

AN ACT concerning regulation.

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

Section 5. The Essential Support Person Act is amended by changing Section 5 as follows:

(210 ILCS 175/5)

Sec. 5. Definitions. In this Act:

"Department" means the Department of Public Health or, with respect to community-integrated living arrangements, as defined in the Community-Integrated Living Arrangements Licensure and Certification Act, the Department of Human Services.

"Essential support" means support that includes, but is not limited to:

- (1) assistance with activities of daily living; and
- (2) physical, emotional, psychological, and socialization support for the resident.

"Facility" means any of the following: a facility as defined in Section 10 of the Alzheimer's Disease and Related Dementias Special Care Disclosure Act; an assisted living establishment or shared housing establishment as defined in Section 10 of the Assisted Living and Shared Housing Act; a Community Living Facility as defined in Section 3 of the

Community Living Facilities Licensing Act; a facility as defined in Section 2 of the Life Care Facilities Act; a continuum of care facility as defined in Section 10 of the Continuum of Care Services for the Developmentally Disabled Act; a facility as defined in Section 1-113 of the Nursing Home Care Act; a MC/DD facility as defined in Section 1-113 of the MC/DD Act; an ID/DD facility as defined in Section 1-113 of the ID/DD Community Care Act; a hospice program as defined in Section 3 of the Hospice Program Licensing Act; a Supportive Residence as defined in Section 10 of the Supportive Residences Licensing Act; a facility as defined in Section 1-102 of the Specialized Mental Health Rehabilitation Act of 2013; a home, institution, or other place operated by or under the authority of the Department of Veterans' Affairs; an Alzheimer's disease management center alternative health care model under the Alternative Health Care Delivery Act; and a home, institution, or other place that is a State-operated mental health or developmental disability center or facility. "Facility" does not include a hospital as defined in the Hospital Licensing Act or any hospital authorized under the University of Illinois Hospital Act. "Facility" does not include any facility that the Department of Public Health or the Department of Veterans' Affairs does not regulate.

"Home" means a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

"Office" means the Office of State Long Term Care Ombudsman.

"Person-centered care plan" means a care plan for a resident developed by the resident or resident's representative in consultation with health professionals that focuses on the resident's physical, emotional, psychological, and socialization needs and describes the resident's right to designate a primary essential support person or secondary essential support person.

"Primary essential support person" means a person designated by a resident, or the resident's representative, who has access to the resident in accordance with rules set by the Department to provide essential support according to the resident's person-centered care plan.

"Resident" means a person who is living in a facility or home or is seeking admission to a facility or home. "Resident" includes a guardian of the person or an agent for the person under a power of attorney.

"Secondary essential support person" means a person designated by the resident, or the resident's representative, to serve as a backup to a primary essential support person.

(Source: P.A. 103-261, eff. 6-30-23.)