

1 TITLE 77: PUBLIC HEALTH
2 CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
3 SUBCHAPTER c: LONG-TERM CARE FACILITIES

4
5 PART 295
6 ASSISTED LIVING AND SHARED HOUSING ESTABLISHMENT CODE

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295.TABLE A Heat Index Table/Apparent Temperature

AUTHORITY: Implementing and authorized by the Assisted Living and Shared Housing Act [210 ILCS 9].

SOURCE: Adopted at 25 Ill. Reg. 14401, effective December 1, 2001; emergency amendment at 27 Ill. Reg. 6378, effective April 1, 2003, for a maximum of 150 days; emergency expired August 28, 2003; amended at 27 Ill. Reg. 18087, effective November 12, 2003; amended at 28 Ill. Reg. 14593, effective October 21, 2004; amended at 32 Ill. Reg. 7968, effective May 12, 2008; amended at 36 Ill. Reg. 13632, effective August 16, 2012; amended at 39 Ill. Reg. 11484, effective July 31, 2015; emergency amendment at 44 Ill. Reg. 8515, effective May 5, 2020, for a maximum of 150 days; emergency rule repealed at 44 Ill. Reg. 16258, effective September 15, 2020; emergency amendment at 44 Ill. Reg. 18960, effective November 19, 2020, for a maximum of 150 days; emergency rule expired April 17, 2021; emergency amendment at 45 Ill. Reg. 384, effective December 18, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 2076, effective January 27, 2021, for the remainder of the 150 days; emergency rule as amended expired May 16, 2021; emergency amendment at 45 Ill. Reg. 5541, effective April 18, 2021, for a maximum of 150 days; emergency rule expired September 14, 2021; emergency amendment at 45 Ill. Reg. 6696, effective May 17, 2021, for a maximum of 150 days; emergency expired October 13, 2021; emergency amendment at 45 Ill. Reg. 11924, effective September 15, 2021, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 14532, effective November 5, 2021, for the remainder of the 150 days; emergency expired February 11, 2022; emergency amendment at 45 Ill. Reg. 13702, effective October 14, 2021, for a maximum of 150 days; emergency expired March 12, 2022; emergency amendment at 46 Ill. Reg. 3225, effective February 12, 2022, for a maximum of 150 days; emergency expired July 11, 2022; emergency amendment at 46 Ill. Reg. 5333, effective March

130 13, 2022, for a maximum of 150 days; emergency expired August 9, 2022; emergency
131 amendment at 46 Ill. Reg. 13361, effective July 15, 2022, for a maximum of 150 days;
132 emergency amendment to emergency rule at 46 Ill. Reg. 16414, effective September 19, 2022,
133 for the remainder of the 150 days; emergency amendment to emergency rule at 46 Ill. Reg.
134 18204, effective October 27, 2022, for the remainder of the 150 days; emergency rule as
135 amended expired December 11, 2022; emergency amendment at 46 Ill. Reg. 20227, effective
136 December 12, 2022, for a maximum of 150 days; emergency expired May 10, 2023; amended at
137 47 Ill. Reg. 1709, effective January 19, 2023; amended at 47 Ill. Reg. 13264, effective August
138 30, 2023; amended at 48 Ill. Reg. _____, effective _____.

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140 **SUBPART A: GENERAL PROVISIONS**

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142 **Section 295.300 Incorporated and Referenced Materials**

- 143
144 a) The following private and professional association standards are incorporated in
145 this Part.
146
147 1) The following standards of the National Fire Protection Association
148 (NFPA), which may be obtained from the National Fire Protection
149 Association, 1 Batterymarch Park, Quincy, MA 02169:
150
151 A) NFPA 101 (2012): Life Safety Code, Chapter 32, New Residential
152 Board and Care Occupancies and all appropriate references under
153 Chapter 2
154
155 B) NFPA 101 (2012): Life Safety Code, Chapter 33, Existing
156 Residential Board and Care Occupancies for existing facilities and
157 all appropriate references under Chapter 2.
158
159 2) American Psychiatric Association, Diagnostic and Statistical Manual of
160 Mental Disorders, Fifth Edition, [Text Revision DSM-5-TR](#) (2022),
161 available at: <https://appi.org/Products/dsm> or from the American
162 Psychiatric Association, 800 Maine Avenue, SW, Suite 900, Washington,
163 DC 20024.
164
165 b) The following federal guidelines are incorporated in this Part: ADA Accessibility
166 Guidelines (ADAAG), August 5, 2005, available at:
167 <https://www.govinfo.gov/content/pkg/FR-2005-08-05/pdf/05-15484.pdf> or which
168 may be obtained from the U.S. Access Board, 1331 F Street NW, Suite 1000,
169 Washington, DC 20004-1111; info@access-board.gov.
170
171 c) All incorporations by reference of federal guidelines and the standards of
172 nationally recognized organizations refer to the standards on the date specified

and do not include any editions or amendments subsequent to the date specified.

d) The following statutes and State rules are referenced in this Part:

- 1) Federal statutes:
Americans with Disabilities Act (42 U.S.C. 12101 et seq.)
- 2) State of Illinois statutes, ~~available at: <https://ilga.gov/legislation/files/files.asp>~~
 - A) Medical Practice Act of 1987 [225 ILCS 60]
 - B) Nurse Practice Act [225 ILCS 65]
 - C) Child Care Act of 1969 [225 ILCS 10]
 - D) Hospital Licensing Act [210 ILCS 85]
 - E) Nursing Home Care Act [210 ILCS 45]
 - F) ID/DD Community Care Act [210 ILCS 47]
 - G) Probate Act of 1975 [755 ILCS 5]
 - H) Illinois Public Aid Code [305 ILCS 5]
 - I) Illinois Administrative Procedure Act [5 ILCS 100]
 - J) Health Care Worker Background Check Act [225 ILCS 46]
 - K) Illinois Power of Attorney Act [755 ILCS 45/Art. IV]
 - L) Health Care Surrogate Act [755 ILCS 40]
 - M) Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135]
 - N) Hospice Program Licensing Act [210 ILCS 60]
 - O) Freedom of Information Act [5 ILCS 140]
 - P) Alzheimer's Disease and Related Dementias Special Care Disclosure Act [210 ILCS 4]

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- Q) Home Health, Home Services, and Home Nursing Agency Licensing Act [210 ILCS 55]
- R) Code of Civil Procedure [735 ILCS 5]
- S) Dietetic Nutritionist Practice Act [225 ILCS 30]
- T) Community Living Facilities Licensing Act [210 ILCS 35]
- U) Supportive Residences Licensing Act [210 ILCS 65]
- V) Life Care Facilities Act [210 ILCS 40]
- W) [Essential Support Person Act \[210 ILCS 175\]](#)
- X) [MC/DD Act \[210 ILCS 46\]](#)
- 3) State of Illinois rules, ~~available at: <https://ilga.gov/commission/year/admincode/titles.html>~~
 - A) Capital Development Board, Illinois Accessibility Code (71 Ill. Adm. Code 400)
 - B) Department of Public Health
 - i) Control of [Notifiable Diseases and Communicable Diseases](#) Code (77 Ill. Adm. Code 690)
 - ii) Food Code (77 Ill. Adm. Code 750)
 - iii) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
 - iv) Drinking Water Systems Code (77 Ill. Adm. Code 900)
 - v) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
 - vi) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)
 - vii) Control of Tuberculosis Code (77 Ill. Adm. Code 696)

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- viii) Health Care Worker Background Check Code (77 Ill. Adm. Code 955)
- ix) Illinois Plumbing Code (77 Ill. Adm. Code 890)

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 295.600 Issuance of an Initial Regular License

- a) *Upon receipt and review of an application for a license and review of the applicant establishment, the Director ~~will~~^{may} issue a license if he or she finds:*
 - 1) *That the individual applicant, or the corporation, partnership, or other entity if the applicant is not an individual, is a person responsible and suitable to operate or to direct or participate in the operation of an establishment by virtue of financial capacity, appropriate business or professional experience, a record of lawful compliance with lawful orders of the Department and lack of revocation of a license issued under the Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, ~~or~~ the IDMR/DD Community Care Act, or the MC/DD Act during the previous five years;*
 - 2) *That the establishment is under the supervision of a full-time manager who meets the requirements of Section 295.3010;*
 - 3) *That the establishment has staff sufficient in number with qualifications, adequate skills, education, and experience to meet the 24-hour scheduled and unscheduled needs of residents and who participate in ongoing training to serve the resident population;*
 - 4) *That all employees who are subject to the Health Care Worker Background Check Act meet the requirements of that Act and the requirements of the Health Care Worker Background Check Code;*
 - 5) *That the applicant is in substantial compliance with the Act and this Part;*
 - 6) *That the applicant pays all required fees; and*
 - 7) *That, if the applicant establishment offers, advertises or markets to provide specialized services for individuals with Alzheimer's disease and related dementias through an Alzheimer's special care program, the applicant has provided an accurate disclosure document to the Department in*

302 *accordance with the Alzheimer's Disease and Related Dementias Special*
303 *Care Disclosure Act and in substantial compliance with Section 150 of the*
304 *Act and Section 295.4060.*

- 305
- 306 b) The Department will issue a regular license within 120 days after receipt of an
307 application that meets the requirements of the Act and this Section.
- 308
- 309 c) *The license shall state the physical location of the establishment, the date the*
310 *license was issued, and the expiration date of the license. The license shall also*
311 *state the number of resident units.*
- 312
- 313 d) *All regular licenses shall be valid for one year.*
- 314
- 315 e) *Each license shall be issued only for the premises and persons named in the*
316 *application, and shall not be transferable or assignable. ~~(Section 35 of the Act)~~*
- 317
- 318 f) *As a condition of licensure under the Act and this Part, the director of an*
319 *establishment must participate in at least 20 hours of training every two years to*
320 *assist him or her in better meeting the needs of the residents of the establishment*
321 *and managing the operation of the establishment. (Section 35 of the Act)*
- 322
- 323 g) After the license is issued, the licensee shall advise the Department within 30 days
324 after any changes in the information required in Section 295.500(a)(1), (2), (4),
325 (6), (9), or (10).
- 326
- 327 h) The license shall be posted in public view in the establishment.
- 328

329 (Source: Amended at 48 Ill. Reg. _____, effective _____)

330

331 **Section 295.1070 Annual On-Site Review and Complaint Investigation Procedures**

332

- 333 a) *The Department will conduct an annual unannounced on-site visit at each*
334 *assisted living and shared housing establishment to determine compliance with*
335 *the applicable licensure requirements and standards as set forth in the Act and*
336 *this Part. Additional visits may be conducted without prior notice to the assisted*
337 *living or shared housing establishment. (Section 110(a) of the Act)*
- 338
- 339 b) The purpose of the annual on-site review shall be to ensure establishments'
340 compliance with this Part and to assist the licensee in meeting the requirements of
341 this Part and providing quality services to the consumer. The visit shall *focus on*
342 *solving resident issues and concerns, and the quality improvement process*
343 *implemented by the establishment to address resident issues. (Section 30(a) of*
344 *the Act) The on-site review shall be conducted in a collaborative manner, with the*

345 Department and the establishment focused on meeting the needs of the residents.

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- c) The review shall address the following issues:
- 1) Assessment, service plan and services provided to ensure that resident needs are met;
 - 2) Staff sufficient in numbers and with appropriate skill, education and training to provide services required by the resident population;
 - 3) Compliance with the Health Care Worker Background Check Act and the Essential Support Person Act;
 - 4) Compliance with service delivery contracts and lease agreements;
 - 5) Grievance procedures;
 - 6) Service plan, negotiated risk, and protection of individual rights and resident's involvement in directing ~~their~~~~his or her~~ own care;
 - 7) Quality improvement policies and procedures to determine whether an effective procedure is in place. Quality improvement policies shall not be used as the sole criterion for issuance of a violation;
 - 8) Whether an annual resident satisfaction survey has been conducted;
 - 9) Compliance with physical plant, health and sanitation, and food preparation requirements as set forth in this Part;
 - 10) Any complaints not reviewed through an on-site review; and
 - 11) Incident and accident reports that are required to be submitted to the Department.
- d) An establishment shall not restrict or hamper access by Department staff to the building, residents or designated records required to conduct routine or periodic review or investigations. A resident may limit access to ~~their~~~~his or her~~ private dwelling space to reviewers, except if suspected violations exist that may pose a threat to the resident's or others' health, safety or well-being. A resident may also elect to limit access to ~~themselves~~~~himself or herself~~ and ~~their~~~~his or her~~ records, except as required as a condition of payment for publicly funded housing and/or services.

- 388 e) When the Department identifies a technical infraction during an on-site
 389 inspection, the Department representative shall engage the establishment staff in a
 390 consultative conference. If the establishment resolves the technical infraction
 391 prior to the end of the on-site inspection, no violation shall be deemed to exist and
 392 no violation shall be reported. The Department may recommend methods of
 393 addressing the technical infraction.
 394
- 395 f) Prior to concluding the on-site inspection, the Department representative will
 396 meet with the manager regarding any identified technical infraction. The
 397 Department will allow the establishment an opportunity to discuss the technical
 398 infraction and to present any evidence that indicates that the technical infraction
 399 did not exist or evidence related to the level of the violation.
 400
- 401 g) The Department will provide the establishment with a written statement of
 402 findings and violations via U.S. mail or other electronic means within 10 business
 403 days after exiting the on-site inspection.
 404
- 405 h) The establishment shall file a statement of correction within ~~15~~³⁰ days after
 406 receipt of the statement of findings and violations. The statement of correction
 407 shall describe the action taken by the establishment to address the violation. Each
 408 statement of correction shall be based on an assessment by the establishment of
 409 the conditions or occurrences that are the basis for the violation and evaluation of
 410 the practices, policies, and procedures that have caused or contributed to the
 411 conditions or occurrences. Evidence of such assessment and evaluation shall be
 412 maintained by the establishment. Each statement of correction shall include:
 413
- 414 1) A description of the specific corrective action the facility is taking, or
 415 plans to take, to abate, eliminate, or correct the violation cited in the
 416 notice;
 417
 - 418 2) A description of the steps that will be taken to avoid future occurrences of
 419 the same and similar violations; and
 420
 - 421 3) A specific date by which the corrective action will be completed.
 422
- 423 i) The establishment may also submit a statement of dispute regarding any of the
 424 alleged violations within 15 days. The Department shall review all statements of
 425 dispute submitted prior to making its final determination that a violation exists or
 426 of the level of the violation. If the Department does not make a change to the
 427 statement of violations based upon the statement of dispute, it shall provide a brief
 428 justification of its determination in writing and the establishment shall submit a
 429 statement of correction pursuant to subsections (j) through (m).
 430

- 431 j) The Department will review each statement of correction to ensure it provides for
432 the abatement, elimination, or correction of the finding or violation. The
433 Department will reject a submitted plan if it finds any of the following
434 deficiencies:
435
- 436 1) The plan does not appear to address the conditions or occurrences that are
437 the basis of the finding or violation and an evaluation of the practices,
438 policies, and procedures that have caused or contributed to the conditions
439 or occurrences.
440
 - 441 2) The plan is not specific enough to indicate the actual actions the
442 establishment will be taking to abate, eliminate, or correct the finding or
443 violation.
444
 - 445 3) The plan does not provide for measures that will abate or eliminate or
446 correct the finding or violation.
447
 - 448 4) The plan does not provide steps that will avoid future occurrences of the
449 same and similar findings or violations.
450
 - 451 5) The plan does not provide for timely completion of the corrective action,
452 considering the seriousness of the violation, any possible harm to the
453 residents, and the extent and complexity of the corrective action.
454
- 455 k) When the Department rejects a submitted statement of correction, it will notify
456 the establishment in writing and will specify the reason for the rejection. The
457 establishment must submit an acceptable plan of correction within 30 days
458 following notice of rejection. Failure to submit a revised acceptable plan of
459 correction may result in suspension or loss of license under 295.1060(d).
460
- 461 l) The notice of findings shall include the reason for the determination and a
462 statement of the right to appeal the determination pursuant to the Department's
463 Rules of Practice and Procedure in Administrative Hearings.
464
- 465 m) Whenever there is a revisit for a Type 1 violation or a pervasive pattern of Type 2
466 violations, the Department will conduct the on-site revisit within 30 days after the
467 Department's receipt of the statement of correction or within 30 days after the
468 corrective action is completed to confirm that the establishment has carried out
469 the corrective action. Nothing prohibits the Department from conducting a revisit
470 at any time.

471
472 (Source: Amended at 48 Ill. Reg. _____, effective _____)
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SUBPART B: POLICIES

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Section 295.2000 Residency Requirements

- a) *No individual shall be accepted for residency or remain in residence if the establishment cannot provide or secure appropriate services, if the individual requires a level of service or type of service for which the establishment is not licensed or which the establishment does not provide, or if the establishment does not have the staff appropriate in numbers and with appropriate skill to provide such services. (Section 75(a) of the Act)*
- b) *Only adults may be accepted for residency. (Section 75(b) of the Act)*
- c) *A person shall not be accepted for residency if:*
 - 1) *The person poses a serious threat to themselves~~himself or herself~~ or to others;*
 - 2) *The person is not able to communicate their~~his or her~~ needs in any manner and no resident representative residing in the establishment, and with a prior relationship to the person, has been appointed to direct the provision of services;*
 - 3) *The person requires total assistance with 2 or more activities of daily living;*
 - 4) *The person requires the assistance of more than one paid caregiver at any given time with an activity of daily living;*
 - 5) *The person requires more than minimal assistance in moving to a safe area in an emergency. For the purpose of this Section, minimal assistance means that the resident is able to respond, with or without assistance, in an emergency to protect themselves~~himself/herself~~, given the staffing and construction of the building;*
 - 6) *The person has a severe mental illness, which for the purposes of this Section means a condition that is characterized by the presence of a major mental disorder as classified in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV), where the individual is a person with a substantial disability~~substantially disabled~~ due to mental illness in the areas of self-maintenance, social functioning, activities of community living and work skills, and the disability specified is expected to be present for a period of not less than one year, but does not mean*

- 517 *Alzheimer's disease and other forms of dementia based on organic or*
 518 *physical disorders. (See DSM-5-TR) Nothing in this Section is meant to*
 519 *prohibit an individual with a diagnosis of depression from living in an*
 520 *establishment so long as the resident is not substantially disabled in the*
 521 *areas of self-maintenance, social functioning, activities of community*
 522 *living, and work skills;*
 523
 524 7) *The person requires intravenous therapy or intravenous feedings unless*
 525 *self-administered or administered by a qualified, licensed health care*
 526 *professional;*
 527
 528 8) *The person requires gastrostomy feedings unless self-administered or*
 529 *administered by a licensed health care professional;*
 530
 531 9) *The person requires insertion, sterile irrigation, and replacement of*
 532 *catheter, except for routine maintenance of urinary catheters, unless the*
 533 *catheter care is self-administered or administered by a licensed health*
 534 *care professional;*
 535
 536 10) *The person requires sterile wound care unless care is self-administered or*
 537 *administered by a licensed health care professional;*
 538
 539 ~~11) *The person requires sliding scale insulin administration unless self-*~~
 540 ~~*performed or administered by a licensed health care professional;*~~
 541
 542 112) *The person is a diabetic requiring routine insulin injections unless the*
 543 *injections are self-administered or administered by a licensed health care*
 544 *professional;*
 545
 546 ~~12~~3) *The person requires treatment of stage 3 or stage 4 decubitus ulcers or*
 547 *exfoliative dermatitis; or*
 548
 549 ~~13~~4) *The person requires 5 or more skilled nursing visits per week for*
 550 *conditions other than those listed in subsection (c)(13) for a period of 3*
 551 *consecutive weeks or more except when the course of treatment is*
 552 *expected to extend beyond a 3 week period for rehabilitative purposes and*
 553 *is certified as temporary by a physician. (Section 75(c) of the Act)*
 554
 555 d) *A resident with a condition listed in subsection (c) shall have ~~their~~his or her*
 556 *residency terminated in accordance with Section 295.2010. (Section 75(d) of the*
 557 *Act)*
 558
 559 e) *Residency shall be terminated in accordance with Section 295.2010 of this Part*

560 when services available to the resident in the establishment are no longer
561 adequate to meet the needs of the resident. This provision shall not be interpreted
562 as limiting the authority of the Department to require the residency termination of
563 individuals. (Section 75(e) of the Act)

564
565 f) Subsection (d) of this Section~~Subsection (d) of this Section~~ shall not apply to
566 terminally ill residents who receive or would qualify for hospice care and such
567 care is coordinated by a hospice program licensed under the Hospice Program
568 Licensing Act or other licensed health care professional employed by a licensed
569 home health agency and the establishment and all parties agree to the continued
570 residency. (Section 75(f) of the Act)

571
572 g) Subsections (c)(3), (4), (5), and (9)~~Subsections (c)(3), (4), (5) and (9)~~ shall not
573 apply to individuals who are quadriplegic or paraplegic, or individuals with
574 neuro-muscular diseases, such as muscular dystrophy and multiple sclerosis, or
575 other chronic diseases and conditions if the individual is able to communicate
576 their~~his or her~~ needs and does not require assistance with complex medical
577 problems, and the establishment is able to accommodate the individual's needs.
578 (Section 75(g) of the Act)

579
580 h) For the purposes of subsections (c)(7) through (10)~~subsections (c)(7) through~~
581 ~~(11)~~, a licensed health care professional may not be employed by the owner or
582 operator of the establishment, its parent entity, or any other entity with ownership
583 common to either the owner or operator of the establishment or parent entity,
584 including but not limited to an affiliate of the owner or operator of the
585 establishment. Nothing in this Section is meant to limit a resident's right to choose
586 their~~his or her~~ health care provider. (Section 75(h) of the Act)

587
588 i) Before a prospective resident's admission to an assisted living establishment or a
589 shared housing establishment that does not provide medication administration as
590 an optional service, the establishment shall advise the prospective resident to
591 consult a physician to determine whether the prospective resident should obtain a
592 vaccination against pneumococcal pneumonia or influenza, or both. (Section 76
593 of the Act)

594
595 (Source: Amended at 48 Ill. Reg. _____, effective _____)

596
597 **Section 295.2080 Essential Support Persons**

598
599 An establishment shall comply with the Essential Support Person Act. In the event of a conflict
600 between the provisions of the Essential Support Person Act and the activities of daily living
601 provisions in Section 75 of the Act or Section 295.2000 (Residency Requirements) of this Part,
602 Section 295.2000 shall control.

(Source: Added at 48 Ill. Reg. _____, effective _____)

SUBPART C: PERSONNEL

Section 295.3010 Manager's Qualifications

- a) Each assisted living establishment shall have a full-time manager.
- b) A shared housing establishment shall have a manager; who may oversee no more than three establishments if they are located within 30 minutes driving time from each other during non-rush hour and if the manager may be immediately contacted by an electronic communication device.
- c) The establishment shall be under the supervision of a full-time director (manager) who is at least 21 years of age and has a high school diploma or equivalent plus either:~~The manager shall be at least 21 years of age and have a high school diploma or equivalency.~~
 - 1) 2 years of management experience or 2 years of experience in positions of progressive responsibility in health care, housing with services, or adult day care or providing similar services to the elderly; or
 - 2) 2 years of management experience or 2 years of experience in positions of progressive responsibility in hospitality and training in health care and housing with services management. (Section 35(a)(2) of the Act)
 - 3) For the purposes of this subsection, "services management" refers to the coordination and oversight of various services provided to residents, such as healthcare, activities, and daily support. It includes, but is not limited to, ensuring resident quality of care, effective communication with establishment staff, and addressing residents' needs to enhance their overall wellbeing in the establishment.
- ~~d) The manager shall receive training and orientation in care and service system delivery and have at least:~~
 - ~~1) one year of management experience in health care, housing, or hospitality or providing similar services to the elderly; or~~
 - ~~2) two years of experience in health care, housing, or hospitality or providing similar services to the elderly.~~

- 646 **de)** The manager shall designate an individual capable of acting in an emergency to
647 act in their~~his or her~~ absence from the establishment.
- 648
- 649 **ef)** If the manager provides direct care, the manager is required to meet the
650 requirements of the Health Care Worker Background Check Act.
- 651
- 652 **fg)** Changes in manager must be reported to the Department within 10 working days
653 after the change.
- 654

655 (Source: Amended at 48 Ill. Reg. _____, effective _____)

656

657 **Section 295.3045 Certified Nursing Assistant Interns**

658

- 659 **a)** A certified nursing assistant intern shall report to an establishment's charge nurse
660 or nursing supervisor and may only be assigned duties authorized in Section
661 2310-434 of the Department of Public Health Powers and Duties Law of the Civil
662 Administrative Code of Illinois by a supervising nurse. (Section 78(a) of the Act)
- 663
- 664 **b)** An establishment shall notify its certified and licensed staff members, in writing,
665 that a certified nursing assistant intern may only provide the services and perform
666 the procedures permitted under Section 2310-434 of the Department of Public
667 Health Powers and Duties Law of the Civil Administrative Code of Illinois.
 - 669 **1)** The notification shall detail which duties may be delegated to a certified
670 nursing assistant intern.
 - 671
 - 672 **2)** The establishment shall establish a policy describing the authorized
673 duties, supervision, and evaluation of certified nursing assistant interns
674 available upon request of the Department and any surveyor. (Section
675 78(b) of the Act.)
 - 676
- 677 **c)** If an establishment learns that a certified nursing assistant intern is performing
678 work outside the scope of the duties authorized in Section 2310-434 of the
679 Department of Public Health Powers and Duties Law of the Civil Administrative
680 Code of Illinois, the establishment shall:
 - 681
 - 682 **1)** Stop the certified nursing assistant intern from performing the work;
683
 - 684 **2)** Inspect the work and correct mistakes, if the work performed was done
685 improperly;
 - 686
 - 687 **3)** Assign the work to the appropriate personnel; and
688

689 4) Ensure that a thorough assessment of any resident involved in the work
690 performed is completed by a registered nurse. (Section 78(c) of the Act)

691
692 d) An establishment that employs a certified nursing assistant intern in violation of
693 this Section shall be subject to civil penalties or fines under subsection (a) of
694 Section 135 of the Act. (Section 78(d) of the Act)

695
696 e) This Section will be repealed effective <Insert date 3 years after adoption>.

697
698 (Source: Added at 48 Ill. Reg. _____, effective _____)