

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 Act on the Aging is amended by
5 changing Section 4.03 as follows:

6 (20 ILCS 105/4.03) (from Ch. 23, par. 6104.03)

7 Sec. 4.03. The Department on Aging, in cooperation with the
8 Department of Human Services and any other appropriate State,
9 local or federal agency, shall, without regard to income
10 guidelines, establish a nursing home prescreening program to
11 determine whether Alzheimer's Disease and related disorders
12 victims, and persons who are deemed as blind or disabled as
13 defined by the Social Security Act and who are in need of long
14 term care, may be satisfactorily cared for in their homes
15 through the use of home and community based services.
16 Responsibility for prescreening shall be vested with case
17 coordination units. Prescreening shall occur: (i) when
18 hospital discharge planners have advised the case coordination
19 unit of the imminent risk of nursing home placement of a
20 patient who meets the above criteria and in advance of
21 discharge of the patient; or (ii) when a case coordination unit
22 has been advised of the imminent risk of nursing home placement
23 of an individual in the community. The individual who is

1 prescreened shall be informed of all appropriate options,
2 including placement in a nursing home and the availability of
3 in-home and community-based services and shall be advised of
4 her or his right to refuse nursing home, in-home,
5 community-based, or all services. In addition, the individual
6 being prescreened shall be informed of spousal impoverishment
7 requirements, the need to submit financial information to
8 access services, and the consequences for failure to do so in a
9 form and manner developed jointly by the Department on Aging,
10 the Department of Human Services, and the Department of
11 Healthcare and Family Services. Case coordination units under
12 contract with the Department may charge a fee for the
13 prescreening provided under this Section and the fee shall be
14 no greater than the cost of such services to the case
15 coordination unit. At the time of each prescreening, case
16 coordination units shall provide information regarding the
17 Office of State Long Term Care Ombudsman's Residents Right to
18 Know database as authorized in subsection (c-5) of Section
19 4.04.

20 (Source: P.A. 95-80, eff. 8-13-07; 95-823, eff. 1-1-09; 96-328,
21 eff. 8-11-09.)

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