



Rep. Camille Y. Lilly

Filed: 2/26/2024

10300HB4899ham001

LRB103 37262 CES 69995 a

1 AMENDMENT TO HOUSE BILL 4899

2 AMENDMENT NO. _____. Amend House Bill 4899 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Home Health, Home Services, and Home
5 Nursing Agency Licensing Act is amended by changing Section 4
6 as follows:

7 (210 ILCS 55/4) (from Ch. 111 1/2, par. 2804)

8 Sec. 4. Types of licenses.

9 (a) If an applicant for licensure has not been previously
10 licensed, or if the home health agency, home services agency,
11 or home nursing agency is not in operation at the time
12 application is made, the Department may issue a provisional
13 license. A provisional license shall be valid for a period of
14 240 days unless sooner suspended or revoked pursuant to
15 Section 9 of this Act. Within 30 days prior to the termination
16 of a provisional license, the Department shall inspect the

1 agency and, if the applicant substantially meets the
2 requirements for licensure, it shall issue a license under
3 this Section. If the Department finds that a holder of a
4 provisional license does not substantially meet the
5 requirements for licensure, but has made significant progress
6 toward meeting those requirements, the Director may renew the
7 provisional license once for a period not to exceed 90 days
8 from the expiration date of the initial provisional license.

9 (b) (1) The Director may also issue a provisional license
10 to any licensed agency which does not substantially comply
11 with the provisions of this Act and the rules promulgated
12 hereunder, provided he finds that the health, safety, and
13 well-being of the clients of the agency will be protected
14 during the period for which such provisional license is
15 issued. The term of such provisional license shall not exceed
16 120 days.

17 (2) The Director shall advise the licensee of the
18 conditions under which such provisional license is issued,
19 including the manner in which the licensee fails to comply
20 with the provisions of the Act or rules, and the time within
21 which the corrections necessary for the agency to
22 substantially comply with the Act and rules shall be
23 completed.

24 (3) The Director, at his discretion, may extend the term
25 of such provisional license for an additional 120 days, if he
26 finds that the agency has made substantial progress toward

1 correcting the violations and bringing the agency into full
2 compliance with this Act and the rules promulgated hereunder.

3 (c) A 2-year license shall be issued to any person
4 conducting or maintaining a home health agency upon receipt of
5 an application and payment of the licensure fee, and when the
6 other requirements of this Act, and the standards, rules and
7 regulations promulgated hereunder, are met. The fee for each
8 single home health agency license or any renewal shall be
9 \$1,500. Notwithstanding any other provision of this Section,
10 the Department may not charge any fee to a certified local
11 health department in connection with the licensure of a home
12 health agency.

13 (d) The Department shall establish, by rule, a system
14 whereby an entity that meets the requirements for licensure
15 may obtain licensure singly or in any combination for the
16 categories authorized under this Act. Applicants for multiple
17 licenses under this system shall pay the applicable license
18 fees for each license. Fees collected under this system shall
19 be deposited into the Home Care Services Agency Licensure
20 Fund.

21 (Source: P.A. 103-257, eff. 1-1-24.)

22 Section 10. The Hospice Program Licensing Act is amended
23 by changing Section 5 as follows:

24 (210 ILCS 60/5) (from Ch. 111 1/2, par. 6105)

1 Sec. 5. Application for License. An application for
2 license or renewal thereof to operate as a comprehensive or
3 volunteer hospice program shall be made to the Department upon
4 forms provided by it, and shall contain information reasonably
5 required by the Department, taking into consideration the
6 different categories of hospice programs. The application
7 shall be accompanied by:

8 (1) The hospice service plan;

9 (2) A financial statement containing information
10 deemed appropriate by the Department for the category of
11 the applicant; and

12 (3) A uniform license fee determined by the Department
13 based on the hospice program's category. Notwithstanding
14 any other provision of this Section, the Department may
15 not charge any fee to a certified local health department
16 in connection with the licensure of a hospice program.

17 A licensed comprehensive hospice or volunteer hospice that
18 is in operation on the effective date of this Act may be issued
19 a comprehensive hospice program license under Section 4 if the
20 hospice program meets the requirements for a comprehensive
21 hospice program set forth in this Act.

22 (Source: P.A. 94-570, eff. 8-12-05.)".