

SB1751



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1751

Introduced 2/9/2017, by Sen. Dale A. Righter

SYNOPSIS AS INTRODUCED:

210 ILCS 135/6

from Ch. 91 1/2, par. 1706

Amends the Community-Integrated Living Arrangements Licensure and Certification Act. Provides that after a community mental health or developmental services agency's license has been revoked, it shall continue providing for the health, safety, and welfare of the individuals it was serving by ensuring residents have been fully informed of their rights and options within time frames to be specified in rule and by a specified private, not-for-profit corporation directed by the Governor to administer the State plan to protect and advocate for the rights of persons with developmental disabilities.

LRB100 06886 MJP 16936 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Community-Integrated Living Arrangements
5 Licensure and Certification Act is amended by changing Section
6 6 as follows:

7 (210 ILCS 135/6) (from Ch. 91 1/2, par. 1706)

8 Sec. 6. (a) The Department shall deny an application for a
9 license, or revoke or refuse to renew the license of a
10 community mental health or developmental services agency, or
11 refuse to issue a license to the holder of a temporary permit,
12 if the Department determines that the applicant, agency or
13 permit holder has not complied with a provision of this Act,
14 the Mental Health and Developmental Disabilities Code, or
15 applicable Department rules and regulations. Specific grounds
16 for denial or revocation of a license, or refusal to renew a
17 license or to issue a license to the holder of a temporary
18 permit, shall include but not be limited to:

19 (1) Submission of false information either on
20 Department licensure forms or during an inspection;

21 (2) Refusal to allow an inspection to occur;

22 (3) Violation of this Act or rules and regulations
23 promulgated under this Act;

- 1 (4) Violation of the rights of a recipient;
- 2 (5) Failure to submit or implement a plan of correction
3 within the specified time period; or
- 4 (6) Failure to submit a workplace violence prevention
5 plan in compliance with the Health Care Workplace Violence
6 Prevention Act.

7 (b) If the Department determines that the operation of a
8 community mental health or developmental services agency or one
9 or more of the programs or placements certified by the agency
10 under this Act jeopardizes the health, safety or welfare of the
11 recipients served by the agency, the Department may immediately
12 revoke the agency's license and may direct the agency to
13 withdraw recipients from any such program or placement.

14 The agency shall continue providing for the health, safety,
15 and welfare of the individuals they were serving at the time
16 the agency's license was revoked by ensuring residents have
17 been fully informed of their rights and options within time
18 frames to be specified in rule and by the private,
19 not-for-profit corporation directed by the Governor to
20 administer the State plan to protect and advocate for the
21 rights of persons with developmental disabilities under
22 Section 1 of the Protection and Advocacy for Persons with
23 Developmental Disabilities Act.

24 (Source: P.A. 94-347, eff. 7-28-05.)