

# HB2352



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2352

by Rep. Kelly M. Cassidy

### SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-301

from Ch. 111 1/2, par. 4153-301

Amends the Nursing Home Care Act. Makes a technical change in a Section concerning a notice of violation.

LRB101 08300 CPF 53368 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 changing  
5 Section 3-301 as follows:

6 (210 ILCS 45/3-301) (from Ch. 111 1/2, par. 4153-301)

7 Sec. 3-301. Determination of violation; notice; review  
8 team.

9 (a) If after receiving the ~~the~~ report specified in  
10 subsection (c) of Section 3-212 the Director or his designee  
11 determines that a facility is in violation of this Act or of  
12 any rule promulgated thereunder, he shall serve a notice of  
13 violation upon the licensee within 10 days thereafter. Each  
14 notice of violation shall be prepared in writing and shall  
15 specify the nature of the violation, and the statutory  
16 provision or rule alleged to have been violated. The notice  
17 shall inform the licensee of any action the Department may take  
18 under the Act, including the requirement of a facility plan of  
19 correction under Section 3-303; placement of the facility on a  
20 list prepared under Section 3-304; assessment of a penalty  
21 under Section 3-305; a conditional license under Sections 3-311  
22 through 3-317; or license suspension or revocation under  
23 Section 3-119. The Director or his designee shall also inform

1 the licensee of rights to a hearing under Section 3-703.

2 (b) The Department shall perform an audit of all Type "AA"  
3 or Type "A" violations between January 1, 2014 and January 1,  
4 2015. The purpose of the audit is to determine the consistency  
5 of assigning Type "AA" and Type "A" violations. The audit shall  
6 be completed and a report submitted to the Long Term Care  
7 Advisory Committee by April 1, 2015 for comment. The report  
8 shall include recommendations for increasing the consistency  
9 of assignment of violations. The Committee may offer additional  
10 recommendations to be incorporated into the report. The final  
11 report shall be filed with the General Assembly by June 30,  
12 2015.

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