

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 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
17 agency and, if the applicant substantially meets the
18 requirements for licensure, it shall issue a license under
19 this Section. If the Department finds that a holder of a
20 provisional license does not substantially meet the
21 requirements for licensure, but has made significant progress
22 toward meeting those requirements, the Director may renew the
23 provisional license once for a period not to exceed 90 days

1 from the expiration date of the initial provisional license.

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

10 (2) The Director shall advise the licensee of the
11 conditions under which such provisional license is issued,
12 including the manner in which the licensee fails to comply
13 with the provisions of the Act or rules, and the time within
14 which the corrections necessary for the agency to
15 substantially comply with the Act and rules shall be
16 completed.

17 (3) The Director, at his discretion, may extend the term
18 of such provisional license for an additional 120 days, if he
19 finds that the agency has made substantial progress toward
20 correcting the violations and bringing the agency into full
21 compliance with this Act and the rules promulgated hereunder.

22 (c) A 2-year license shall be issued to any person
23 conducting or maintaining a home health agency upon receipt of
24 an application and payment of the licensure fee, and when the
25 other requirements of this Act, and the standards, rules and
26 regulations promulgated hereunder, are met. The fee for each

1 single home health agency license or any renewal shall be
2 \$1,500. Notwithstanding any other provision of this Section,
3 the Department may not charge any fee to a certified local
4 health department in connection with the licensure of a home
5 health agency.

6 (d) The Department shall establish, by rule, a system
7 whereby an entity that meets the requirements for licensure
8 may obtain licensure singly or in any combination for the
9 categories authorized under this Act. Applicants for multiple
10 licenses under this system shall pay the applicable license
11 fees for each license. Fees collected under this system shall
12 be deposited into the Home Care Services Agency Licensure
13 Fund.

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

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

17 (210 ILCS 60/5) (from Ch. 111 1/2, par. 6105)

18 Sec. 5. Application for License. An application for
19 license or renewal thereof to operate as a comprehensive or
20 volunteer hospice program shall be made to the Department upon
21 forms provided by it, and shall contain information reasonably
22 required by the Department, taking into consideration the
23 different categories of hospice programs. The application
24 shall be accompanied by:

- 1 (1) The hospice service plan;
- 2 (2) A financial statement containing information
3 deemed appropriate by the Department for the category of
4 the applicant; and
- 5 (3) A uniform license fee determined by the Department
6 based on the hospice program's category. Notwithstanding
7 any other provision of this Section, the Department may
8 not charge any fee to a certified local health department
9 in connection with the licensure of a hospice program.

10 A licensed comprehensive hospice or volunteer hospice that
11 is in operation on the effective date of this Act may be issued
12 a comprehensive hospice program license under Section 4 if the
13 hospice program meets the requirements for a comprehensive
14 hospice program set forth in this Act.

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