

Bills enacted by the 95th General Assembly of interest to SUAA members:

Public Act 95-005 (SB 244): Health Facilities-Nursing Homes

Amends the Health Facilities Planning Act to require:

- (1) Update of existing bed inventory and projection of future needs
- (2) Establishment of a Task Force on Health Planning Reform to study and develop recommendations regarding:
 - a. The impact of health planning on the provision of services;
 - b. Development of long-range (10-year, updated every 2 years) health facilities planning;
 - c. Ways to improve coordination with other related laws and activities within the state, including those related to long-term and acute care facilities modernization, expansion and conversion activities;
 - d. Reforms pertaining to “Certificate-of-Need” applications;
 - e. Criteria used for evaluating specialty providers, ambulatory care and other alternative health care models;
 - f. Consideration given to and impact of “safety net” services;
 - g. Ways to increase transparency and responsiveness of planning process; and
 - h. Ways to ensure that patient access to new and modernized services will not be affected by any transitions required by reforms.

The Task Force will terminate on July 31, 2008.

Bills sent to the Governor

HOUSE BILLS

HB 49: Modifies the Illinois Pension code to include adopted children’s rights to all benefits, including survivor’s benefits that biological children receive.

Amends the Illinois Pension Code to provide that legally adopted children shall be entitled to the same benefits as other children, and that no child's or survivor's benefit shall be disallowed because he or she is an adopted child. Makes related changes throughout the Code. Includes language exempting any benefit increase as a result from the new benefit increase provisions in the General Assembly, State Employees, State Universities, and Judges Articles of the Code. Amendment 1 removes provisions exempting the changes from new benefit increase provisions in the Articles of the Illinois Pension Code concerning the State-funded retirement systems.

Sponsors: Rep. Sara Feigenholtz, Keith P. Sommer, LaShawn K. Ford, Karen A. Yarbrough, Deborah L. Graham, Naomi D. Jakobsson, Paul D. Froehlich, Karen May, Susana A Mendoza, Eddie Washington, Gary Hannig, Jack D. Franks, Linda Chapa LaVia, Milton Patterson, Thomas Holbrook and Marlow H. Colvin

Sen. Rickey R. Hendon, John J. Cullerton, Jacqueline Y. Collins, Linda Holmes, David Koehler, Michael Bond, John M. Sullivan, Deanna Demuzio and Michael W. Frerichs

Status: **Passed** both houses May 23, 2007; sent to the Governor June 21, 2007.

HB 517: Illinois long-term care partnership program

Creates the Illinois Long-Term Care Partnership Program Act. Establishes the Illinois Long-Term Care Partnership Program to: (i) provide incentives for individuals to insure against the costs of providing for their long-term care needs; (ii) provide a mechanism for individuals to qualify for coverage of the cost of their long-term care needs under Medicaid without first being required to substantially exhaust their resources; (iii) provide counseling services to individuals planning for their long-term care needs; and (iv) alleviate the financial burden on the State's medical assistance program by encouraging the pursuit of private initiatives. Sets out the duties of the Department of Healthcare and Family Services and the Department of Financial and Professional Regulation regarding long-term care partnership policies. Requires the issuers of qualified long-term care partnership policies in Illinois to provide regular reports to the Department of Healthcare and Family Services, the federal Department of Health and Human Services, and the Department of Financial and Professional Regulation. Authorizes the Department of Healthcare and Family Services to adopt rules and regulations. Repeals the Partnership for Long Term Care Act.

Sponsors: Rep. Carolyn H. Krause, Frank J. Mautino, JoAnn D. Osmond, Dan Brady, Thomas Holbrook, Julie Hamos, Michael Tryon, Rosemary Mulligan, Ruth Munson, Patricia Reid Lindner, Jack D. Franks, Linda Chapa LaVia, Sandra M. Pihos, Renée Kosel, Eddie Washington, Ronald A. Wait, Michael P. McAuliffe, William B. Black, Jil Tracy, Suzanne Bassi, Elizabeth Coulson, Joseph M. Lyons, Kathleen A. Ryg, Mike Fortner and Patricia R. Bellock
Sen. Dan Kotowski, Dave Syverson, William R. Haine, John M. Sullivan

Status: **Passed** both houses May 22, 2007; sent to the Governor, June 20, 2007.

HB 734: Changes to elder abuse and neglect reporting requirements.

Provides that in the case of a report of alleged or suspected abuse or neglect that places an eligible adult at risk of injury or death, a provider agency shall respond to the report without delay and shall ensure that it is capable of responding to such a report 24 hours per day, 7 days per week. Provides that a provider agency may use an on-call system to respond to reports of alleged or suspected abuse or neglect after hours and on weekends. The Dept on Aging estimated the FY 2008 cost of adding this program enhancement to be approximately \$500,000.

Senate Committee Amendment No. 1

Deletes the bill's immediate effective date.

Senate Floor Amendment No. 2

Requires that a provider agency respond to a report of alleged or suspected abuse or neglect on an emergency basis in accordance with guidelines established by the Department on Aging by administrative rule (instead of respond without delay).

Sponsors: Rep. John E. Bradley, Greg Harris, Jack McGuire, Monique D. Davis, Dan Reitz, Harry R. Ramey Jr., Jack D. Franks, Angelo Saviano, Jerry L. Mitchell, Careen M Gordon, Lisa M. Dugan, Luis Arroyo, Maria Antonia Berrios, LaShawn K. Ford, Linda Chapa LaVia, Marlow

H. Colvin, Thomas Holbrook, Naomi D. Jakobsson, Karen A. Yarbrough, William Davis, Roger L. Eddy, Patrick J Verschoore, Sidney H. Mathias, Kevin A. McCarthy, Richard T. Bradley, Julie Hamos, Elaine Nekritz and Chapin Rose

Sen. Gary Forby, Jacqueline Y. Collins, John O. Jones, Larry K. Bomke, John J. Millner and Ira I. Silverstein

Status: **Passed** both House & Senate; sent to Governor on July 3, 2007.

HB 804: Changes Pension Code to increase military service eligibility from 24 months to 48 months.

Amends the IMRF Article of the Illinois Pension Code to increase the amount of creditable service a participating employee may be granted for service in the armed forces of the United States from 24 months to 48 months. Amends the State Employee Article of the Illinois Pension Code to Increase the amount of military service prior to entering the System for which a person may establish creditable service from 2 years to 4 years.

Sponsors: Rep. Jack McGuire, Mike Boland; Sen. A. J. Wilhelmi, Dan Cronin, Michael Noland

Status: **Adopted** by both houses; sent to Governor July 3, 2007.

HB 808: Requires background checks for assisted-living staff.

Amends the Assisted Living and Shared Housing Act. In connection with the issuance of a license under the Act, requires that all employees (instead of only direct care staff) meet the requirements of the Health Care Worker Background Check Act. Effective immediately.

House Amendment No. 1

Provides for the issuance of a license to an assisted living or shared housing establishment if all employees who are subject to the Health Care Worker Background Check Act meet the requirements of that Act (instead of if all employees meet the requirements of the Health Care Worker Background Check Act).

Sponsors: Rep. Elizabeth Coulson, Sidney H. Mathias , Al Riley, Michael P. McAuliffe, Linda Chapa LaVia, Fred Crespo, Robert S. Molaro, Careen M Gordon, Dennis M. Reboletti, Bob Biggins, Richard T. Bradley, Jim Durkin, Sandra M. Pihos, Marlow H. Colvin

Sen. David Koehler, Matt Murphy, M. Maggie Crotty, Pamela J. Althoff

Status: **Passed** both houses; sent to Governor June 14, 2007.

HB 809: Requires assessment prior to hospital discharge to skilled nursing facility.

Amends the Hospital Licensing Act. Provides that with regard to pending discharges to a skilled nursing facility, the hospital must provide for an assessment by a case coordination unit prior to discharge.

House Amendment No. 1

Amends the Illinois Act on the Aging. In connection with provisions concerning a nursing home prescreening program, provides that responsibility for prescreening shall be vested with case coordination units. Provides that prescreening shall occur: (i) when hospital discharge planners have advised the case coordination unit of the imminent risk of nursing home placement of a patient who meets specified criteria and in advance of discharge of the patient; or (ii) when a case coordination unit has been advised of the imminent risk of nursing home placement of an individual in the community. Provides that the individual who is prescreened shall be informed of all appropriate options and shall be advised of her or his right to refuse services. In provisions amending the Hospital Licensing Act, provides that a hospital must notify the case coordination unit at least 24 hours prior to a patient's discharge to a skilled nursing facility (instead of must provide for an assessment by a case coordination unit prior to discharge).

Sponsors: Rep. Elizabeth Coulson, Patricia R. Bellock, Mary E. Flowers, Naomi D. Jakobsson, Annazette Collins, Constance A. Howard, Marlow H. Colvin, Rosemary Mulligan, Renée Kosel, Carolyn H. Krause, Sandra M. Pihos, Jack D. Franks, Linda Chapa LaVia and Elga L. Jefferies
Sen. William Delgado - Kimberly A. Lightford

Status: **Passed** both chambers; sent to the Governor June 14, 2007.

HB 857: Replaces references in the Illinois Pension Code to service in the military forces with references to service in a capacity essentially similar or equivalent to that of a teacher.

Amends the State Universities Article of the Illinois Pension Code. In provisions concerning service for employment in public schools and other public employment, replaces references to service in the military forces with references to service in a capacity essentially similar or equivalent to that of a teacher. Deletes a provision requiring the Board of Trustees of the State Universities Retirement System to have the System's actuary prepare a report showing the actual rate of participation in the self-managed plan and the extent to which employee optional retirement plan participation has reduced the State's required contributions to the System. Provides that, in addition to warrants and checks, the State Comptroller and payroll officers may use an electronic funds transfer to pay employees. Repeals a provision encouraging the System to use emerging investment managers, minority-owned businesses, female-owned businesses, and business owned by persons with disabilities in managing the system's assets. Makes other changes.

House Amendment No. 1

Replaces everything after the enacting clause with the bill as introduced with the following change: restores provisions of existing law requiring the Board to have the System's actuary prepare a report showing the actual rate of participation in the self-managed plan.

Sponsors: Rep. Robert S. Molaro, William B. Black; Sen. Kwame Raoul

Status: **Passed** both chambers; sent to Governor June 14, 2007.

HB1708: Mental health-income limitations for family support

Amends the Developmental Disability and Mental Disability Service Act. Provides that the maximum family income set by rule of the Department of Human Services for eligibility for the Family Assistance Program for Mentally Disabled Children may not be less than \$65,000 beginning January 1, 2008. Effective immediately.

Sponsors: Rep. Aaron Schock, David R. Leitch, Kathleen A. Ryg, Elizabeth Hernandez, Sandra M. Pihos, Esther Golar, Fred Crespo, Patricia R. Bellock, Harry R. Ramey Jr., Linda Chapa LaVia and Jack D. Franks
Sen. David Koehler and Dale E. Risinger

Status: **Passed** both Houses May 16, 2007; sent to the Governor June 14, 2007.

SENATE BILLS

SB 6: Medicaid Psychiatric Services via telepsychiatry

Provides that under the Medicaid program, the Department of Healthcare and Family Services shall reimburse psychiatrists for mental health services they provide, as authorized by Illinois law, to recipients via telepsychiatry. Effective immediately.

House Amendment No. 1

Changes that include the following: (1) provides for reimbursement of federally qualified health centers as defined in the Social Security Act; (2) requires the Department of Healthcare and Family Services to establish criteria for mental health services to be reimbursed, including appropriate facilities and equipment to be used at both telepsychiatry sites and requirements for a physician or other licensed medical professional to be present at the site where the patient is located; and (3) eliminates a provision concerning the reimbursement methodology. Effective immediately.

House Amendment No. 2

Provides that rules adopted by the Department of Healthcare and Family Services to establish criteria for reimbursement of mental health services provided via telepsychiatry must include requirements for a physician or other licensed health care professional (instead of other licensed medical professional) to be present at the site where the patient is located.

Sponsors: Sen. Deanna Demuzio , Gary Forby , John M. Sullivan, Michael W. Frerichs, David Koehler, M. Maggie Crotty, Kimberly A. Lightford and Pamela J. Althoff
Rep. Patricia R. Bellock, John E. Bradley, Elizabeth Coulson, Naomi D. Jakobsson, Jack D. Franks, Mike Boland, Jack McGuire, David Reis, Bill Mitchell, Ron Stephens, Chapin Rose, Roger L. Eddy, Jim Watson, Michael Tryon and Kathleen A. Ryg

Status: Passed both Houses May 24, 2007; Sent to the Governor June 22, 2007.

SB 19: Stem Cell Cord Banks

Amends the Department of Public Health Powers and Duties Law. Subject to appropriation, directs the Department to establish a statewide network of cord blood stem cell banks. Sets forth requirements and duties of donor banks. Creates an advisory committee to advise the Department concerning administration of the network. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with changes. Amends the Department of Public Health Powers and Duties Law with respect to the network of cord blood stem cell banks. Removes the requirement that the network be "statewide". Provides that members of the advisory committee are subject to conflict of interest restrictions and are required to make disclosures of income and financial interests. Requires donor banks to have policies and procedures in place for procurement, including voluntary, informed, and confidential decisions of persons participating in research, and ensuring best practices with respect to medical ethics. Effective immediately.

House Amendment No. 2

Provides that donor banks that enter into the network must make agreements with obstetrical health care facilities for collection of donated human cord blood. Adds representatives of hospital administration from birthing hospitals to the advisory committee.

Sponsors: Sen. William R. Haine, John M. Sullivan, Gary Forby, Deanna Demuzio, Dan Cronin, A. J. Wilhelmi, Pamela J. Althoff, Dan Rutherford, Randall M. Hultgren, Todd Sieben, Chris Lauzen, John O. Jones, Jeffrey M. Schoenberg, Michael Noland, Carole Pankau, Susan Garrett, William E. Peterson, Donne E. Trotter, Dan Kotowski, Michael W. Frerichs, Linda Holmes, M. Maggie Crotty, Larry K. Bomke, John J. Millner, Dale A. Righter, Matt Murphy, Dale E. Risinger, J. Bradley Burzynski, Gary G. Dahl, Bill Brady, Don Harmon and Jacqueline Y. Collins

Rep. Dan Reitz, Patricia Reid Lindner, Rosemary Mulligan, David Reis, Brandon W. Phelps, Jack D. Franks, Linda Chapa LaVia, Patrick J. Verschoore, Elizabeth Coulson, Annazette Collins, Mike Fortner, James H. Meyer, Naomi D. Jakobsson, Patricia R. Bellock, David R. Leitch, Michael K. Smith, Daniel V. Beiser, Thomas Holbrook, Lisa M. Dugan, Careen M. Gordon, Richard P. Myers, Ed Sullivan Jr., Timothy L. Schmitz, Michael P. McAuliffe, William B. Black, Shane Cultra, Sandy Cole, Sidney H. Mathias, Harry R. Ramey Jr., Suzanne Bassi, Mark H. Beaubien Jr., Donald L. Moffitt, Jim Watson, Franco Coladipietro, Chapin Rose and Joseph M. Lyons

Status: **Passed** both Houses May 28, 2007; Sent to the Governor June 28, 2007. See related SB 1324.

SB 110: University Civil Service Hearing Officers

Amends the State Universities Civil Service Act. Authorizes a hearing officer (in addition to a hearing board) appointed by the University Civil Service Merit Board to preside over demotion, removal, and discharge hearings. Makes technical changes. Effective immediately

Sponsors: Sen. [Donne E. Trotter](#); Rep. [Naomi D. Jakobsson](#), [Al Riley](#), [William B. Black](#)

Status: **Passed** both Houses May 22, 2007; Sent to the Governor June 20, 2007.

SB 233: Hospital requirement for Staphylococcus-free control program

Creates the MRSA Screening and Reporting Act and amends the Hospital Licensing Act. Requires every hospital to establish a methicillin-resistant Staphylococcus aureus (MRSA) control program, and sets forth items that must be included in such a program. Provides that for all hospital patients who are identified with nosocomial S. aureus bloodstream infection or asymptomatic colonization due to MRSA, the Department of Public Health shall require the annual reporting of such cases as a communicable disease or condition and to make such data available on its website and in all reports on health statistics and reportable communicable disease cases in Illinois.

Senate Floor Amendment No. 2

Replaces everything after the enacting clause. Reinserts provisions substantially similar to those of Senate Bill 233, creating the MRSA Screening and Reporting Act, but with changes that include the following: (1) eliminates definitions of "MRSA" and "MSSA"; (2) makes changes with respect to features that must be included in a hospital's MRSA control program; (3) provides that after October 1, 2007, the Department of Public Health shall compile aggregate data for all hospitals on the total number of infections due to MRSA that (i) are present on admission to a hospital and (ii) occurred during the hospital stay and shall make such data available on its web site, in an annual report, and on the Hospital Report Card; (4) eliminates provisions concerning reporting of certain cases of infection to the Department by hospitals; and (5) repeals the Act on January 1, 2011.

Sponsors: Sen. Christine Radogno, John J. Cullerton, Susan Garrett, John J. Millner, Jacqueline Y. Collins and Pamela J. Althoff

Rep. Patricia R. Bellock, Julie Hamos, Sandra M. Pihos, Kevin Joyce, Monique D. Davis, Careen M Gordon, Sandy Cole, James H. Meyer and Donald L. Moffitt

Status: Passed both Houses May 25, 2007; Sent to Governor June 22, 2007.

SB 234: Involuntary admittance to mental health facility

Amends the Mental Health and Developmental Disabilities Code. Provides that "person subject to involuntary admission" includes (i) a person with mental illness and who because of his or her illness is reasonably expected to engage in dangerous conduct (instead of reasonably expected to inflict serious physical harm upon himself or herself or another in the near future) and (ii) a person with mental illness who, because of the nature of his or her illness, is unable to understand his or her need for treatment and who, if not treated, is reasonably expected to suffer or continue to suffer mental deterioration or emotional deterioration, or both, to the point that the person is reasonably expected to engage in dangerous conduct. Defines "dangerous conduct" as threatening behavior or conduct that places another individual in reasonable expectation of being harmed, or a person's inability to provide, without the assistance of family or outside help, for his or her basic physical needs so as to guard himself or herself from serious harm.

House Amendment No. 1

Provides that in determining whether a person meets criteria added by the bill concerning a reasonable expectation that the person will engage in dangerous conduct, the court may consider evidence of the person's repeated past pattern of specific behavior and actions related to the person's illness.

Sponsors: Sen. Dale A. Righter, Pamela J. Althoff, Frank C. Watson

Rep. David R. Leitch, Patricia Reid Lindner, Marlow H. Colvin, Monique D. Davis - Patricia R. Bellock, Rosemary Mulligan, Elizabeth Coulson, Joseph M. Lyons, John A. Fritchey, Greg Harris, Chapin Rose, JoAnn D. Osmond, Franco Coladipietro, Aaron Schock, Ronald A. Wait, Mike Bost, Sandra M. Pihos, Rich Brauer, Jerry L. Mitchell, LaShawn K. Ford, Naomi D. Jakobsson, Mary E. Flowers, Kathleen A. Ryg, Kurt M. Granberg, Kevin Joyce, Michael K. Smith, Patrick J. Verschoore, Harry Osterman and Elga L. Jefferies

Status: **Passed** both Houses June 14, 2007.

SB 340: Elder abuse report response requirements/ provisions of the Community Care Program Advisory Committee.

Amends the Elder Abuse and Neglect Act. Provides that in the case of a report of alleged or suspected abuse or neglect that places an eligible adult at risk of injury or death, a provider agency shall respond to the report without delay and shall ensure that it is capable of responding to such a report 24 hours per day, 7 days per week. Provides that a provider agency may use an on-call system to respond to reports of alleged or suspected abuse or neglect after hours and on weekends. Effective immediately.

Senate Committee Amendment No. 1

Deletes the amendatory provisions of the introduced bill. Provides that: a provider agency shall provide an emergency response system to handle reports of alleged or suspected abuse or neglect that places an eligible adult at imminent risk of injury or death that are received during non-business hours, on weekends, and on holidays; the requirement may be satisfied by using an on-call system or providing a local emergency provider agency number for a local law enforcement agency to call when, upon investigation, there is probable cause to believe that the eligible adult is a victim of abuse or neglect that has placed him or her at imminent risk of injury or death; referral procedures shall be defined by a Memorandum of Understanding between the provider agency and the local law enforcement agency; and the Department on Aging shall maintain an up-to-date listing of all provider agencies' on-call or emergency numbers.

House Amendment No. 1

Deletes the bill's amendatory provisions concerning a provider agency's emergency response system. Provides that in the case of a report of alleged or suspected abuse or neglect that places an eligible adult at risk of injury or death, a provider agency shall respond to the report without delay and shall ensure that it is capable of responding to such a report 24 hours per day, 7 days per week. Provides that a provider agency may use an on-call system to respond to reports of alleged or suspected abuse or neglect after hours and on weekends. Deletes the bill's immediate effective date.

House Amendment No. 2

Replaces everything after the enacting clause. Amends the Illinois Act on the Aging. Replaces provisions concerning membership of the Community Care Program Advisory Committee. Provides that the Director of Aging shall appoint members to the Committee to represent provider, advocacy, policy research, and other constituencies committed to the delivery of high quality home and community-based services to older adults, and provides that representatives shall be appointed to ensure representation from community care providers including, but not limited to, adult day service providers, homemaker providers, case coordination and case management units, emergency home response providers, statewide trade or labor unions that represent homecare aides and direct care staff, area agencies on aging, adults over age 60, membership organizations representing older adults, and other organizational entities, providers of care, or individuals with demonstrated interest and expertise in the field of home and community care as determined by the Director. Deletes provisions requiring that a specified number of members be appointed to represent particular interests. Provides that a member shall continue to serve until his or her replacement is named, and deletes a provision that at no time may a member serve more than one consecutive term in any capacity on the Committee. Effective immediately.

Sponsors: Sen. Gary Forby, M. Maggie Crotty, David Koehler, Martin A. Sandoval - Ira I. Silverstein, William Delgado, William E. Peterson and Linda Holmes

Rep. Sidney H. Mathias, John E. Bradley, Patrick J Verschoore, Harry Osterman, Angelo Saviano and Elizabeth Hernandez

Status: Passed both Houses May 31, 2007; Sent to the Governor June 29, 2007.

SB 574: Community-integrated living arrangement nursing services

Provides that the Department of Human Services shall require that any agency operating a community-integrated living arrangement must provide adequate nursing services to all recipients. Requires the Department to establish graduated standards of basic nursing services that correspond to recipients' ranges of Health Care Levels as reflected in the Health Risk Screening Tool; also requires the Department to establish standards for staffing ratios of Registered Nurses to Direct Support Personnel and Registered Nurses to Licensed Practical Nurses in accordance with a recipient's Health Care Level.

Senate Floor Amendment No. 1

Provides that the requirement to provide nursing services to residents of community-integrated living arrangements is subject to appropriations to the Department of Human Services.

House Amendment No. 1

Replaces everything after the enacting clause. Provides that subject to appropriation, the Department of Human Services shall adjust its rate methodology for community-integrated living arrangements using as a guide the findings and recommendations of the CILA nursing services reimbursement working group established by Senate Resolution 514 of the 94th General Assembly in order to improve the efficient and effective utilization of nursing personnel, to

increase the levels of nursing services, and to improve access and availability of nursing services for residents of community-integrated living arrangements. Effective immediately.

Sponsors: Sen. A. J. Wilhelmi, Edward D. Maloney, Debbie DeFrancesco Halvorson, Christine Radogno, Susan Garrett, William Delgado, M. Maggie Crotty, Todd Sieben and Linda Holmes
Rep. Esther Golar, Jack McGuire, Kathleen A. Ryg, Lisa M. Dugan, Naomi D. Jakobsson)

Status: **Passed** both Houses June 6, 2007; Sent to Governor July 5, 2007.

SB 531: Termination of small trusts

Permits a trustee to terminate a trust if it has a market value of less than \$100,000 and the costs of continuing the trust will substantially impair the purpose of the trust. Outlines how distribution shall be made. Provides that a trustee who is an income beneficiary may not participate as a trustee in the exercise of termination power. Provides that the trustee shall give notice to the persons entitled to distribution at least 30 days prior to the effective date of the termination of the trust. Provides that the provisions of the Section concerning small trust termination shall not apply to trusts for domestic or pet animals.

House Amendment No. 1

Adds that the power that a trustee has to terminate the trust and distribute the trust estate is in the trustee's sole discretion with the consent of the recipients (instead of in the trustee's sole discretion).

Sponsors: Sen. Kirk W. Dillard. Rep. Mark H. Beaubien Jr.

Status: **Passed** both Houses June 14, 2007.

SB 593: Human rights regarding persons with disabilities

Provides that it is a civil rights violation to deny or refuse full and equal enjoyment of goods of any place of public accommodation. Provides that it is not a civil rights violation for a health care professional to respond to a person protected under the Act by referring the person to another professional or to refuse to treat or provide services to that person, if in the normal exercise of his or her profession the health care professional would for the same reason respond in the same way to an individual who is not protected under the Act who seeks or requires the same or similar treatment or services

Senate Committee Amendment No. 1

Further amends the Illinois Human Rights Act. Provides that the definition of public accommodation includes but is not limited to (instead of, means) the designated facilities or businesses. Provides that the Department's jurisdiction over public accommodations, which includes schools, does not include jurisdiction over charges involving educational curriculum content, course content, or course offerings. Provides that it is not a civil rights violation for a lawyer, accountant, insurance agent, or other private professional service provider to refer or to

refuse to provide services for any non-discriminatory reason if the professional would normally for the same reason refer or refuse to provide services to a person not protected under the Act.

Senate Floor Amendment No. 2

Further amends the Illinois Human Rights Act. Provides that a place of public accommodation includes a non-sectarian nursery, day care center, elementary, secondary, undergraduate, or postgraduate school, or other place of education in regard to the failure to enroll an individual or the denial of access to its facilities, goods, or services, (instead of a non-sectarian nursery, day care center, elementary, secondary, undergraduate, or postgraduate school, or other place of education) except that the Department shall not have jurisdiction over charges involving curriculum content, course content, or course offerings, conduct of the class by the teacher or instructor, or any activity within the classroom or connected with a class activity such as physical education (instead of jurisdiction over charges involving curriculum content, course content, or course offerings). Provides in one Section that it is not a civil rights violation for a medical, dental, or other health care professional or a private professional service provider such as a lawyer, accountant, or insurance agent to refer or refuse to treat or provide services to an individual in a protected class for any non-discriminatory reason if, in the normal course of his or her operations or business, the professional would for the same reason refer or refuse to treat or provide services to an individual who is not in the protected class of the individual who seeks or requires the same or similar treatment or services (instead of describing the 2 classes medical and non-medical professionals with slightly different exceptions).

Senate Floor Amendment No. 4

Further amends the Illinois Human Rights Act. In the subsection that describes a lodging establishment as a place of public accommodation, provides that the owner-occupied lodging establishment exception applies to an establishment located in a building that contains not more than 5 units (instead of rooms). Provides that a non-sectarian adoption agency (instead of an adoption agency) is a place of public accommodation subject to the Act. Effective immediately.

Sponsors: Sen. John J. Cullerton , Iris Y. Martinez, Jacqueline Y. Collins and William Delgado
Rep. John A. Fritchey , Elaine Nekritz, Barbara Flynn Currie and James D. Brosnahan

Status: **Approved** by both Houses May 31, 2007; Sent to Governor June 29, 2007.

SB 595: Assistance with medication management

Adds medication management to a program of services that the Department on Aging shall establish to prevent unnecessary institutionalization of persons age 60 and older in need of long term care.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions providing that, subject to appropriation, the Department on Aging shall establish a program to assist persons 60 years of age or older in managing their medications through agreements with local case coordination units. Requires the Department to establish guidelines and standards for the program by rule.

Senate Floor Amendment No. 2

Provides that the definition of "licensed health care professional" includes an advanced practice nurse who has a collaborative agreement with a collaborating physician that authorizes medication management in the setting of the program, or a physician assistant authorized by a supervising physician to provide medication management in the setting of the program.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the substantive provisions of the bill with changes. Provides that the Department on Aging shall establish a program to assist persons 60 years of age or older in managing their medications (instead of specifically providing how the Department shall establish the program). Provides that the Department shall establish guidelines and standards for the program by rule. Eliminates language setting out specifics about what the program may include. Eliminates a definition of "licensed health care professional". Effective immediately.

Sponsors: Sen. David Koehler, Louis S. Viverito, Michael Noland, Frank C. Watson, Larry K. Bomke, Gary G. Dahl, Linda Holmes, Bill Brady, Martin A. Sandoval and Antonio Munoz
Rep. Michael K. Smith - Lou Lang - Robert F. Flider - Jil Tracy - Elizabeth Coulson, Ronald A. Wait and Richard T. Bradley

Status: **Passed** both Houses May 29, 2007; Sent to Governor June 29, 2007.

SB 640: Supportive living facilities nursing aides

Amends the Nursing Home Care Act. To the general provisions that, for purposes of the Act, "long-term care facility" does not include a "supportive living facility" established under the Illinois Public Aid Code or an assisted living or shared housing establishment, adds an exception for purposes of provisions concerning the nurse aide registry and the employment of persons as a nursing assistant, habilitation aide, or child care aide.

Sponsors: Sen. Deanna Demuzio, Matt Murphy and Pamela J. Althoff
Rep. Elizabeth Coulson - Sandra M. Pihos - Daniel V. Beiser - Rosemary Mulligan

Status: **Passed** both Houses May 29, 2007; Sent to Governor June 27, 2007.

SB 654: Public Health diabetes initiative.

Creates the Diabetes Initiative Act. Provides that the Department of Human Services shall develop a strategic plan to slow **the** rate of diabetes as a result of obesity and other environmental factors by the year 2010. Provides certain guidelines for the development of the plan. Provides that the Department shall deliver the plan to the Governor and to the General Assembly on or before December 31, 2008. Provides that the Act is repealed on January 1, 2010. Effective immediately.

Senate Committee Amendment No. 1

Provides that the Illinois State Diabetes Commission shall consist of members that are residents of this State and shall include an Executive Committee appointed by the Secretary of Human Services. Provides that members of the Commission shall be appointed within one year after the effective date of the Act..

Sponsors: Sen. Mattie Hunter, Jacqueline Y. Collins, Iris Y. Martinez, William Delgado and Martin A. Sandoval

Reps. William Davis, Elizabeth Coulson, Tom Cross, Robert Rita , Elga L. Jefferies, Wyvetter H. Younge, Cynthia Soto, Elizabeth Hernandez, Karen A. Yarbrough, Edward J. Acevedo, Daniel J. Burke, Marlow H. Colvin and Richard T. Bradley

Status: **Passed** both Houses May 29, 2007; Sent to Governor June 27, 2007.

SB 1324: Stem Cell Research Act
Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Creates the Stem Cell Research and Human Cloning Prohibition Act. Contains only a short title provision.

Senate Floor Amendment No. 2

If and only if 95SB19 (above) becomes law, amends the Department of Public Health Powers and Duties Law with respect to the network of cord blood stem cell banks. Removes the requirement that the network be "statewide". Provides that members of the advisory committee are subject to conflict of interest restrictions and are required to make disclosures of income and financial interests. Requires donor banks to have policies and procedures in place for procurement, including voluntary, informed, and confidential decisions of persons participating in research, and ensuring best practices with respect to medical ethics. Effective immediately.

Senate Floor Amendment No. 3

Deletes "State" in a reference to "the State cord blood stem cell bank network".

Sponsors: Sen. Jeffrey M. Schoenberg - William R. Haine - James F. Clayborne Jr. and Dale E. Risinger

Rep. Tom Cross

Status: Passed the Senate April 19, 2007; Re-referred to House Rules Committee May 31, 2007. See related SB 19 above.

SB1544: FY 2008 Budget Implementation (Revenue) Act (originally, film production services tax credit)

House Amendment No. 1

Deletes everything after the enacting clause. Creates the FY2008 Budget Implementation (Revenue) Act. Amends various Acts to make changes in State programs concerning revenue that are necessary to implement the FY2008. Effective immediately.

House Amendment No. 2

Changes the dates of the amnesty program. In the Illinois Income Tax Act, makes changes to provisions concerning persons excluded as a members of a unitary business group. Provides that certain addition modifications concerning bonds apply for taxable years ending on or after December 31, 2008. Makes changes concerning income modifications with respect to real estate investment trusts. Defines "captive real estate investment trust". Deletes a provision concerning certain exemptions for investment partnerships. Makes other changes. *See SB1582 for proposed reversal of provisions of this bill.*

Full text of bill is available at

<http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=51&GA=95&DocTypeId=HB&DocNum=1960&GAID=9&LegID=30798&SpecSess=&Session>

Sponsors: Sen. Rickey R. Hendon, Donne E. Trotter, Iris Y. Martinez, Mattie Hunter, Martin A. Sandoval and Jacqueline Y. Collins

Rep. Barbara Flynn Currie, Kenneth Dunkin

Status: **Passed** both Houses May 31, 2007; sent to Governor June 29, 2007.

SB1739: Medicaid authorization of social worker services

Under the Medicaid program, authorizes the Department of Healthcare and Family Services to provide for the services of persons licensed as a clinical social worker in supplying medical assistance. Prohibits the Department's rules from requiring that services for a specific Medicaid recipient provided by a licensed clinical social worker be recommended by a physician.

Sponsors: Sen. William Delgado, Christine Radogno, Jacqueline Y. Collins, Iris Y. Martinez, M. Maggie Crotty

Rep. Kathleen A. Ryg, Elizabeth Coulson, Julie Hamos, Elga L. Jefferies, Angelo Saviano, Greg Harris, Kurt M. Granberg, LaShawn K. Ford, Sara Feigenholtz, Jim Watson, Lou Lang, Constance A. Howard, Mary E. Flowers, Mike Boland, Daniel J. Burke, Elaine Nekritz, Arthur L. Turner, Monique D. Davis, Naomi D. Jakobsson, Rosemary Mulligan, Annazette Collins, Sandra M. Pihos, Cynthia Soto, Edward J. Acevedo and Patricia R. Bellock

Status: **Passed** both Houses May 31, 2007; sent to the Governor June 29, 2007.