

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 5-2.08 as follows:

6 (305 ILCS 5/5-2.08 new)

7 Sec. 5-2.08. Spousal caregiver demonstration.

8 (a) The Department of Human Services, in consultation with
9 the Department of Healthcare and Family Services, shall develop
10 a demonstration project within the Home Services Program under
11 which a spouse may be reimbursed for providing care to his or
12 her spouse, who is eligible for services through the Home
13 Services Program and who meets the criteria for this
14 demonstration project. The demonstration project shall operate
15 in selected counties and be limited to serving no more than 100
16 unduplicated persons in a State fiscal year.

17 The components of the demonstration project shall include
18 the following:

19 (1) Authorization for a spouse to be reimbursed for
20 care provided to his or her otherwise eligible spouse
21 through the Home Services Program.

22 (2) The development of specific criteria for the
23 provision of services under the demonstration project.

1 (3) The determination of the personal care or similar
2 services for which payment may be made.

3 (4) The method for determining that the amount of
4 personal care or similar services provided by the spouse is
5 "extraordinary care" that exceeds the ordinary care that
6 would be provided to a spouse without a disability.

7 (5) Limitations on the number of hours of personal
8 services that will be reimbursed.

9 (6) Utilization of the Determination of Need
10 evaluation and other comprehensive assessment tools as
11 criteria for determining eligibility and developing
12 service plans under the demonstration project.

13 (7) Determination of how or whether the provision of
14 personal care by the spouse is in the best interest of his
15 or her spouse, who is an eligible participant in the
16 demonstration project.

17 (8) Use of procedures that ensure that payments are
18 made for services rendered.

19 (9) Assurances that all other criteria of the
20 demonstration project are met.

21 (10) Measurement of participant experiences.

22 (b) By July 1, 2008, the Department of Human Services, in
23 consultation with the Department of Healthcare and Family
24 Services, shall begin development of the demonstration
25 project. The Department of Human Services shall provide an
26 interim report on or before March 1, 2009 to the Governor and

1 the General Assembly that includes the progress on the
2 development of the demonstration project and implementation
3 timelines of the demonstration project and the criteria for the
4 demonstration project.

5 (c) The Department of Human Services shall report findings
6 and recommendations by March 1, 2010 to the Governor and the
7 General Assembly. The report shall include an explanation of
8 the manner in which each demonstration project component listed
9 in paragraphs (1) through (10) of subsection (a) is addressed.
10 In addition, the report shall include (i) the estimated number
11 of clients statewide who could utilize services and (ii) an
12 analysis of the fiscal impact per client on the Department's
13 new and existing costs under the Home Services Program.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.