**Section 350.3210 General**

a) *No resident shall be deprived of any rights, benefits, or privileges guaranteed by law, the Constitution of the State of Illinois, or the Constitution of the United States solely on account of* *his or her status as a resident of a facility.* (Section 2-101 of the Act)

b) *A resident shall be permitted to retain and use or wear his or her personal property in his or her immediate living quarters, unless deemed medically inappropriate by a physician and so documented in the resident's clinical record.* (Section 2-103 of the Act)

c) *If clothing is provided to the resident by the facility it shall be of a proper fit.* (Section 2-103 of the Act)

d) *The facility shall provide adequate storage space for the personal property of the resident.* (Section 2-103 of the Act)

e) *The facility shall provide a means of safeguarding small items of value for its residents in their rooms or in any other part of the facility so long as the residents have daily access to such valuables.* (Section 2-103 of the Act)

f) *The facility shall make reasonable efforts to prevent loss and theft of residents' property. Those efforts shall be appropriate to the particular facility and may* *include, but are not limited to, staff training and monitoring, labeling property, and frequent property inventories.* (Section 2-103 of the Act)

g) *The facility shall develop procedures for investigating complaints concerning theft of residents'* *property and shall promptly investigate all such complaints.* (Section 2-103 of the Act)

h) *The administrator shall ensure that married residents residing in the same facility be allowed to reside in the same room within the facility unless there is no room available in the facility or it is deemed medically inadvisable by the residents'* *attending physician and so documented in the resident*s*'* *medical records.* (Section 2-108(e) of the Act)

i) There shall be no traffic through a resident's room to reach any other area of the building.

j) Children under 16 years of age who are related to employees or owners of a facility, and who are not themselves employees of the facility, shall be restricted to quarters reserved for family or employee use except during times when the children are part of a group visiting the facility as part of a planned program, or similar activity.

k) *A resident may refuse to perform labor for a facility.* (Section 2-113 of the Act)

l) *A resident shall be permitted the free exercise of religion. Upon a resident's request, and if necessary at his expense, the facility administrator shall make arrangements for a resident's attendance at religious services of the resident's choice. However, no religious beliefs or practices, or attendance at religious services, may be imposed upon any resident.* (Section 2-109 of the Act)

m) All facilities shall comply with the Election Code.

n) *A facility shall immediately notify the identified resident's next of kin, resident's representative and physician of the resident's death or when the resident's death appears to be imminent.* (Section 2-208 of the Act)

o) The facility shall immediately notify the resident's family, guardian, representative, conservator and any private or public agency financially responsible for the resident's care whenever unusual circumstances such as accidents, sudden illness, disease, unexplained absences, extraordinary resident charges, billings, or related administrative matters arise.

p) *Where a resident, a resident's representative or a resident's next of kin believes that an emergency exists each of them, collectively or separately, may file a verified petition to the circuit court for the county in which the facility is located for an order placing the facility under the control of a receiver.* (Section 3-503 of the Act) *As used in Section 3-503* of the Act*, "emergency" means a threat to the health, safety or welfare of a resident that the facility is unwilling or unable to correct.* (Section 3-501 of the Act)

q) *Residents and their guardians or other resident representatives, if any, shall be notified*, on a form provided by the Department, *of any violation of* the *Act or* this Part *pursuant to Section 2-217 of* the *Act, or of violations of the requirements of Titles XVIII or XIX of the Social Security Act or rules promulgated thereunder, with respect to the health, safety, or welfare of the resident*. (Section 2-115 of the Act)

r) *When the Department issues any notice pursuant to Section 3-119, 3-119.1, 3-301, 3-303, 3-307, or 3-702 of* the *Act or a notice of federal Medicaid certification deficiencies, the facility shall provide notification of the violations and deficiencies within 10 days after receiving a notice described within this* subsection (r) *to every resident and the resident's representative or guardian identified or referred to anywhere within the Department notice or the CMS 2567 as having received care or services that violated State or federal standards. The notification shall include a Department-prescribed notification letter and a copy of the notice and CMS 2567, if any, issued by the Department. A facility's failure to provide notification pursuant to this Section to a resident and the resident's representative or guardian, if any, shall constitute a Type "B" violation*. Section 2-217 of the Act)

(Source: Amended at 46 Ill. Reg. 10519, effective June 2, 2022)