

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 1. Findings. The General Assembly finds that:

5 (1) The health, safety, and welfare of residents of  
6 assisted living establishments and shared housing  
7 establishments are paramount concerns of the General  
8 Assembly.

9 (2) Residents of such establishments often rely on  
10 referrals from the establishment for necessary home  
11 services.

12 (3) Utilizing untrained or unlicensed home services  
13 providers poses a significant risk of harm to vulnerable  
14 residents, including improper care, neglect, or financial  
15 exploitation.

16 (4) Ensuring that all referred home services providers  
17 are licensed under the Home Health, Home Services, and  
18 Home Nursing Agency Licensing Act is necessary to ensure a  
19 minimum standard of competency, training, and  
20 accountability.

21 Section 5. The Assisted Living and Shared Housing Act is  
22 amended by adding Sections 30.5 and 81 as follows:

1 (210 ILCS 9/30.5 new)

2 Sec. 30.5. Referral of licensed home services providers.

3 (a) In this Section, "referral" means the act of directing  
4 a resident, verbally or in writing, to a specific service  
5 provider with whom the establishment does not have a  
6 contractual arrangement.

7 (b) An establishment shall only make referrals to its  
8 residents for home services providers that are licensed under  
9 the Home Health, Home Services, and Home Nursing Agency  
10 Licensing Act.

11 (210 ILCS 9/81 new)

12 Sec. 81. Public safety announcement.

13 (a) The Department shall distribute to each establishment  
14 and publish on its website a one-page flyer that shall, at a  
15 minimum, contain the following information:

16 (1) important information about choosing caregivers;

17 (2) an explanation of the differences between licensed  
18 and unlicensed home care and home health providers;

19 (3) common risks associated with unlicensed home care  
20 and home health providers; and

21 (4) information on how to verify if an agency is  
22 licensed through the State of Illinois.

23 (b) The establishment shall provide the flyer to any  
24 resident who is referred to home care services or who requests  
25 a referral for home care services.

1 Section 10. The Community Living Facilities Licensing Act  
2 is amended by adding Sections 5.6 and 8.7 as follows:

3 (210 ILCS 35/5.6 new)

4 Sec. 5.6. Referral of licensed home services providers.

5 (a) In this Section, "referral" means the act of directing  
6 a resident, verbally or in writing, to a specific service  
7 provider with whom the Community Living Facility does not have  
8 a contractual arrangement.

9 (b) A Community Living Facility shall only make referrals  
10 to its residents for home services providers that are licensed  
11 under the Home Health, Home Services, and Home Nursing Agency  
12 Licensing Act.

13 (210 ILCS 35/8.7 new)

14 Sec. 8.7. Public safety announcement.

15 (a) The Department shall distribute to each Community  
16 Living Facility and publish on its website a one-page flyer  
17 that shall, at a minimum, contain the following information:

18 (1) important information about choosing caregivers;

19 (2) an explanation of the differences between licensed  
20 and unlicensed home care and home health providers;

21 (3) common risks associated with unlicensed home care  
22 and home health providers; and

23 (4) information on how to verify if an agency is

1           licensed through the State of Illinois.

2           (b) The Community Living Facility shall provide the flyer  
3 to any resident who is referred to home care services or who  
4 requests a referral for home care services.

5           Section 15. The Life Care Facilities Act is amended by  
6 changing Section 10.4 and by adding Section 10.5 as follows:

7           (210 ILCS 40/10.4)

8           Sec. 10.4. Provision of at-home continuing care.

9           (a) The Department shall adopt rules that:

10           (1) establish standards for providers of at-home  
11 continuing care;

12           (2) provide for the certification and registration of  
13 providers of at-home continuing care and the annual  
14 renewal of certificates of registration;

15           (3) provide for and encourage the establishment of  
16 at-home continuing care programs;

17           (4) set minimum requirements for any individual who is  
18 employed by or under contract with a provider of at-home  
19 continuing care and who will enter a provider of at-home  
20 continuing care's subscriber's home to provide at-home  
21 continuing care services, including requirements for  
22 criminal background checks of such an individual who will  
23 have routine, direct access to a subscriber;

24           (5) establish standards for the renewal of

1 certificates of registration for providers of at-home  
2 continuing care;

3 (6) establish standards for the number of executed  
4 agreements necessary to begin operation as a provider of  
5 at-home continuing care;

6 (7) establish standards for when and how a provider of  
7 at-home continuing care or a subscriber may rescind an  
8 at-home continuing care agreement before at-home  
9 continuing care services are provided to the subscriber;

10 (8) allow a subscriber to rescind an agreement for  
11 at-home continuing care services at any time if the terms  
12 of the agreement violate this Section;

13 (9) establish that a provider may terminate an  
14 agreement to provide at-home continuing care services or  
15 discharge a subscriber only for just cause; and

16 (10) establish procedures to carry out a termination  
17 or discharge under paragraph (9).

18 (b) The Department shall certify and register a person as  
19 a provider of at-home continuing care services under this  
20 Section if the Department determines that:

21 (1) a reasonable financial plan has been developed to  
22 provide at-home continuing care services, including a plan  
23 for the number of agreements to be executed before  
24 beginning operation;

25 (2) a market for the at-home continuing care program  
26 exists;

1           (3) the provider has submitted all proposed  
2 advertisements, advertising campaigns, and other  
3 promotional materials for the program;

4           (4) the form and substance of all advertisements,  
5 advertising campaigns, and other promotional materials  
6 submitted are not deceptive, misleading, or likely to  
7 mislead; and

8           (5) an actuarial forecast supports the market for the  
9 program.

10          (c) A provider may not enter into an agreement to provide  
11 at-home continuing care services until the Department issues a  
12 preliminary certificate of registration to the provider. An  
13 application for a preliminary certificate of registration  
14 shall:

15           (1) be filed in a form determined by the Department by  
16 rule; and

17           (2) include:

18           (A) a copy of the proposed at-home continuing care  
19 agreement; and

20           (B) the form and substance of any proposed  
21 advertisements, advertising campaigns, or other  
22 promotional materials for the program that are  
23 available at the time of filing the application and  
24 that have not been filed previously with the  
25 Department.

26          (d) The Department shall issue a preliminary certificate

1 of registration to a provider under subsection (c) if the  
2 Department determines that:

3 (1) the proposed at-home continuing care agreement is  
4 satisfactory;

5 (2) the provider has submitted all proposed  
6 advertisements, advertising campaigns, and other  
7 promotional materials for the program; and

8 (3) the form and substance of all advertisements,  
9 advertising campaigns, and other promotional materials  
10 submitted are not deceptive, misleading, or likely to  
11 mislead.

12 (e) A person may not provide at-home continuing care  
13 services until the Department issues a certificate of  
14 registration to the person. An application for a certificate  
15 of registration shall:

16 (1) be filed in a form determined by the Department by  
17 rule; and

18 (2) include:

19 (A) verification that the required number of  
20 agreements has been executed;

21 (B) the form and substance of any proposed  
22 advertisements, advertising campaigns, or other  
23 promotional materials for the program that are  
24 available at the time of filing and that have not been  
25 filed previously with the Department; and

26 (C) verification that any other license or

1 certificate required by other appropriate State units  
2 has been issued to the provider.

3 (f) The Department shall issue a certificate of  
4 registration to a provider under subsection (e) if the  
5 Department determines that:

6 (1) the information and documents submitted and  
7 application for a preliminary certificate of registration  
8 are current and accurate or have been updated to make them  
9 accurate;

10 (2) the required agreements have been executed;

11 (3) any other license or certificate required by other  
12 appropriate State units has been issued to the provider;

13 (4) the provider has submitted all proposed  
14 advertisements, advertising campaigns, and other  
15 promotional materials for the program; and

16 (5) the material submitted is not an advertisement,  
17 advertising campaign, or other promotional material that  
18 is deceptive, misleading, or likely to mislead.

19 If a provider intends to advertise before the Department  
20 issues a certificate of registration, the provider shall  
21 submit to the Department any advertisement, advertising  
22 campaign, or other promotional material before using it.

23 (f-5) In this subsection, "referral" means the act of  
24 directing a resident, verbally or in writing, to a specific  
25 service provider with whom the facility does not have a  
26 contractual arrangement. A facility shall only make referrals

1 to its residents for providers of at-home continuing care, or  
2 other home service providers, that are licensed under the Home  
3 Health, Home Services, and Home Nursing Agency Licensing Act.

4 (g) Every 2 years, within 120 days after the end of a  
5 provider's fiscal year, a provider shall file an application  
6 for a renewal certificate of registration with the Department.  
7 The application shall:

8 (A) be filed in a form determined by the  
9 Department by rule; and

10 (B) contain any reasonable and pertinent  
11 information that the Department requires.

12 (h) The Department shall issue a renewal certificate of  
13 registration under subsection (g) if the Department determines  
14 that:

15 (1) all required documents have been filed and are  
16 satisfactory;

17 (2) any revised agreements for at-home continuing care  
18 services meet the Department's requirements;

19 (3) the provider has submitted all proposed  
20 advertisements, advertising campaigns, and other  
21 promotional materials for the program; and

22 (4) the form and substance of all advertisements,  
23 advertising campaigns, and other promotional materials  
24 submitted are not deceptive, misleading, or likely to  
25 mislead.

26 (i) The Department may deny, suspend, or revoke a

1 preliminary, initial, or renewal certificate of registration  
2 under this Section for cause. The Department shall set forth  
3 in writing its reasons for a denial, suspension, or  
4 revocation. A provider may appeal a denial in writing. Grounds  
5 for a denial, suspension, or revocation include, but are not  
6 limited to:

7 (1) violation of this Section;

8 (2) violation of a rule adopted by the Department  
9 under this Section;

10 (3) misrepresentation; or

11 (4) submission of false information.

12 (Source: P.A. 103-332, eff. 1-1-24; 103-605, eff. 7-1-24.)

13 (210 ILCS 40/10.5 new)

14 Sec. 10.5. Public safety announcement.

15 (a) The Department shall distribute to each facility and  
16 publish on its website a one-page flyer that shall, at a  
17 minimum, contain the following information:

18 (1) important information about choosing caregivers;

19 (2) an explanation of the differences between licensed  
20 and unlicensed home care and home health providers;

21 (3) common risks associated with unlicensed home care  
22 and home health providers; and

23 (4) information on how to verify if an agency is  
24 licensed through the State of Illinois.

25 (b) The facility shall provide the flyer to any resident

1 who is referred to home care services or who requests a  
2 referral for home care services.

3 Section 99. Effective date. This Act takes effect January  
4 1, 2027.