

# SB2944



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2944

Introduced 1/27/2026, by Sen. David Koehler

#### 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 17963 BAB 31400 b

A BILL FOR

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~~

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

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