

SB3310



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3310

Introduced 2/3/2026, by Sen. Patrick J. Joyce

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-206.05

Amends the Nursing Home Care Act. In provisions concerning a facility's safe resident handling policy, provides that "safe lifting equipment and accessories" includes emerging technologies approved by the Department of Public Health by rule.

LRB104 19573 BAB 33021 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 3-206.05 as follows:

6 (210 ILCS 45/3-206.05)

7 Sec. 3-206.05. Safe resident handling policy.

8 (a) In this Section:

9 "Health care worker" means an individual providing direct
10 resident care services who may be required to lift, transfer,
11 reposition, or move a resident.

12 "Nurse" means an advanced practice registered nurse, a
13 registered nurse, or a licensed practical nurse licensed under
14 the Nurse Practice Act.

15 "Safe lifting equipment and accessories" means mechanical
16 equipment designed to lift, move, reposition, and transfer
17 residents, including, but not limited to, fixed and portable
18 ceiling lifts, sit-to-stand lifts, slide sheets and boards,
19 slings, and repositioning and turning sheets. "Safe lifting
20 equipment and accessories" includes emerging technologies
21 approved by the Department by rule.

22 "Safe lifting team" means at least 2 individuals who are
23 trained and proficient in the use of both safe lifting

1 techniques and safe lifting equipment and accessories.

2 "Adjustable equipment" means products and devices that may
3 be adapted for use by individuals with physical and other
4 disabilities in order to optimize accessibility. Adjustable
5 equipment includes, but is not limited to, the following:

6 (1) Wheelchairs with adjustable footrest height and
7 seat width and depth.

8 (2) Height-adjustable, drop-arm commode chairs and
9 height-adjustable shower gurneys or shower benches to
10 enable individuals with mobility disabilities to use a
11 toilet and to shower safely and with increased comfort.

12 (3) Accessible weight scales that accommodate
13 wheelchair users.

14 (4) Height-adjustable beds that can be lowered to
15 accommodate individuals with mobility disabilities in
16 getting in and out of bed and that utilize drop-down side
17 railings for stability and positioning support.

18 (5) Universally designed or adaptable call buttons and
19 motorized bed position and height controls that can be
20 operated by persons with limited or no reach range, fine
21 motor ability, or vision.

22 (6) Height-adjustable platform tables for physical
23 therapy with drop-down side railings for stability and
24 positioning support.

25 (7) Therapeutic rehabilitation and exercise machines
26 with foot straps to secure the user's feet to the pedals

1 and with cuffs or splints to augment the user's grip
2 strength on handles.

3 (b) A facility must adopt and ensure implementation of a
4 policy to identify, assess, and develop strategies to control
5 risk of injury to residents and nurses and other health care
6 workers associated with the lifting, transferring,
7 repositioning, or movement of a resident. The policy shall
8 establish a process that, at a minimum, includes all of the
9 following:

10 (1) Analysis of the risk of injury to residents and
11 nurses and other health care workers taking into account
12 the resident handling needs of the resident populations
13 served by the facility and the physical environment in
14 which the resident handling and movement occurs.

15 (2) Education and training of nurses and other direct
16 resident care providers in the identification, assessment,
17 and control of risks of injury to residents and nurses and
18 other health care workers during resident handling and on
19 safe lifting policies and techniques and current lifting
20 equipment.

21 (3) Evaluation of alternative ways to reduce risks
22 associated with resident handling, including evaluation of
23 equipment and the environment.

24 (4) Restriction, to the extent feasible with existing
25 equipment and aids, of manual resident handling or
26 movement of all or most of a resident's weight except for

1 emergency, life-threatening, or otherwise exceptional
2 circumstances.

3 (5) Procedures for a nurse to refuse to perform or be
4 involved in resident handling or movement that the nurse
5 in good faith believes will expose a resident or nurse or
6 other health care worker to an unacceptable risk of
7 injury.

8 (6) Development of strategies to control risk of
9 injury to residents and nurses and other health care
10 workers associated with the lifting, transferring,
11 repositioning, or movement of a resident.

12 (7) In developing architectural plans for construction
13 or remodeling of a facility or unit of a facility in which
14 resident handling and movement occurs, consideration of
15 the feasibility of incorporating resident handling
16 equipment or the physical space and construction design
17 needed to incorporate that equipment.

18 (8) Fostering and maintaining resident safety,
19 dignity, self-determination, and choice, including the
20 following policies, strategies, and procedures:

21 (A) The existence and availability of a trained
22 safe lifting team.

23 (B) A policy of advising residents of a range of
24 transfer and lift options, including adjustable
25 diagnostic and treatment equipment, mechanical lifts,
26 and provision of a trained safe lifting team.

1 (C) The right of a competent resident, or the
2 guardian of a resident adjudicated incompetent, to
3 choose among the range of transfer and lift options
4 consistent with the procedures set forth under
5 subdivision (b)(5) and the policies set forth under
6 this paragraph (8), subject to the provisions of
7 subparagraph (E) of this paragraph (8).

8 (D) Procedures for documenting, upon admission and
9 as status changes, a mobility assessment and plan for
10 lifting, transferring, repositioning, or movement of a
11 resident, including the choice of the resident or the
12 resident's guardian among the range of transfer and
13 lift options.

14 (E) Incorporation of such safe lifting procedures,
15 techniques, and equipment as are consistent with
16 applicable federal law.

17 (c) Safe lifting teams must receive specialized, in-depth
18 training that includes, but need not be limited to, the
19 following:

20 (1) Types and operation of equipment.

21 (2) Safe manual lifting and moving techniques.

22 (3) Ergonomic principles in the assessment of risk
23 both to nurses and other workers and to residents.

24 (4) The selection, safe use, location, and condition
25 of appropriate pieces of equipment individualized to each
26 resident's medical and physical conditions and

1 preferences.

2 (5) Procedures for advising residents of the full
3 range of transfer and lift options and for documenting
4 individualized lifting plans that include resident choice.

5 Specialized, in-depth training may rely on federal
6 standards and guidelines such as the United States Department
7 of Labor Guidelines for Nursing Homes, supplemented by federal
8 requirements for barrier removal, independent access, and
9 means of accommodation optimizing independent movement and
10 transfer.

11 (Source: P.A. 100-513, eff. 1-1-18.)