

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Assisted Living and Shared Housing Act is  
5 amended by changing Sections 10 and 70 and by adding Section 79  
6 as follows:

7 (210 ILCS 9/10)

8 Sec. 10. Definitions. For purposes of this Act:

9 "Activities of daily living" means eating, dressing,  
10 bathing, toileting, transferring, or personal hygiene.

11 "Assisted living establishment" or "establishment" means a  
12 home, building, residence, or any other place where sleeping  
13 accommodations are provided for at least 3 unrelated adults,  
14 at least 80% of whom are 55 years of age or older and where the  
15 following are provided consistent with the purposes of this  
16 Act:

17 (1) services consistent with a social model that is  
18 based on the premise that the resident's unit in assisted  
19 living and shared housing is his or her own home;

20 (2) community-based residential care for persons who  
21 need assistance with activities of daily living, including  
22 personal, supportive, and intermittent health-related  
23 services available 24 hours per day, if needed, to meet

1 the scheduled and unscheduled needs of a resident;

2 (3) mandatory services, whether provided directly by  
3 the establishment or by another entity arranged for by the  
4 establishment, with the consent of the resident or  
5 resident's representative; and

6 (4) a physical environment that is a homelike setting  
7 that includes the following and such other elements as  
8 established by the Department: individual living units  
9 each of which shall accommodate small kitchen appliances  
10 and contain private bathing, washing, and toilet  
11 facilities, or private washing and toilet facilities with  
12 a common bathing room readily accessible to each resident.  
13 Units shall be maintained for single occupancy except in  
14 cases in which 2 residents choose to share a unit.  
15 Sufficient common space shall exist to permit individual  
16 and group activities.

17 "Assisted living establishment" or "establishment" does  
18 not mean any of the following:

19 (1) A home, institution, or similar place operated by  
20 the federal government or the State of Illinois.

21 (2) A long term care facility licensed under the  
22 Nursing Home Care Act, a facility licensed under the  
23 Specialized Mental Health Rehabilitation Act of 2013, a  
24 facility licensed under the ID/DD Community Care Act, or a  
25 facility licensed under the MC/DD Act. However, a facility  
26 licensed under any of those Acts may convert distinct

1 parts of the facility to assisted living. If the facility  
2 elects to do so, the facility shall retain the Certificate  
3 of Need for its nursing and sheltered care beds that were  
4 converted.

5 (3) A hospital, sanitarium, or other institution, the  
6 principal activity or business of which is the diagnosis,  
7 care, and treatment of human illness and that is required  
8 to be licensed under the Hospital Licensing Act.

9 (4) A facility for child care as defined in the Child  
10 Care Act of 1969.

11 (5) A community living facility as defined in the  
12 Community Living Facilities Licensing Act.

13 (6) A nursing home or sanitarium operated solely by  
14 and for persons who rely exclusively upon treatment by  
15 spiritual means through prayer in accordance with the  
16 creed or tenants of a well-recognized church or religious  
17 denomination.

18 (7) A facility licensed by the Department of Human  
19 Services as a community-integrated living arrangement as  
20 defined in the Community-Integrated Living Arrangements  
21 Licensure and Certification Act.

22 (8) A supportive residence licensed under the  
23 Supportive Residences Licensing Act.

24 (9) The portion of a life care facility as defined in  
25 the Life Care Facilities Act not licensed as an assisted  
26 living establishment under this Act; a life care facility

1           may apply under this Act to convert sections of the  
2           community to assisted living.

3           (10) A free-standing hospice facility licensed under  
4           the Hospice Program Licensing Act.

5           (11) A shared housing establishment.

6           (12) A supportive living facility as described in  
7           Section 5-5.01a of the Illinois Public Aid Code.

8           "Certified medication aide" means a person who has met the  
9           qualifications for certification under Section 79 and assists  
10           with medication administration while under the supervision of  
11           a registered professional nurse as authorized by Section 50-75  
12           of the Nurse Practice Act in an assisted living establishment.

13           "Department" means the Department of Public Health.

14           "Director" means the Director of Public Health.

15           "Emergency situation" means imminent danger of death or  
16           serious physical harm to a resident of an establishment.

17           "License" means any of the following types of licenses  
18           issued to an applicant or licensee by the Department:

19           (1) "Probationary license" means a license issued to  
20           an applicant or licensee that has not held a license under  
21           this Act prior to its application or pursuant to a license  
22           transfer in accordance with Section 50 of this Act.

23           (2) "Regular license" means a license issued by the  
24           Department to an applicant or licensee that is in  
25           substantial compliance with this Act and any rules  
26           promulgated under this Act.

1 "Licensee" means a person, agency, association,  
2 corporation, partnership, or organization that has been issued  
3 a license to operate an assisted living or shared housing  
4 establishment.

5 "Licensed health care professional" means a registered  
6 professional nurse, an advanced practice registered nurse, a  
7 physician assistant, and a licensed practical nurse.

8 "Mandatory services" include the following:

9 (1) 3 meals per day available to the residents  
10 prepared by the establishment or an outside contractor;

11 (2) housekeeping services including, but not limited  
12 to, vacuuming, dusting, and cleaning the resident's unit;

13 (3) personal laundry and linen services available to  
14 the residents provided or arranged for by the  
15 establishment;

16 (4) security provided 24 hours each day including, but  
17 not limited to, locked entrances or building or contract  
18 security personnel;

19 (5) an emergency communication response system, which  
20 is a procedure in place 24 hours each day by which a  
21 resident can notify building management, an emergency  
22 response vendor, or others able to respond to his or her  
23 need for assistance; and

24 (6) assistance with activities of daily living as  
25 required by each resident.

26 "Negotiated risk" is the process by which a resident, or

1 his or her representative, may formally negotiate with  
2 providers what risks each are willing and unwilling to assume  
3 in service provision and the resident's living environment.  
4 The provider assures that the resident and the resident's  
5 representative, if any, are informed of the risks of these  
6 decisions and of the potential consequences of assuming these  
7 risks.

8 "Owner" means the individual, partnership, corporation,  
9 association, or other person who owns an assisted living or  
10 shared housing establishment. In the event an assisted living  
11 or shared housing establishment is operated by a person who  
12 leases or manages the physical plant, which is owned by  
13 another person, "owner" means the person who operates the  
14 assisted living or shared housing establishment, except that  
15 if the person who owns the physical plant is an affiliate of  
16 the person who operates the assisted living or shared housing  
17 establishment and has significant control over the day to day  
18 operations of the assisted living or shared housing  
19 establishment, the person who owns the physical plant shall  
20 incur jointly and severally with the owner all liabilities  
21 imposed on an owner under this Act.

22 "Physician" means a person licensed under the Medical  
23 Practice Act of 1987 to practice medicine in all of its  
24 branches.

25 "Program" means the Certified Medication Aide Program.

26 "Qualified establishment" means an assisted living and

1 shared housing establishment licensed by the Department of  
2 Public Health.

3 "Resident" means a person residing in an assisted living  
4 or shared housing establishment.

5 "Resident's representative" means a person, other than the  
6 owner, agent, or employee of an establishment or of the health  
7 care provider unless related to the resident, designated in  
8 writing by a resident to be his or her representative. This  
9 designation may be accomplished through the Illinois Power of  
10 Attorney Act, pursuant to the guardianship process under the  
11 Probate Act of 1975, or pursuant to an executed designation of  
12 representative form specified by the Department.

13 "Self" means the individual or the individual's designated  
14 representative.

15 "Shared housing establishment" or "establishment" means a  
16 publicly or privately operated free-standing residence for 16  
17 or fewer persons, at least 80% of whom are 55 years of age or  
18 older and who are unrelated to the owners and one manager of  
19 the residence, where the following are provided:

20 (1) services consistent with a social model that is  
21 based on the premise that the resident's unit is his or her  
22 own home;

23 (2) community-based residential care for persons who  
24 need assistance with activities of daily living, including  
25 housing and personal, supportive, and intermittent  
26 health-related services available 24 hours per day, if

1 needed, to meet the scheduled and unscheduled needs of a  
2 resident; and

3 (3) mandatory services, whether provided directly by  
4 the establishment or by another entity arranged for by the  
5 establishment, with the consent of the resident or the  
6 resident's representative.

7 "Shared housing establishment" or "establishment" does not  
8 mean any of the following:

9 (1) A home, institution, or similar place operated by  
10 the federal government or the State of Illinois.

11 (2) A long term care facility licensed under the  
12 Nursing Home Care Act, a facility licensed under the  
13 Specialized Mental Health Rehabilitation Act of 2013, a  
14 facility licensed under the ID/DD Community Care Act, or a  
15 facility licensed under the MC/DD Act. A facility licensed  
16 under any of those Acts may, however, convert sections of  
17 the facility to assisted living. If the facility elects to  
18 do so, the facility shall retain the Certificate of Need  
19 for its nursing beds that were converted.

20 (3) A hospital, sanitarium, or other institution, the  
21 principal activity or business of which is the diagnosis,  
22 care, and treatment of human illness and that is required  
23 to be licensed under the Hospital Licensing Act.

24 (4) A facility for child care as defined in the Child  
25 Care Act of 1969.

26 (5) A community living facility as defined in the



1 Community Living Facilities Licensing Act.

2 (6) A nursing home or sanitarium operated solely by  
3 and for persons who rely exclusively upon treatment by  
4 spiritual means through prayer in accordance with the  
5 creed or tenants of a well-recognized church or religious  
6 denomination.

7 (7) A facility licensed by the Department of Human  
8 Services as a community-integrated living arrangement as  
9 defined in the Community-Integrated Living Arrangements  
10 Licensure and Certification Act.

11 (8) A supportive residence licensed under the  
12 Supportive Residences Licensing Act.

13 (9) A life care facility as defined in the Life Care  
14 Facilities Act; a life care facility may apply under this  
15 Act to convert sections of the community to assisted  
16 living.

17 (10) A free-standing hospice facility licensed under  
18 the Hospice Program Licensing Act.

19 (11) An assisted living establishment.

20 (12) A supportive living facility as described in  
21 Section 5-5.01a of the Illinois Public Aid Code.

22 "Total assistance" means that staff or another individual  
23 performs the entire activity of daily living without  
24 participation by the resident.

25 (Source: P.A. 99-180, eff. 7-29-15; 100-513, eff. 1-1-18.)

1 (210 ILCS 9/70)

2 Sec. 70. Service requirements. An establishment must  
3 provide all mandatory services and may provide optional  
4 services, including medication reminders, supervision of  
5 self-administered medication and medication administration as  
6 defined by this Section and nonmedical services defined by  
7 rule, whether provided directly by the establishment or by  
8 another entity arranged for by the establishment with the  
9 consent of the resident or the resident's representative.

10 For the purposes of this Section, "medication reminders"  
11 means reminding residents to take pre-dispensed,  
12 self-administered medication, observing the resident, and  
13 documenting whether or not the resident took the medication.

14 For the purposes of this Section, "supervision of  
15 self-administered medication" means assisting the resident  
16 with self-administered medication using any combination of the  
17 following: reminding residents to take medication, reading the  
18 medication label to residents, checking the self-administered  
19 medication dosage against the label of the medication,  
20 confirming that residents have obtained and are taking the  
21 dosage as prescribed, and documenting in writing that the  
22 resident has taken (or refused to take) the medication. If  
23 residents are physically unable to open the container, the  
24 container may be opened for them. Supervision of  
25 self-administered medication shall be under the direction of a  
26 licensed health care professional or, in the case of a

1 certified medication aide, under the supervision and  
2 delegation of a registered nurse as authorized by Section  
3 50-75 of the Nurse Practice Act.

4 For the purposes of this Section, "medication  
5 administration" refers to a licensed health care professional  
6 employed by an establishment engaging in administering insulin  
7 and vitamin B-12 injections, oral medications, topical  
8 treatments, eye and ear drops, or nitroglycerin patches. A  
9 certified medication aide may administer medications under the  
10 supervision and delegation of a registered nurse as authorized  
11 by Section 50-75 of the Nurse Practice Act, except (i)  
12 Schedule II controlled substances as set forth in the Illinois  
13 Controlled Substances Act and (ii) any subcutaneous,  
14 intramuscular, intradermal, or intravenous medication  
15 ~~Non-licensed staff may not administer any medication.~~

16 The Department shall specify by rule procedures for  
17 medication reminders, supervision of self-administered  
18 medication, and medication administration.

19 Nothing in this Act shall preclude a physician licensed  
20 under the Medical Practice Act of 1987 from providing services  
21 within the scope of his or her license to any resident.

22 (Source: P.A. 96-353, eff. 8-13-09.)

23 (210 ILCS 9/79 new)

24 Sec. 79. Certified Medication Aide Program.

25 (a) The Department shall administer and enforce a

1 Certified Medication Aide Program and regulate certified  
2 medication aides. To be approved as an establishment qualified  
3 to participate in the program, an establishment must satisfy  
4 all of the following requirements:

5 (1) Be licensed and in good standing as an assisted  
6 living or shared housing establishment by the Department.

7 (2) Certify that the employment of a certified  
8 medication aide will not replace or diminish the  
9 employment of registered nurses or licensed practical  
10 nurses at the establishment.

11 (3) Certify that a registered nurse will be on duty  
12 and present in the establishment to delegate and supervise  
13 the administration of medication by a certified medication  
14 aide at all times.

15 (4) Certify that, with the exception of licensed  
16 health care professionals, only certified medication aides  
17 will be employed in the capacity of administering  
18 medication.

19 (5) Provide information regarding patient safety,  
20 efficiency, and errors as determined by the Department.

21 Failure to submit any required report may be grounds for  
22 discipline or sanctions as prescribed by the Department. The  
23 Department shall submit a report regarding patient safety,  
24 efficiency, and errors, as determined by rule, to the General  
25 Assembly no later than 2 years after the effective date of this  
26 amendatory Act of the 103rd General Assembly.

1       (b) No person shall practice as a medication aide or hold  
2 himself or herself out as a certified medication aide in this  
3 State unless he or she is certified in accordance with this  
4 Section. Nothing in this Section shall be construed as  
5 preventing or restricting the practice, services, or  
6 activities of:

7           (1) any person licensed in this State by any other law  
8 from engaging in the profession or occupation for which he  
9 or she is licensed;

10          (2) any person employed as a medication aide by the  
11 government of the United States, if such person practices  
12 as a medication aide solely under the direction or control  
13 of the organization by which he or she is employed; or

14          (3) any person pursuing a course of study leading to a  
15 certificate in medication aide at an accredited or  
16 approved educational program if such activities and  
17 services constitute a part of a supervised course of study  
18 and if such person is designated by a title which clearly  
19 indicates his or her status as a student or trainee.

20       Nothing in this Section shall be construed to limit the  
21 delegation of tasks or duties by a physician, dentist,  
22 advanced practice registered nurse, or podiatric physician as  
23 authorized by law.

24       (c) A certified medication aide may only practice in a  
25 qualified establishment. Certified medication aides must be  
26 supervised by and receive delegation by a registered nurse, as

1 authorized by Section 50-75 of the Nurse Practice Act, that is  
2 on duty and present in the establishment at all times.  
3 Certified medication aides shall not have a direct-care  
4 assignment when scheduled to work as a certified medication  
5 aide, but may assist residents as needed. Certified medication  
6 aides shall not administer any medication until a physician  
7 has conducted an initial assessment of the resident.

8 Certified medication aides shall not administer any  
9 Schedule II controlled substances as set forth in the Illinois  
10 Controlled Substances Act and may not administer any  
11 subcutaneous, intramuscular, intradermal, or intravenous  
12 medication.

13 (d) In addition to any other penalty provided by law, any  
14 person who practices, offers to practice, attempts to  
15 practice, or holds oneself out to practice as a medication  
16 aide without being certified in accordance with this Section  
17 shall pay a civil penalty to the Department as determined by  
18 the Department. The Department has the authority and power to  
19 investigate any and all uncertified activity. The civil  
20 penalty shall be paid within 60 days after the date of the  
21 order imposing the civil penalty. The order shall constitute a  
22 judgment and may be filed and execution had thereon in the same  
23 manner as any judgment from any court of record.

24 (e) Applications for original certification shall be made  
25 to the Department in writing on forms prescribed by the  
26 Department and shall be accompanied by the required fee, which

1 shall not be refundable. The application shall require such  
2 information that, in the judgment of the Department, enables  
3 the Department to pass on the qualifications of the applicant  
4 for certification.

5 (f) The Department shall authorize examinations of  
6 applicants for a certificate under this Section at the times  
7 and places as it may designate. The examination shall be of a  
8 character to give a fair test of the qualifications of the  
9 applicant to practice as a medication aide.

10 Applicants for examination as a medication aide shall be  
11 required to pay, either to the Department or the designated  
12 testing service, a fee covering the cost of providing the  
13 examination. Failure to appear for the examination on the  
14 scheduled date, at the time and place specified, after the  
15 applicant's application for examination has been received and  
16 acknowledged by the Department or the designated testing  
17 service, shall result in the forfeiture of the examination  
18 fee.

19 If an applicant fails to pass an examination for  
20 certification in accordance with this Section within 3 years  
21 after filing his or her application, then the application  
22 shall be denied. The applicant may thereafter make a new  
23 application accompanied by the required fee; however, the  
24 applicant shall meet all requirements in effect at the time of  
25 subsequent application before obtaining certification. The  
26 Department may employ consultants for the purposes of

1 preparing and conducting examinations.

2 (g) An applicant for certification by examination to  
3 practice as a certified medication aide must:

4 (1) submit a completed written application on forms  
5 provided by the Department and fees as established by the  
6 Department;

7 (2) be age 18 or older;

8 (3) have a high school diploma or a high school  
9 equivalency certificate;

10 (4) demonstrate the ability to speak, read, and write  
11 the English language, as determined by rule;

12 (5) demonstrate competency in math, as determined by  
13 rule;

14 (6) be currently certified in good standing as a  
15 certified nursing assistant and provide proof of 2,000  
16 hours of practice as a certified nursing assistant within  
17 3 years before application for a certificate under this  
18 Section;

19 (7) submit to the criminal history records check  
20 required under Section 46 of the Health Care Worker  
21 Background Check Act;

22 (8) be currently certified to perform cardiopulmonary  
23 resuscitation by the American Heart Association or  
24 American Red Cross;

25 (9) have successfully completed a course of study  
26 approved by the Department as defined by rule; to be



1 approved, the program must include a minimum of 60 hours  
2 of classroom-based medication aide education, a minimum of  
3 10 hours of simulation laboratory study, and a minimum of  
4 30 hours of registered nurse-supervised clinical practicum  
5 with progressive responsibility of patient medication  
6 assistance;

7 (10) have successfully completed the Medication Aide  
8 Certification Examination or other examination authorized  
9 by the Department; and

10 (11) submit proof of employment by a qualifying  
11 establishment.

12 (h) The expiration date for each certification to practice  
13 as a certified medication aide shall be set by rule.

14 (i) No person shall use the title "certified medication  
15 aide" unless he or she holds a valid certificate issued by the  
16 Department in accordance with this Section.

17 (j) The Department shall propose rules to implement the  
18 provisions of this Section within 180 days after the effective  
19 date of this amendatory Act of the 103rd General Assembly.

20 (225 ILCS 65/Art. 80 rep.)

21 Section 10. The Nurse Practice Act is amended by repealing  
22 Article 80.

23 Section 15. The Illinois Public Aid Code is amended by  
24 changing Section 5-5.01a as follows:

1 (305 ILCS 5/5-5.01a)

2 Sec. 5-5.01a. Supportive living facilities program.

3 (a) The Department shall establish and provide oversight  
4 for a program of supportive living facilities that seek to  
5 promote resident independence, dignity, respect, and  
6 well-being in the most cost-effective manner.

7 A supportive living facility is (i) a free-standing  
8 facility or (ii) a distinct physical and operational entity  
9 within a mixed-use building that meets the criteria  
10 established in subsection (d). A supportive living facility  
11 integrates housing with health, personal care, and supportive  
12 services and is a designated setting that offers residents  
13 their own separate, private, and distinct living units.

14 Sites for the operation of the program shall be selected  
15 by the Department based upon criteria that may include the  
16 need for services in a geographic area, the availability of  
17 funding, and the site's ability to meet the standards.

18 (b) Beginning July 1, 2014, subject to federal approval,  
19 the Medicaid rates for supportive living facilities shall be  
20 equal to the supportive living facility Medicaid rate  
21 effective on June 30, 2014 increased by 8.85%. Once the  
22 assessment imposed at Article V-G of this Code is determined  
23 to be a permissible tax under Title XIX of the Social Security  
24 Act, the Department shall increase the Medicaid rates for  
25 supportive living facilities effective on July 1, 2014 by

1 9.09%. The Department shall apply this increase retroactively  
2 to coincide with the imposition of the assessment in Article  
3 V-G of this Code in accordance with the approval for federal  
4 financial participation by the Centers for Medicare and  
5 Medicaid Services.

6 The Medicaid rates for supportive living facilities  
7 effective on July 1, 2017 must be equal to the rates in effect  
8 for supportive living facilities on June 30, 2017 increased by  
9 2.8%.

10 The Medicaid rates for supportive living facilities  
11 effective on July 1, 2018 must be equal to the rates in effect  
12 for supportive living facilities on June 30, 2018.

13 Subject to federal approval, the Medicaid rates for  
14 supportive living services on and after July 1, 2019 must be at  
15 least 54.3% of the average total nursing facility services per  
16 diem for the geographic areas defined by the Department while  
17 maintaining the rate differential for dementia care and must  
18 be updated whenever the total nursing facility service per  
19 diems are updated. Beginning July 1, 2022, upon the  
20 implementation of the Patient Driven Payment Model, Medicaid  
21 rates for supportive living services must be at least 54.3% of  
22 the average total nursing services per diem rate for the  
23 geographic areas. For purposes of this provision, the average  
24 total nursing services per diem rate shall include all add-ons  
25 for nursing facilities for the geographic area provided for in  
26 Section 5-5.2. The rate differential for dementia care must be

1 maintained in these rates and the rates shall be updated  
2 whenever nursing facility per diem rates are updated.

3 Subject to federal approval, beginning January 1, 2024,  
4 the dementia care rate for supportive living services must be  
5 no less than the non-dementia care supportive living services  
6 rate multiplied by 1.5.

7 (c) The Department may adopt rules to implement this  
8 Section. Rules that establish or modify the services,  
9 standards, and conditions for participation in the program  
10 shall be adopted by the Department in consultation with the  
11 Department on Aging, the Department of Rehabilitation  
12 Services, and the Department of Mental Health and  
13 Developmental Disabilities (or their successor agencies).

14 (d) Subject to federal approval by the Centers for  
15 Medicare and Medicaid Services, the Department shall accept  
16 for consideration of certification under the program any  
17 application for a site or building where distinct parts of the  
18 site or building are designated for purposes other than the  
19 provision of supportive living services, but only if:

20 (1) those distinct parts of the site or building are  
21 not designated for the purpose of providing assisted  
22 living services as required under the Assisted Living and  
23 Shared Housing Act;

24 (2) those distinct parts of the site or building are  
25 completely separate from the part of the building used for  
26 the provision of supportive living program services,

1 including separate entrances;

2 (3) those distinct parts of the site or building do  
3 not share any common spaces with the part of the building  
4 used for the provision of supportive living program  
5 services; and

6 (4) those distinct parts of the site or building do  
7 not share staffing with the part of the building used for  
8 the provision of supportive living program services.

9 (e) Facilities or distinct parts of facilities which are  
10 selected as supportive living facilities and are in good  
11 standing with the Department's rules are exempt from the  
12 provisions of the Nursing Home Care Act and the Illinois  
13 Health Facilities Planning Act.

14 (f) Section 9817 of the American Rescue Plan Act of 2021  
15 (Public Law 117-2) authorizes a 10% enhanced federal medical  
16 assistance percentage for supportive living services for a  
17 12-month period from April 1, 2021 through March 31, 2022.  
18 Subject to federal approval, including the approval of any  
19 necessary waiver amendments or other federally required  
20 documents or assurances, for a 12-month period the Department  
21 must pay a supplemental \$26 per diem rate to all supportive  
22 living facilities with the additional federal financial  
23 participation funds that result from the enhanced federal  
24 medical assistance percentage from April 1, 2021 through March  
25 31, 2022. The Department may issue parameters around how the  
26 supplemental payment should be spent, including quality

1 improvement activities. The Department may alter the form,  
2 methods, or timeframes concerning the supplemental per diem  
3 rate to comply with any subsequent changes to federal law,  
4 changes made by guidance issued by the federal Centers for  
5 Medicare and Medicaid Services, or other changes necessary to  
6 receive the enhanced federal medical assistance percentage.

7 (g) All applications for the expansion of supportive  
8 living dementia care settings involving sites not approved by  
9 the Department on January 1, 2024 (the effective date of  
10 Public Act 103-102) ~~this amendatory Act of the 103rd General~~  
11 ~~Assembly~~ may allow new elderly non-dementia units in addition  
12 to new dementia care units. The Department may approve such  
13 applications only if the application has: (1) no more than one  
14 non-dementia care unit for each dementia care unit and (2) the  
15 site is not located within 4 miles of an existing supportive  
16 living program site in Cook County (including the City of  
17 Chicago), not located within 12 miles of an existing  
18 supportive living program site in DuPage County, Kane County,  
19 Lake County, McHenry County, or Will County, or not located  
20 within 25 miles of an existing supportive living program site  
21 in any other county.

22 (f) Subject to federal approval, the Department shall  
23 allow a certified medication aide to administer medication in  
24 a supportive living facility. For purposes of this subsection,  
25 "certified medication aide" means a person who has met the  
26 qualifications for certification under Section 79 of the

1 Assisted Living and Shared Housing Act and assists with  
2 medication administration while under the supervision of a  
3 registered professional nurse as authorized by Section 50-75  
4 of the Nurse Practice Act. The Department may adopt rules to  
5 implement this subsection.

6 (Source: P.A. 102-43, eff. 7-6-21; 102-699, eff. 4-19-22;  
7 103-102, Article 20, Section 20-5, eff. 1-1-24; 103-102,  
8 Article 100, Section 100-5, eff. 1-1-24; revised 12-15-23.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.