



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3285

by Rep. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5F-25
305 ILCS 5/5F-30

Amends the Illinois Public Aid Code. In a provision concerning certain requirements care coordination services must conform to when such services are provided to enrollees participating in the Medicare-Medicaid Alignment Initiative Demonstration Project, adds the requirement that all rights guaranteed an enrollee under federal and State law be protected, including the right of an enrollee to select his or her own physician. In a provision concerning continuity of care for nursing home residents transitioning to a managed care organization, provides that the managed care organization shall, within 24 hours of receiving a request, change an enrollee's primary care provider and notify the enrollee in writing. Provides that if the enrollee states that a medical emergency exists, the managed care organization shall make the necessary changes immediately and notify by phone all involved parties followed by a written confirmation. Effective immediately.

LRB099 10146 KTG 30369 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 changing Sections 5F-25 and 5F-30 as follows:

6 (305 ILCS 5/5F-25)

7 Sec. 5F-25. Care coordination. Care coordination provided
8 to all enrollees in the Demonstration Project shall conform to
9 the following requirements:

10 (1) care coordination services shall be
11 enrollee-driven and person-centered;

12 (2) all enrollees in the Demonstration Project shall
13 have the right to receive health care services in the care
14 setting of their choice, except as permitted by Part 4 of
15 Article III of the Nursing Home Care Act with respect to
16 involuntary transfers and discharges; ~~and~~

17 (3) decisions shall be based on the enrollee's best
18 interests; ~~and~~ -

19 (4) all rights guaranteed an enrollee under federal and
20 State law shall be protected, including the right of an
21 enrollee to select his or her own physician.

22 (Source: P.A. 98-651, eff. 6-16-14.)

1 (305 ILCS 5/5F-30)

2 Sec. 5F-30. Continuity of care. When a nursing home
3 resident first transitions to a managed care organization from
4 the fee-for-service system or from another managed care
5 organization, the managed care organization shall honor the
6 existing care plan and any necessary changes to that care plan
7 until the MCO has completed a comprehensive assessment and new
8 care plan, to the extent such services are covered benefits
9 under the contract, which shall be consistent with the
10 requirements of the RAI Manual.

11 When an enrollee of a managed care organization is moving
12 from a community setting to a nursing home, and the MCO is
13 properly notified of the proposed admission by a network
14 nursing home, and the managed care organization fails to
15 participate in developing a care plan within the time frames
16 required by nursing home regulations, the MCO must honor a care
17 plan developed by the nursing home until the MCO has completed
18 a comprehensive assessment and a new care plan to the extent
19 such services are covered benefits under the contract,
20 consistent with the requirements of the RAI Manual.

21 A managed care organization shall, within 24 hours of
22 receiving a request, change an enrollee's primary care provider
23 and notify the enrollee in writing. If the enrollee states that
24 a medical emergency exists, the managed care organization shall
25 make the necessary changes immediately and notify by phone all
26 involved parties followed by a written confirmation.

1 A nursing home shall have the ability to refuse admission
2 of an enrollee for whom care is required that the nursing home
3 determines is outside the scope of its license and healthcare
4 capabilities.

5 (Source: P.A. 98-651, eff. 6-16-14.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.