other units of government that provide funding for services to
30 the frail elderly. The team must cooperate with consumers and
31 other public and private agencies, including nursing homes, in
32 the geographic area in order to develop and offer a variety of
33 cost-effective services to the elderly and their caregivers.

34 (e) An applicant must apply to be selected as a project. If
35 the project is selected, the Department on Aging or the
36 Department of Human Services, as applicable, shall contract

1 with the lead agency for the project and shall provide
2 additional administrative funds for implementing the
3 provisions of the contract, within the appropriation available
4 for this purpose.

5 (f) A project may not be selected unless it demonstrates
6 that:

7 (1) the objectives of the local project will help to
8 achieve the State's long-term care goals as defined in
9 Section 5;

10 (2) there is a designated local lead agency that is
11 empowered to make contracts with the State and local
12 vendors on behalf of all participants;

13 (3) the project proposal demonstrates that the local
14 cooperating agencies have the ability to perform the
15 project as described and that the implementation of the
16 project has a reasonable chance of achieving its
17 objectives; and

18 (4) the local coordinating team documents efforts of
19 cooperation with consumers and other agencies and
20 organizations, both public and private, in planning for
21 service delivery.

22 Section 20. Long-term care strategy. The local long-term
23 care strategy must list performance outcomes and indicators
24 that meet the State's objectives. The local strategy must
25 provide for the following:

26 (1) Accessible information, assessment, and
27 preadmission screening activities as described in Section
28 25.

29 (2) An increase in numbers of alternative care clients
30 served, including those who are relocated from nursing
31 homes, which results in a reduction of the medical
32 assistance nursing home caseload.

33 (3) The development of additional services, such as
34 adult family foster care homes; family adult day care;
35 assisted living projects and congregate housing service

1 projects in apartment buildings; expanded home care
2 services for evenings and weekends; expanded volunteer
3 services; and caregiver support and respite care projects.

4 The applicant selected for the project shall be required to
5 comply with federal regulations, alternative care funding
6 policies, and federal waiver programs' policies.

7 Section 25. Accessible information, screening, and
8 assessment function.

9 (a) A project selected by and under contract with the
10 Department shall establish an accessible information,
11 screening, and assessment function for persons who need
12 assistance and information regarding long-term care. This
13 accessible information, screening, and assessment function
14 shall include information and referral, early intervention,
15 follow-up contacts, telephone screening, home visits,
16 assessments, preadmission screening, and relocation case
17 management for the frail elderly and their caregivers in the
18 area served by the project. The purpose is to ensure that
19 information and help is provided to elderly persons and their
20 families in a timely fashion, when they are making decisions
21 about long-term care. These functions may be split among
22 various agencies, but must be coordinated by the local
23 long-term care coordinating team.

24 (b) The lead agency or the agencies under contract with the
25 lead agency that are responsible for the accessible
26 information, screening, and assessment function must complete
27 the forms and reports required by the Department as specified
28 in the contract.

29 Section 30. Service development and delivery. In addition
30 to the access, screening, and assessment function described in
31 Section 25, each local strategy may include provisions for the
32 following:

33 (1) The addition of a full-time staff person who is
34 responsible to develop the following services and recruit

1 providers as established in the contract:

2 (A) Additional adult family foster care homes.

3 (B) Family adult day care providers.

4 (C) An assisted living program in an apartment.

5 (D) A congregate housing service project in a
6 subsidized housing project.

7 (E) The expansion of evening and weekend coverage
8 of home care services as deemed necessary by the local
9 strategic plan.

10 (2) Small incentive grants to new adult family care
11 providers for renovations needed to meet licensure
12 requirements.

13 (3) A plan to apply for a congregate housing service
14 project, authorized by the Department, to the extent that
15 funds are available.

16 (4) A plan to divert new applicants to nursing homes
17 and to relocate a targeted population from nursing homes,
18 using an individual's own resources or the funding
19 available for services.

20 (5) One or more caregiver support and respite care
21 projects, as described in Section 35.

22 Section 35. Caregiver support and respite care.

23 (a) The Department shall establish up to 6 projects to
24 expand the respite care network in the State and to support
25 caregivers in their responsibilities for care. The purpose of
26 each project shall be to:

27 (1) establish a local coordinated network of volunteer
28 and paid respite workers;

29 (2) coordinate assignment of respite workers to
30 clients and care receivers and assure the health and safety
31 of the client; and

32 (3) provide training for caregivers and ensure that
33 support groups are available in the community.

34 (b) The caregiver support and respite care funds shall be
35 available to the 4 to 6 local long-term care strategy projects

1 designated under this Act.

2 (c) The Department shall publish a notice in the Illinois
3 Procurement Bulletin to solicit proposals from public or
4 private nonprofit agencies for the projects not included in the
5 4 to 6 local long-term care strategy projects defined in
6 Section 15. An agency may, alone or in combination with other
7 agencies, apply for caregiver support and respite care project
8 funds. A public or nonprofit agency within a designated
9 independent living project area may apply for project funds if
10 the agency has a letter of agreement with the service region in
11 which services will be developed, stating the intention to
12 coordinate the activities with those projects.

13 (d) The Department shall select grantees based on the
14 following criteria:

15 (1) The ability of the proposal to demonstrate need in
16 the area served, as evidenced by a community needs
17 assessment or other demographic data.

18 (2) The ability of the proposal to clearly describe how
19 the project will achieve the purpose set forth in
20 subsection (a).

21 (3) The ability of the proposal to reach underserved
22 populations.

23 (4) The ability of the proposal to demonstrate
24 community commitment to the project, as evidenced by
25 letters of support and cooperation as well as formation of
26 a community task force.

27 (5) The ability of the proposal to clearly describe the
28 process for recruiting, training, and retraining
29 volunteers.

30 (6) The inclusion in the proposal of the plan to
31 promote the project in the community, including outreach to
32 persons needing the services.

33 (e) Funds for all projects under this Section may be used
34 to do the following:

35 (1) Hire a coordinator to develop a coordinated network
36 of volunteer and paid respite care services and assign

1 workers to clients.

2 (2) Recruit and train volunteer providers.

3 (3) Train caregivers.

4 (4) Ensure the development of support groups for
5 caregivers.

6 (5) Advertise the availability of the caregiver
7 support and respite care project.

8 (6) Purchase equipment to maintain a system of
9 assigning workers to clients.

10 (f) Project funds may not be used to supplant existing
11 funding sources.

12 Section 40. Independent living projects evaluation. The
13 Department shall evaluate the success of the independent living
14 projects against the objective stated in subsection (b) of
15 Section 5, and recommend to the legislature the continuation or
16 expansion of the long-term care strategy by February 15, 2008.

17 Section 45. Public awareness campaign. The Department
18 shall contract for a public awareness campaign to educate the
19 general public, seniors, consumers, caregivers, and
20 professionals about the aging process, the long-term care
21 system, and alternatives available including alternative care
22 and residential alternatives. Particular emphasis shall be
23 given to informing consumers on how to access the alternatives
24 and obtain information on the long-term care system. The
25 Department shall pursue the development of new names for
26 preadmission screening, alternative care, foster care, and
27 other services as deemed necessary for the public awareness
28 campaign.

29 Section 50. Community service grants. The Department shall
30 award contracts for grants to public and private nonprofit
31 agencies to establish services that strengthen a community's
32 ability to provide a system of home and community-based
33 services for elderly persons. The Department shall use a

1 request for proposal process. The Department shall give
2 preference when awarding grants under this Section to areas
3 where nursing facility closures have occurred or are occurring.

4 The Department shall consider grants for the following:

5 (1) Caregiver support and respite care projects under
6 Section 35.

7 (2) On-site coordination.

8 (3) Services identified as needed for community
9 transition.