The Authority and Purpose of the Illinois Long Term Care Council

The Illinois Long Term Care Council (the Council) was created in August 2003 by Public Act 93-0498, which added Section 4.04a of the Illinois Act on Aging (20 ILCS 105/4.04a).

The purpose of the Council is to ensure high quality of care for persons aged 60 or older who need long term care in the continuum of care – from home care to nursing home care. The Council provides a forum for making recommendations on systemic issues affecting the continuum of long term care, and the efficacy of the State Long Term Care Ombudsman Program.

The Illinois Long Term Care Council makes recommendations concerning persons who need services in the continuum of long term care. This includes persons living in facilities licensed or regulated under the:

2. Assisted Living and Shared Housing Establishment Code
3. Community services including Supportive Living Facilities, regulated under the Illinois Department of Health Care and Family Services through a federal waiver (89 Ill. Adm. Code Part 146), Adult Day Care and any other type of long-term care provided in a home or other environment

Council Mandates and 2011 Goals

Mandate I. Make recommendations and comment on issues pertaining to long-term care and the State Long Term Care Ombudsman Program to the Department.

A) Monitor State agencies and support their efforts to have sufficiently trained staff and funds to carry out the mandated responsibilities of Public Act 96-1372:
   1) that persons with a diagnosis of a mental illness have choices in where they can live and receive the services they need;
   2) that the appropriate treatment, therapy and psycho-social services are provided to those people who choose to reside in a nursing facility;
   3) that any person who poses a risk of harming themselves or others must be properly assessed in order to assure that they receive the appropriate level of service; and
   4) if a person who poses a risk of harming others resides in a facility that the facility ensures the physical and psychosocial safety and well-being of all residents.
B) Monitor and comment on legislation that pertains to long-term care and to the State Long Term Care Ombudsman Program.

C) Continue to seek funding adequate to meet the responsibilities of the State Long Term Care Ombudsman Program.

Mandate II. Advise the Departments on matters pertaining to the quality of life and quality of care in the continuum of long term care.

A) Advise Department of Public Health and Health Care and Family Services to promote culture change (Pioneer Practice) in all facilities. Communicate to long-term care providers and facilities that the Council:

1) embraces the importance of implementing the culture of choice and autonomy proposed by Pioneer Practices; and

2) acknowledges the progress of facilities that have embraced Pioneer Practices or other culture change initiatives in providing quality care and enabling residents to lead a meaningful life.

B) Advocate for the Ombudsman Program and the Department of Public Health to have sufficient funds to carry out their mandated responsibilities under Public Act 96-1372.

Mandate III. Evaluate, comment on reports regarding, and make recommendations on, the quality of life and quality of care in long-term care facilities and on the duties and responsibilities of the State Long Term Care Ombudsman Program.

A) Work with the Department of Public Health and the Ombudsman program to identify data and information gaps in annual reports from state agencies involved in long term care, to identify issues that require further action. The Council will then bring these issues to the attention of the appropriate agencies.

B) Monitor actions taken in response to the OASAC strategic plan, and in response to the lawsuits and take appropriate action as necessary.

Mandate IV. Provide an opportunity for public input at each scheduled meeting

A) Invite public participation as an agenda item at each meeting. The Council will reach out to the public to invite participation.

B) The Council will meet in locations that enable the public to participate.
In addition, the Council will:

- Review and make recommendations to the Ombudsman Programs’ efforts to train and retain volunteers.
- Review and make recommendations regarding the legal services necessary for an effective Ombudsman program to protect the rights of residents.
- Advise the Department on the establishment of a system for handling financial exploitation complaints.
- Advise the Department on revising and filing Long Term Care Ombudsman Program regulations with the Secretary of State to comply with federal and state laws.
Legislative Activities of the Council

Throughout the year, the Council stood on several major pieces of legislation by way of written correspondence with the Governor’s Office. The Council’s immediate future goal is to expand their role in legislation by establishing a stance and then submitting written testimony and witness slips when such legislation is called. Future issues that the Council wishes to participate in include, but are not limited to: raising the personal needs allowance for long term care residents, fully fund adequate staffing on surveyors and long term care ombudsmen.

A few of the issues that the Council did have activity on include:

1) Pursuant to a Council resolution, the Council requested of the Director of the Department on Aging $4000 to support the operation of the Council. It was noted that the Council had never had any independent funding, and any potential additional expenditures (e.g., secretarial assistance) at this time could only come from the State Long Term Care Ombudsman Program.

2) In November of 2011, the Council filed a letter of support with Patricia A. Werner, Co-Counsel for the Class, in the federal district court case of Colbert vs. Quinn (United States District Court, Northern District of Illinois, Case No. 07 C 4737). The proposed settlement would only apply to residents in Cook County. The class action case goes to the right of non-IMD nursing home residents to receive appropriate services in all settings, including community-based programs. The consent decree was approved by the federal judge in the case in December 2011.

New Member Recruitment

There was a focus throughout the year on rebuilding the membership of the Council. The Council has lost several long term members due to resignations and term limitations. The drive to recruit new members was successful, as over half a dozen new members were brought onto the Council.

Archive of Records

The new co-chair, Tami Wacker, undertook to create a permanent, digital, indexed and accessible archive of Council records, including copies of past minutes, agendas and correspondence. There was considerable progress on creating this archive of Council records. The Council had several discussions of making these archived records available to the public as required by the Open Meetings Act.
By-Laws Revisions

The Council adopted a set of major revisions to the Council by-laws at the March meeting. The revisions would allow the Council to discuss and adopt positions in teleconference or on-line meetings. In addition, the new by-laws would allow the Council to seek to declare as vacant the memberships of Council members who consistently failed to attend Council meetings.

2012 Council Goals

Goals for the 2012 year include:

Stronger Role in Legislative Procedure
Continue Member Recruitment
Up-to-Date Council Information provided to public and members on Website
## Current List of Council Membership

### Public (voting) members:

- **Stephen Iden** – Springfield, Illinois  
  Attorney  
  Land of Lincoln Legal Assistance Foundation

- **Pat Comstock** – Springfield, Illinois  
  Director of Legislation and Communication  
  Illinois Health Care Council

- **Pam Edellman-Sall** – Chicago, Illinois  
  Jane Addams Senior Caucus

  Former Family Council Member

- **Ann Ford** – Springfield, Illinois  
  Executive Director  
  Illinois Network of Centers for Independent Living

- **Eva Hall** – Sullivan, Illinois  
  Family Council Member

- **John Hosteny** – Chicago, Illinois  
  Corporation for National and Community Service  
  Representative from the Illinois Council on Aging

- **Myrtle Klauer** – Chicago, Illinois  
  Resident Services  
  Illinois Council of Long Term Care

- **Robyn O’Neill** – Evanston, Illinois  
  Attorney  
  Legal Assistance Foundation of Metropolitan Chicago  
  Former Long Term Care Ombudsman

- **Phyllis Mitzen** – Chicago, Illinois  
  Health and Medicine Policy Research Group

- **Margaret Niederer** – Springfield, Illinois  
  Retired Educator  
  Former Long Term Care Ombudsman

- **David Sutor** – Evanston, Illinois  
  Resident Family Member

- **Dave Vinkler** – Springfield, Illinois  
  AARP

### Designated representatives of State Agency (non-voting):

- **Sally Petrone** – Springfield, Illinois  
  State Long Term Care Ombudsman  
  Illinois Department on Aging, (ex officio)

- **Toni Colon** – Springfield, Illinois  
  Deputy Director  
  Office of Health Care Regulation  
  Illinois Department of Public Health

- **Gwen Diehl** – Springfield, Illinois  
  Illinois Department of Veterans Affairs  
  (Represented by Doree Vetter)

- **Todd Trautvetter** – Springfield, Illinois  
  Master Sergeant  
  Medicaid Fraud Unit  
  Illinois State Police

- **Rob Lewis** – Springfield, Illinois  
  Bureau of Long Term Care  
  Illinois Department of Healthcare and Family Services

- **Kitty Watson** – Chicago, Illinois  
  State Treasurer's Office

- **Mary Riesling** – Springfield, Illinois  
  Secretary of State’s Office

### For additional copies, for further information, or to submit comments and questions about this report, please contact:

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Illinois Long Term Care Council  
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The Illinois Long Term Care Council is due to vote on the adoption of this Annual Report on July 17, 2012.