



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5522

by Rep. Kenneth Dunkin

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-4.47 new

Amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services shall establish a Long-Term Services and Supports Disparities Task Force. Provides that members of the Task Force shall be appointed by the Director of the Department and shall include representatives from several specified agencies, organizations, or groups including a representative of providers that serve the predominantly ethnic minority populations, 3 consumer representatives which may include a consumer of long-term services and supports or an individual who advocates for such consumers, and Case Management Organizations. Provides that the Task Force shall not meet unless all consumer representative positions are filled and shall reflect diversity in race, ethnicity, and gender. Provides that the Task Force shall promote and facilitate communication, coordination, and collaboration among relevant State agencies and communities of color, limited English-speaking communities, and the private and public entities providing services to those communities. Sets forth the numerous duties of the Task Force including (i) documenting the number and types of Long-Term Services and Supports (LTSS) providers in the State and the number of clients served in each setting; (ii) comparing data over multiple years to identify trends in the delivery of LTSS for each racial or ethnic category; and (iii) assessing whether the LTSS industry is equipped to offer culturally sensitive, competent, and linguistically appropriate care. Contains provisions concerning the appointment of the Chair of the Task Force; public hearings; and reporting requirements. Effective July 1, 2014.

LRB098 18957 KTG 54105 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 Public Aid Code is amended by
5 adding Section 12-4.47 as follows:

6 (305 ILCS 5/12-4.47 new)

7 Sec. 12-4.47. Long-Term Services and Supports Disparities
8 Task Force.

9 (a) The Department of Healthcare and Family Services shall
10 establish a Long-Term Services and Supports Disparities Task
11 Force.

12 (b) Members of the Task Force shall be appointed by the
13 Director of the Department of Healthcare and Family Services
14 and shall include representatives of the following agencies,
15 organizations, or groups:

16 (1) The Governor's office.

17 (2) The Department of Healthcare and Family Services.

18 (3) The Department of Human Services.

19 (4) The Department on Aging.

20 (5) The Department of Human Rights.

21 (6) Area Agencies on Aging.

22 (7) The Department of Public Health.

23 (8) Managed Care Plans.

1 (9) The for-profit urban nursing home or assisted
2 living industry.

3 (10) The for-profit rural nursing home or assisted
4 living industry.

5 (11) The not-for-profit nursing home or assisted
6 living industry.

7 (12) The home care association or home care industry.

8 (13) The adult day care association or adult day care
9 industry.

10 (14) An association representing workers who provide
11 long-term services and supports.

12 (15) A representative of providers that serve the
13 predominantly ethnic minority populations.

14 (16) Case Management Organizations.

15 (17) Three consumer representatives which may include
16 a consumer of long-term services and supports or an
17 individual who advocates for such consumers. For purposes
18 of this provision, "consumer representative" means a
19 person who is not an elected official and who has no
20 financial interest in a health or long-term care delivery
21 system.

22 (c) The Task Force shall not meet unless all consumer
23 representative positions are filled. The Task Force shall
24 reflect diversity in race, ethnicity, and gender.

25 (d) The Chair of the Task Force shall be appointed by the
26 Director of the Department of Healthcare and Family Services.

1 (e) The Director of the Department of Healthcare and Family
2 Services shall assign appropriate staff and resources to
3 support the efforts of the Task Force. The Task Force shall
4 meet as often as necessary but not less than 4 times per
5 calendar year.

6 (f) The Task Force shall promote and facilitate
7 communication, coordination, and collaboration among relevant
8 State agencies and communities of color, limited
9 English-speaking communities, and the private and public
10 entities providing services to those communities.

11 (g) The Task Force shall do all of the following:

12 (1) Document the number and types of Long-Term Services
13 and Supports (LTSS) providers in the State and the number
14 of clients served in each setting.

15 (2) Document the number and racial profiles of
16 residents using LTSS including, but not limited to,
17 residential nursing facilities, assisted living
18 facilities, adult day care, home health services, and other
19 home and community based long-term care services.

20 (3) Document the number and profiles of family or
21 informal caregivers who provide care for minority elders.

22 (4) Compare data over multiple years to identify trends
23 in the delivery of LTSS for each racial or ethnic category
24 including: Alaskan Native or American Indian, Asian or
25 Pacific Islander, black or African American, Hispanic, or
26 white.

1 (5) Identify any racial disparities in the provision of
2 care in various LTSS settings and determine factors that
3 might influence the disparities found.

4 (6) Identify any disparities uniquely experienced in
5 metropolitan or rural areas and make recommendations to
6 address these areas.

7 (7) Assess whether the LTSS industry, including
8 managed care plans and independent providers, is equipped
9 to offer culturally sensitive, competent, and
10 linguistically appropriate care to meet the needs of a
11 diverse aging population and their informal and formal
12 caregivers.

13 (8) Consider whether to recommend that the State
14 require all home and community based services as a
15 condition of licensure to report data similar to that
16 gathered under the Minimum Data Set and required when a new
17 resident is admitted to a nursing home.

18 (9) Identify and prioritize recommendations for
19 actions to be taken by the State to address disparity
20 issues identified in the course of these studies.

21 (10) Monitor the progress of the State in eliminating
22 racial disparities in the delivery of LTSS.

23 (h) The Task Force shall conduct public hearings,
24 inquiries, studies, and other forms of information gathering to
25 identify how the actions of State government contribute to or
26 reduce racial disparities in long-term care settings.

1 (i) The Task Force shall report its findings and
2 recommendations to the Governor and the General Assembly no
3 later than one year after the effective date of this amendatory
4 Act of the 98th General Assembly. Annual reports shall be
5 issued every year thereafter and shall include documentation of
6 progress made to eliminate disparities in long-term care
7 service settings.

8 Section 99. Effective date. This Act takes effect July 1,
9 2014.