

Summary of Senate Bill 26 by Article

(updated June 17, 2013)

Article	Title	Statutes Amended	Purpose
1 Pages 1-13	Specialized Mental Health Rehabilitation Act of 2013: Short title, Prior law and definitions	New Act	Establishes definitions; provides that all facilities under this Act are subject to any/all consent decrees; requires the Governor to convene a working group to identify needed mental health services
2 Pages 13-21	Specialized Mental Health Rehabilitation Act of 2013: General Provisions	New Act	Establishes facility standards and staff ratios consistent with national accreditation practices; empowers Illinois Department of Public Health (IDPH) to engage in rulemaking to implement the Act; requires facilities to request criminal history background checks with 24 hours of any admission
3 Pages 21-36	Specialized Mental Health Rehabilitation Act of 2013: Rights and Responsibilities	New Act	Provides that consumers are entitled to all rights under the Mental Health and Developmental Disabilities Code; requires HFS to explore options which allow consumers to retain SSI income while in the facility; establishes facility responsibilities related to screening prior to admission, consumer advisory council, confidentiality of records; requires informed consent for restraints and experimental research
4 Pages 36-49	Specialized Mental Health Rehabilitation Act of 2013: Licensing and Accreditation	New Act	Establishes IDPH as the licensing agency for facilities under this Act; provides for creation of provisional licensure standards through rule; establishes survey process; requires that all facilities attain national accreditation at completion

			of provisional licensure status at end of three years; provides IDPH with authority to prevent facility licensure
5 Pages 49-50	Specialized Mental Health Rehabilitation Act of 2013: Facility Payment	New Act	Provides that facility rates be frozen at June 30, 2013 rates less \$7.07, then states that facility rates shall be negotiated with managed care and coordinated care entities
6 Pages 50-395	Miscellaneous and Amendatory Provisions; Repealer	Multiple Acts Amended: See footnote at end of table for complete list ¹	Repeals the Specialized Mental Health Rehabilitation Act (original language) and replaces it with new “Specialized Mental Health Rehabilitation Act of 2013”
7 Pages 395-435		Children’s Health Insurance Program Act, Covering ALL KIDS Health Insurance Act, Public Aid Code, Veterans’ Health Insurance Program Act, Renal Disease Treatment Act, Hemophilia Care Act	Implements the Affordable Care Act provisions related to “newly eligible” adults without dependent children and to former foster care children until age 26; makes changes to comply with new federal requirements for determining eligibility; transitions some existing coverage to comprehensive coverage under the ACA; clarifies existing coverage for children and pregnant women
8 Pages 435-460		Illinois Public Aid Code	Advances the effective date for collection of new hospital assessment revenues by three weeks (June 10, 2012 through June 30, 2012) to allow for collection of an additional \$16.6 million in assessment payments resulting in an additional \$27.7 million in payments to qualifying hospitals
9 Pages 460-500		Illinois Public Aid Code	Eliminates income cap for children in the Medically Fragile Technology Dependent (MFTD) waiver; restores funding to hold beds for ICFDD residents age 21 plus for therapeutic (home) visits; establishes specific conditions which qualify as a dental “emergency” eligible for payment; clarifies prior approval process for wheelchair repairs; clarifies language

			related to reduced payment for inpatient hospital admissions resulting from provider preventable conditions; eliminates prior approval for anti-convulsant medications for individuals with epilepsy or seizure disorders
10			Proposed in House Amendment 1 to Senate Bill 26, but deleted with Adoption of House Amendment 3
11 Pages 500-546		Illinois Public Aid Code, State Finance Act, creates The Medicaid Research and Support Fund, Personnel Code, Mental Health and Developmental Disabilities Code, Illinois Public Aid Code	Clarifies conditions under which a preliminary determination of Medicaid eligibility for long term care residents should not be made by the state's vendor to simplify eligibility redetermination for most LTC residents; establishes three tiers of academic medical centers engaging in medical research and education and provides for HFS to make payments to hospitals which qualify under these tiers; requires HFS to issue a solicitation for Accountable Care Entities (ACE) to serve children, parents or caretaker relatives of eligible children; clarifies/redefines three (3) senior executive positions at HFS subject to 4(d)(3) of the Illinois Personnel Code; clarifies numerous provisions related to the RUG-IV-based nursing facility rate methodology negotiated between HFS and industry trade groups, including elimination of all nursing facility-IMDs from RUG-IV methodologies; requirement for rule submission related to low-need residents; establishment of hold-harmless (blended rate) and time-limited transition rates; establishes community-based programming (triage, crisis stabilization and transition) comparable to SMHRF institutional-based model; requires establishment of a new Medicaid reimbursement program for pediatric skill nursing facilities
12	Creates the "Resident First Act"	New Act	Establishes legislative intent stating resident needs must come first; provides for disclosure of representative payee

Pages 546-586			policy to facility residents; establishes single survey process and requires IDPH to audit all Type A and Type AA violations; requires HFS to establish and implement procedures to allow nursing facilities to direct-bill; charges HFS, DHS and DoA to create expedited long term care eligibility and enrollment within 90 days by July 1, 2014; Governor must name lead agency within 30 days of passage; sets requirements for enhanced application tracking for providers and centralized application processing; requires reports by 9/1/2013; 2/1/2014 and in HFS annual reports for fy2014 and thereafter.
99 Pages 586-596		Illinois Administrative Procedure Act	Allows for provisions of this Act to be adopted through Emergency Rulemaking

¹ IL Administrative Procedures Act, Election Code, Mental Health/Developmental Disabilities Administrative Act ,IL Dept. of Public Health Powers and Duties Law of the Civil Administrative Code, Abuse of Adults with Disabilities Intervention Act, Illinois Finance Authority Act, Illinois Income Tax Act Use Tax Act, Service Use Tax Act, Service Occupation Tax Act, Retailers' Occupation Tax Act, Property Tax Code, Senior Citizens Assessment Freeze Homestead Exemption, Regional Transportation Authority Act, Assisted Living and Shared Housing Act, Abuse Prevention Review Team Act, Nursing Home Care Act, Home Health, Home Services and Home Nursing Agency Licensing Act, Hospital Licensing Act, Language Assistance Services Act, Community-Integrated Living Arrangements Licensure and Certification Act, Child Care Act of 1969, Healthcare Worker Background Check Act, Nursing Home Administrators Licensing and Disciplinary Act, Pharmacy Practice Act, Nurse Agency Licensing Act, IL Public Aid Code, Mental Health and Developmental Disabilities Code, Protection and Advocacy for Mentally Ill Persons Act, Developmental Disability and Mental Disability Services Act, Facilities Requiring Smoke Detectors Act, Criminal Code of 2012, Unified Code of Corrections, Code of Civil Procedure, Consumer Fraud and Deceptive Business Practice Act