



Sen. Terry Link

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10100SB0109sam001

LRB101 06106 CPF 56165 a

1 AMENDMENT TO SENATE BILL 109

2 AMENDMENT NO. _____. Amend Senate Bill 109 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Authorized Electronic Monitoring in
5 Long-Term Care Facilities Act is amended by changing Sections 5
6 and 10 as follows:

7 (210 ILCS 32/5)

8 Sec. 5. Definitions. As used in this Act:

9 "Authorized electronic monitoring" means the placement and
10 use of an electronic monitoring device by a resident in his or
11 her room in accordance with this Act.

12 "Department" means the Department of Public Health.

13 "Electronic monitoring device" means a surveillance
14 instrument with a fixed position video camera or an audio
15 recording device, or a combination thereof, that is installed
16 in a resident's room under the provisions of this Act and

1 broadcasts or records activity or sounds occurring in the room.

2 "Facility" means an intermediate care facility for the
3 developmentally disabled licensed under the ID/DD Community
4 Care Act that has 30 beds or more, a facility licensed under
5 the MC/DD Act, ~~or~~ a long-term care facility licensed under the
6 Nursing Home Care Act, or a facility that provides housing to
7 individuals with dementia, as defined in Section 3 of the
8 Alzheimer's Disease Assistance Act.

9 "Resident" means a person residing in a facility.

10 "Resident's representative" has the meaning given to that
11 term in (1) Section 1-123 of the Nursing Home Care Act if the
12 resident resides in a facility licensed under the Nursing Home
13 Care Act, (2) Section 1-123 of the ID/DD Community Care Act if
14 the resident resides in a facility licensed under the ID/DD
15 Community Care Act, or (3) Section 1-123 of the MC/DD Act if
16 the resident resides in a facility licensed under the MC/DD
17 Act.

18 (Source: P.A. 99-430, eff. 1-1-16; 99-784, eff. 1-1-17.)

19 (210 ILCS 32/10)

20 Sec. 10. Authorized electronic monitoring.

21 (a) A resident shall be permitted to conduct authorized
22 electronic monitoring of the resident's room through the use of
23 electronic monitoring devices placed in the room pursuant to
24 this Act.

25 (b) Nothing in this Act shall be construed to allow the use

1 of an electronic monitoring device to take still photographs or
2 for the nonconsensual interception of private communications.

3 (c) A facility that houses dementia residents may allow
4 electronic monitoring devices only in rooms:

5 (1) that are located in a building that is entirely
6 dedicated to dementia care; or

7 (2) that are located in a building wing that is solely
8 dedicated to dementia care.

9 (Source: P.A. 99-430, eff. 1-1-16.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."