



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1909

Introduced 2/10/2011, by Sen. M. Maggie Crotty

#### SYNOPSIS AS INTRODUCED:

210 ILCS 35/8.5 new  
210 ILCS 47/3-216 new  
210 ILCS 135/13 new  
225 ILCS 10/5.7 new  
405 ILCS 30/3.5 new

Amends the Community Living Facilities Licensing Act, the MR/DD Community Care Act, Community-Integrated Living Arrangements Licensure and Certification Act, Child Care Act of 1969, and the Community Services Act. Provides that for the various facilities licensed or established under those Acts, the Departments responsible for enforcement shall review the necessity of State Fire Marshal inspections if local fire authorities enforce codes that are more stringent than those applied by the State Fire Marshal and the local fire authorities issue a clearance of the various sites. Effective immediately.

LRB097 07403 CEL 47512 b

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 Living Facilities Licensing Act is  
5 amended by adding Section 8.5 as follows:

6 (210 ILCS 35/8.5 new)

7 Sec. 8.5. Fire inspections; authority.

8 (a) Per the requirements of Public Act 96-1141, on January  
9 1, 2011 a report titled "Streamlined Auditing and Monitoring  
10 for Community Based Services: First Steps Toward a More  
11 Efficient System for Providers, State Government, and the  
12 Community" was provided for members of the General Assembly.  
13 The report, which was developed by a steering committee of  
14 community providers, trade associations, and designated  
15 representatives from the Departments of Children and Family  
16 Services, Healthcare and Family Services, Human Services, and  
17 Public Health, issued a series of recommendations, including  
18 recommended changes to Administrative Rules and Illinois  
19 statutes, on the categories of deemed status for accreditation,  
20 fiscal audits, centralized repository of information,  
21 Medicaid, technology, contracting, and streamlined monitoring  
22 procedures. It is the intent of the 97th General Assembly to  
23 pursue implementation of those recommendations that have been

1 determined to require Acts of the General Assembly.

2 (b) For facilities licensed under this Act, the Department  
3 shall review the necessity of State Fire Marshal inspections if  
4 local fire authorities enforce codes that are more stringent  
5 than those applied by the State Fire Marshal and the local fire  
6 authorities issue a clearance of the facility sites.

7 Section 10. The MR/DD Community Care Act is amended by  
8 adding Section 3-216 as follows:

9 (210 ILCS 47/3-216 new)

10 Sec. 3-216. Fire inspections; authority.

11 (a) Per the requirements of Public Act 96-1141, on January  
12 1, 2011 a report titled "Streamlined Auditing and Monitoring  
13 for Community Based Services: First Steps Toward a More  
14 Efficient System for Providers, State Government, and the  
15 Community" was provided for members of the General Assembly.  
16 The report, which was developed by a steering committee of  
17 community providers, trade associations, and designated  
18 representatives from the Departments of Children and Family  
19 Services, Healthcare and Family Services, Human Services, and  
20 Public Health, issued a series of recommendations, including  
21 recommended changes to Administrative Rules and Illinois  
22 statutes, on the categories of deemed status for accreditation,  
23 fiscal audits, centralized repository of information,  
24 Medicaid, technology, contracting, and streamlined monitoring

1 procedures. It is the intent of the 97th General Assembly to  
2 pursue implementation of those recommendations that have been  
3 determined to require Acts of the General Assembly.

4 (b) For facilities licensed under this Act, the Department  
5 shall review the necessity of State Fire Marshal inspections if  
6 local fire authorities enforce codes that are more stringent  
7 than those applied by the State Fire Marshal and the local fire  
8 authorities issue a clearance of the facility sites.

9 Section 15. The Community-Integrated Living Arrangements  
10 Licensure and Certification Act is amended by adding Section 13  
11 as follows:

12 (210 ILCS 135/13 new)

13 Sec. 13. Fire inspections; authority.

14 (a) Per the requirements of Public Act 96-1141, on January  
15 1, 2011 a report titled "Streamlined Auditing and Monitoring  
16 for Community Based Services: First Steps Toward a More  
17 Efficient System for Providers, State Government, and the  
18 Community" was provided for members of the General Assembly.  
19 The report, which was developed by a steering committee of  
20 community providers, trade associations, and designated  
21 representatives from the Departments of Children and Family  
22 Services, Healthcare and Family Services, Human Services, and  
23 Public Health, issued a series of recommendations, including  
24 recommended changes to Administrative Rules and Illinois

1 statutes, on the categories of deemed status for accreditation,  
2 fiscal audits, centralized repository of information,  
3 Medicaid, technology, contracting, and streamlined monitoring  
4 procedures. It is the intent of the 97th General Assembly to  
5 pursue implementation of those recommendations that have been  
6 determined to require Acts of the General Assembly.

7 (b) For community-integrated living arrangements licensed  
8 under this Act, the Department shall review the necessity of  
9 State Fire Marshal inspections if local fire authorities  
10 enforce codes that are more stringent than those applied by the  
11 State Fire Marshal and the local fire authorities issue a  
12 clearance of the facility sites.

13 Section 20. The Child Care Act of 1969 is amended by adding  
14 Section 5.7 as follows:

15 (225 ILCS 10/5.7 new)

16 Sec. 5.7. Fire inspections; authority.

17 (a) Per the requirements of Public Act 96-1141, on January  
18 1, 2011 a report titled "Streamlined Auditing and Monitoring  
19 for Community Based Services: First Steps Toward a More  
20 Efficient System for Providers, State Government, and the  
21 Community" was provided for members of the General Assembly.  
22 The report, which was developed by a steering committee of  
23 community providers, trade associations, and designated  
24 representatives from the Departments of Children and Family

1 Services, Healthcare and Family Services, Human Services, and  
2 Public Health, issued a series of recommendations, including  
3 recommended changes to Administrative Rules and Illinois  
4 statutes, on the categories of deemed status for accreditation,  
5 fiscal audits, centralized repository of information,  
6 Medicaid, technology, contracting, and streamlined monitoring  
7 procedures. It is the intent of the 97th General Assembly to  
8 pursue implementation of those recommendations that have been  
9 determined to require Acts of the General Assembly.

10 (b) For child care facilities licensed under this Act, the  
11 Department shall review the necessity of State Fire Marshal  
12 inspections if local fire authorities enforce codes that are  
13 more stringent than those applied by the State Fire Marshal and  
14 the local fire authorities issue a clearance of the facility  
15 sites.

16 Section 25. The Community Services Act is amended by adding  
17 Section 3.5 as follows:

18 (405 ILCS 30/3.5 new)

19 Sec. 3.5. Fire inspections; authority.

20 (a) Per the requirements of Public Act 96-1141, on January  
21 1, 2011 a report titled "Streamlined Auditing and Monitoring  
22 for Community Based Services: First Steps Toward a More  
23 Efficient System for Providers, State Government, and the  
24 Community" was provided for members of the General Assembly.

1 The report, which was developed by a steering committee of  
2 community providers, trade associations, and designated  
3 representatives from the Departments of Children and Family  
4 Services, Healthcare and Family Services, Human Services, and  
5 Public Health, issued a series of recommendations, including  
6 recommended changes to Administrative Rules and Illinois  
7 statutes, on the categories of deemed status for accreditation,  
8 fiscal audits, centralized repository of information,  
9 Medicaid, technology, contracting, and streamlined monitoring  
10 procedures. It is the intent of the 97th General Assembly to  
11 pursue implementation of those recommendations that have been  
12 determined to require Acts of the General Assembly.

13 (b) For provider organizations established under this Act,  
14 the Department shall review the necessity of State Fire Marshal  
15 inspections if local fire authorities enforce codes that are  
16 more stringent than those applied by the State Fire Marshal and  
17 the local fire authorities issue a clearance of the facility  
18 sites.

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