

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 Nursing Home Care Act is amended by changing
5 Section 2-107 as follows:

6 (210 ILCS 45/2-107) (from Ch. 111 1/2, par. 4152-107)

7 Sec. 2-107. Abuse, neglect, or financial exploitation;
8 duty to report. An owner, licensee, administrator, employee or
9 agent of a facility shall not abuse, ~~or~~ neglect, or financially
10 exploit a resident. It is the duty of any facility employee or
11 agent who becomes aware of such abuse, ~~or~~ neglect, or financial
12 exploitation to report it as provided in "The Abused and
13 Neglected Long Term Care Facility Residents Reporting Act". For
14 the purpose of this Section, "financial exploitation" has the
15 meaning described in Section 16-1.3 of the Criminal Code of
16 1961.

17 Notwithstanding any other rulemaking authority that may
18 exist, neither the Governor nor any agency or agency head under
19 the jurisdiction of the Governor has any authority to make or
20 promulgate rules to implement or enforce the provisions of this
21 amendatory Act of the 95th General Assembly. If, however, the
22 Governor believes that rules are necessary to implement or
23 enforce the provisions of this amendatory Act of the 95th

1 General Assembly, the Governor may suggest rules to the General
2 Assembly by filing them with the Clerk of the House and
3 Secretary of the Senate and by requesting that the General
4 Assembly authorize such rulemaking by law, enact those
5 suggested rules into law, or take any other appropriate action
6 in the General Assembly's discretion. Nothing contained in this
7 amendatory Act of the 95th General Assembly shall be
8 interpreted to grant rulemaking authority under any other
9 Illinois statute where such authority is not otherwise
10 explicitly given. For the purposes of this amendatory Act of
11 the 95th General Assembly, "rules" is given the meaning
12 contained in Section 1-70 of the Illinois Administrative
13 Procedure Act, and "agency" and "agency head" are given the
14 meanings contained in Sections 1-20 and 1-25 of the Illinois
15 Administrative Procedure Act to the extent that such
16 definitions apply to agencies or agency heads under the
17 jurisdiction of the Governor.

18 (Source: P.A. 82-120.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.