



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB1191

by Rep. Elizabeth Hernandez

#### SYNOPSIS AS INTRODUCED:

20 ILCS 105/4.01

from Ch. 23, par. 6104.01

Amends the Illinois Act on the Aging. Grants the Department on Aging the power to hold conferences, trainings, and other programs for which the Department shall determine by rule a reasonable fee to cover related administrative costs. Rules to implement the fee authority must be adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules, and any purported rule not so adopted, for whatever reason, is unauthorized. Effective immediately.

LRB098 06199 KTG 36240 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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 changing Section 4.01 as follows:

6 (20 ILCS 105/4.01) (from Ch. 23, par. 6104.01)

7 Sec. 4.01. Additional powers and duties of the Department.

8 In addition to powers and duties otherwise provided by law, the  
9 Department shall have the following powers and duties:

10 (1) To evaluate all programs, services, and facilities for  
11 the aged and for minority senior citizens within the State and  
12 determine the extent to which present public or private  
13 programs, services and facilities meet the needs of the aged.

14 (2) To coordinate and evaluate all programs, services, and  
15 facilities for the Aging and for minority senior citizens  
16 presently furnished by State agencies and make appropriate  
17 recommendations regarding such services, programs and  
18 facilities to the Governor and/or the General Assembly.

19 (3) To function as the sole State agency to develop a  
20 comprehensive plan to meet the needs of the State's senior  
21 citizens and the State's minority senior citizens.

22 (4) To receive and disburse State and federal funds made  
23 available directly to the Department including those funds made

1 available under the Older Americans Act and the Senior  
2 Community Service Employment Program for providing services  
3 for senior citizens and minority senior citizens or for  
4 purposes related thereto, and shall develop and administer any  
5 State Plan for the Aging required by federal law.

6 (5) To solicit, accept, hold, and administer in behalf of  
7 the State any grants or legacies of money, securities, or  
8 property to the State of Illinois for services to senior  
9 citizens and minority senior citizens or purposes related  
10 thereto.

11 (6) To provide consultation and assistance to communities,  
12 area agencies on aging, and groups developing local services  
13 for senior citizens and minority senior citizens.

14 (7) To promote community education regarding the problems  
15 of senior citizens and minority senior citizens through  
16 institutes, publications, radio, television and the local  
17 press.

18 (8) To cooperate with agencies of the federal government in  
19 studies and conferences designed to examine the needs of senior  
20 citizens and minority senior citizens and to prepare programs  
21 and facilities to meet those needs.

22 (9) To establish and maintain information and referral  
23 sources throughout the State when not provided by other  
24 agencies.

25 (10) To provide the staff support that may reasonably be  
26 required by the Council.

1           (11) To make and enforce rules and regulations necessary  
2 and proper to the performance of its duties.

3           (12) To establish and fund programs or projects or  
4 experimental facilities that are specially designed as  
5 alternatives to institutional care.

6           (13) To develop a training program to train the counselors  
7 presently employed by the Department's aging network to provide  
8 Medicare beneficiaries with counseling and advocacy in  
9 Medicare, private health insurance, and related health care  
10 coverage plans. The Department shall report to the General  
11 Assembly on the implementation of the training program on or  
12 before December 1, 1986.

13           (14) To make a grant to an institution of higher learning  
14 to study the feasibility of establishing and implementing an  
15 affirmative action employment plan for the recruitment,  
16 hiring, training and retraining of persons 60 or more years old  
17 for jobs for which their employment would not be precluded by  
18 law.

19           (15) To present one award annually in each of the  
20 categories of community service, education, the performance  
21 and graphic arts, and the labor force to outstanding Illinois  
22 senior citizens and minority senior citizens in recognition of  
23 their individual contributions to either community service,  
24 education, the performance and graphic arts, or the labor  
25 force. The awards shall be presented to 4 senior citizens and  
26 minority senior citizens selected from a list of 44 nominees

1 compiled annually by the Department. Nominations shall be  
2 solicited from senior citizens' service providers, area  
3 agencies on aging, senior citizens' centers, and senior  
4 citizens' organizations. The Department shall establish a  
5 central location within the State to be designated as the  
6 Senior Illinoisans Hall of Fame for the public display of all  
7 the annual awards, or replicas thereof.

8 (16) To establish multipurpose senior centers through area  
9 agencies on aging and to fund those new and existing  
10 multipurpose senior centers through area agencies on aging, the  
11 establishment and funding to begin in such areas of the State  
12 as the Department shall designate by rule and as specifically  
13 appropriated funds become available.

14 (17) To develop the content and format of the  
15 acknowledgment regarding non-recourse reverse mortgage loans  
16 under Section 6.1 of the Illinois Banking Act; to provide  
17 independent consumer information on reverse mortgages and  
18 alternatives; and to refer consumers to independent counseling  
19 services with expertise in reverse mortgages.

20 (18) To develop a pamphlet in English and Spanish which may  
21 be used by physicians licensed to practice medicine in all of  
22 its branches pursuant to the Medical Practice Act of 1987,  
23 pharmacists licensed pursuant to the Pharmacy Practice Act, and  
24 Illinois residents 65 years of age or older for the purpose of  
25 assisting physicians, pharmacists, and patients in monitoring  
26 prescriptions provided by various physicians and to aid persons

1 65 years of age or older in complying with directions for  
2 proper use of pharmaceutical prescriptions. The pamphlet may  
3 provide space for recording information including but not  
4 limited to the following:

5 (a) name and telephone number of the patient;

6 (b) name and telephone number of the prescribing  
7 physician;

8 (c) date of prescription;

9 (d) name of drug prescribed;

10 (e) directions for patient compliance; and

11 (f) name and telephone number of dispensing pharmacy.

12 In developing the pamphlet, the Department shall consult  
13 with the Illinois State Medical Society, the Center for  
14 Minority Health Services, the Illinois Pharmacists Association  
15 and senior citizens organizations. The Department shall  
16 distribute the pamphlets to physicians, pharmacists and  
17 persons 65 years of age or older or various senior citizen  
18 organizations throughout the State.

19 (19) To conduct a study of the feasibility of implementing  
20 the Senior Companion Program throughout the State.

21 (20) The reimbursement rates paid through the community  
22 care program for chore housekeeping services and home care  
23 aides shall be the same.

24 (21) From funds appropriated to the Department from the  
25 Meals on Wheels Fund, a special fund in the State treasury that  
26 is hereby created, and in accordance with State and federal

1 guidelines and the intrastate funding formula, to make grants  
2 to area agencies on aging, designated by the Department, for  
3 the sole purpose of delivering meals to homebound persons 60  
4 years of age and older.

5 (22) To distribute, through its area agencies on aging,  
6 information alerting seniors on safety issues regarding  
7 emergency weather conditions, including extreme heat and cold,  
8 flooding, tornadoes, electrical storms, and other severe storm  
9 weather. The information shall include all necessary  
10 instructions for safety and all emergency telephone numbers of  
11 organizations that will provide additional information and  
12 assistance.

13 (23) To develop guidelines for the organization and  
14 implementation of Volunteer Services Credit Programs to be  
15 administered by Area Agencies on Aging or community based  
16 senior service organizations. The Department shall hold public  
17 hearings on the proposed guidelines for public comment,  
18 suggestion, and determination of public interest. The  
19 guidelines shall be based on the findings of other states and  
20 of community organizations in Illinois that are currently  
21 operating volunteer services credit programs or demonstration  
22 volunteer services credit programs. The Department shall offer  
23 guidelines for all aspects of the programs including, but not  
24 limited to, the following:

25 (a) types of services to be offered by volunteers;

26 (b) types of services to be received upon the

1 redemption of service credits;

2 (c) issues of liability for the volunteers and the  
3 administering organizations;

4 (d) methods of tracking service credits earned and  
5 service credits redeemed;

6 (e) issues of time limits for redemption of service  
7 credits;

8 (f) methods of recruitment of volunteers;

9 (g) utilization of community volunteers, community  
10 service groups, and other resources for delivering  
11 services to be received by service credit program clients;

12 (h) accountability and assurance that services will be  
13 available to individuals who have earned service credits;  
14 and

15 (i) volunteer screening and qualifications.

16 The Department shall submit a written copy of the guidelines to  
17 the General Assembly by July 1, 1998.

18 (24) To hold conferences, trainings, and other programs for  
19 which the Department shall determine by rule a reasonable fee  
20 to cover related administrative costs. Rules to implement the  
21 fee authority granted by this paragraph (24) must be adopted in  
22 accordance with all provisions of the Illinois Administrative  
23 Procedure Act and all rules and procedures of the Joint  
24 Committee on Administrative Rules; any purported rule not so  
25 adopted, for whatever reason, is unauthorized.

26 (Source: P.A. 95-298, eff. 8-20-07; 95-689, eff. 10-29-07;



1 95-876, eff. 8-21-08; 96-918, eff. 6-9-10.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.