



Sen. Sara Feigenholtz

Filed: 3/25/2026

10400SB3322sam001

LRB104 17631 BAB 35944 a

1 AMENDMENT TO SENATE BILL 3322

2 AMENDMENT NO. _____. Amend Senate Bill 3322 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Specialized Mental Health Rehabilitation
5 Act of 2013 is amended by changing Sections 2-101 and 3-104 as
6 follows:

7 (210 ILCS 49/2-101)

8 Sec. 2-101. Standards for facilities.

9 (a) The Department shall, by rule, prescribe minimum
10 standards for each level of care for facilities to be in place
11 during the provisional licensure period and thereafter. These
12 standards shall include, but are not limited to, the
13 following:

14 (1) life safety standards that will ensure the health,
15 safety and welfare of residents and their protection from
16 hazards;

1 (2) number and qualifications of all personnel,
2 including management and clinical personnel, having
3 responsibility for any part of the care given to
4 consumers; specifically, the Department shall establish
5 staffing ratios for facilities which shall specify the
6 number of staff hours per consumer of care that are needed
7 for each level of care offered within the facility;

8 (3) all sanitary conditions within the facility and
9 its surroundings, including water supply, sewage disposal,
10 food handling, and general hygiene which shall ensure the
11 health and comfort of consumers;

12 (4) a program for adequate maintenance of physical
13 plant and equipment;

14 (5) adequate accommodations, staff, and services for
15 the number and types of services being offered to
16 consumers for whom the facility is licensed to care;

17 (6) development of evacuation and other appropriate
18 safety plans for use during weather, health, fire,
19 physical plant, environmental, and national defense
20 emergencies;

21 (7) maintenance of minimum financial or other
22 resources necessary to meet the standards established
23 under this Section, and to operate and conduct the
24 facility in accordance with this Act;

25 (8) standards for coercive free environment,
26 restraint, and therapeutic separation; and

1 (9) each multiple bedroom shall have at least 55
2 square feet of net floor area per consumer, not including
3 space for closets, bathrooms, and clearly defined entryway
4 areas. A minimum of 3 feet of clearance at the foot and one
5 side of each bed shall be provided.

6 (b) Any requirement contained in administrative rule
7 concerning a percentage of single occupancy rooms shall be
8 calculated based on the total number of licensed or
9 provisionally licensed beds under this Act on January 1, 2019
10 and shall not be calculated on a per-facility basis.

11 (c) A facility licensed under this Act shall not accept
12 any person experiencing a medical issue that requires
13 immediate medical intervention or treatment.

14 (Source: P.A. 101-10, eff. 6-5-19; 102-558, eff. 8-20-21.)

15 (210 ILCS 49/3-104)

16 Sec. 3-104. Care, treatment, and records. Facilities shall
17 provide, at a minimum, the following services: physician,
18 nursing, pharmaceutical, rehabilitative, and dietary services.
19 To provide these services, the facility shall adhere to the
20 following:

21 (1) Each consumer shall be encouraged and assisted to
22 achieve and maintain the highest level of self-care and
23 independence. Every effort shall be made to keep consumers
24 active and out of bed for reasonable periods of time,
25 except when contraindicated by physician orders.

1 (2) Every consumer shall be engaged in a
2 person-centered planning process regarding his or her
3 total care and treatment.

4 (3) All medical treatment and procedures shall be
5 administered as ordered by a physician. All new physician
6 orders shall be reviewed by the facility's director of
7 nursing or charge nurse designee within 24 hours after
8 such orders have been issued to ensure facility compliance
9 with such orders. According to rules adopted by the
10 Department, every woman consumer of child bearing age
11 shall receive routine obstetrical and gynecological
12 evaluations as well as necessary prenatal care.

13 (4) Each consumer shall be provided with good
14 nutrition and with necessary fluids for hydration.

15 (5) Each consumer shall be provided visual privacy
16 during treatment and personal care.

17 (6) Every consumer or consumer's guardian shall be
18 permitted to inspect and copy all his or her clinical and
19 other records concerning his or her care kept by the
20 facility or by his or her physician. The facility may
21 charge a reasonable fee for duplication of a record.

22 (7) Each consumer shall be offered at least 15 hours
23 of treatment programming per week and shall be encouraged
24 to attend the treatment domains that meet the consumer's
25 needs, as reflected in the consumer's treatment plans.
26 Each consumer's program engagement and attendance shall be

1 documented in the consumer's clinical record, and each
2 consumer shall be prompted to attend programming regularly
3 as documented in the consumer's clinical record at least
4 quarterly.

5 (Source: P.A. 98-104, eff. 7-22-13.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."