



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4509

Introduced 1/26/2026, by Rep. Nicolle Grasse

SYNOPSIS AS INTRODUCED:

210 ILCS 45/2-104.3

Amends the Nursing Home Care Act. Replaces provisions concerning serious mental illness rescreening. Provides that all persons admitted to a nursing home facility with a diagnosis of serious mental illness shall receive a follow-up visit within 60 days after admission and shall receive a resident review by the Department of Human Services or its designee promptly after a significant change in the resident's physical or mental condition. Provides that the Department of Human Services shall ensure there are no conflicts of interest for pre-admission screeners.

LRB104 17964 BAB 31401 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 Nursing Home Care Act is amended by
5 changing Section 2-104.3 as follows:

6 (210 ILCS 45/2-104.3)

7 Sec. 2-104.3. Serious mental illness; resident review
8 ~~rescreening~~.

9 (a) All persons admitted to a nursing home facility with a
10 diagnosis of serious mental illness shall receive a follow-up
11 visit within 60 days after admission and shall receive a
12 resident review ~~who remain in the facility for a period of 90~~
13 ~~days shall be re-screened~~ by the Department of Human Services
14 or its designee promptly after a significant change in the
15 resident's physical or mental condition ~~at the end of the~~
16 ~~90 day period, at 6 months, and annually thereafter to assess~~
17 ~~their continuing need for nursing facility care and shall be~~
18 ~~advised of all other available care options.~~

19 (b) The Department of Human Services, ~~by rule,~~ shall
20 ensure there are no ~~provide for a prohibition on~~ conflicts of
21 interest for pre-admission screeners. ~~The rule shall provide~~
22 ~~for waiver of those conflicts by the Department of Human~~
23 ~~Services if the Department of Human Services determines that a~~

~~scarcity of qualified pre-admission screeners exists in a
given community and that, absent a waiver of conflict, an
insufficient number of pre-admission screeners would be
available. If a conflict is waived, the pre-admission screener
shall disclose the conflict of interest to the screened
individual in the manner provided for by rule of the
Department of Human Services. For the purposes of this
subsection, a "conflict of interest" includes, but is not
limited to, the existence of a professional or financial
relationship between (i) a PAS MH corporate or a PAS MH agent
performing the rescreening and (ii) a community provider or
long-term care facility.~~

(Source: P.A. 96-1372, eff. 7-29-10.)