

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 Assisted Living and Shared Housing Act is
5 amended by adding Section 21 as follows:

6 (210 ILCS 9/21 new)

7 Sec. 21. Establishment plan review; fees.

8 (a) Before commencing construction of new assisted living
9 or shared housing establishments or alterations or additions
10 to an existing assisted living or shared housing establishment
11 involving major construction, as defined by rule by the
12 Department, an applicant under this Section shall submit
13 architectural drawings and specifications to the Department
14 for review and approval. An applicant under this Section shall
15 submit architectural drawings and specifications for other
16 construction projects for Department review according to
17 subsection (b) that shall not be subject to fees under
18 subsection (d). Review of drawings and specifications shall be
19 conducted by an employee of the Department meeting the
20 qualifications established by the Department of Central
21 Management Services class specifications for the individual's
22 position. Final approval of the drawings and specifications
23 for compliance with design and construction standards shall be

1 obtained from the Department before the proposed alteration,
2 addition, or new construction begins. The Department shall
3 adopt rules for determining whether a construction,
4 alteration, or addition is subject to the submission
5 requirements of this Section. The Department shall not review
6 a submission under this Section until the required fee, if
7 any, has been paid.

8 (b) The Department shall inform an applicant in writing
9 within 10 working days after receiving drawings,
10 specifications, and the required fee, if any, from the
11 applicant whether the applicant's submission is complete or
12 incomplete. Failure to provide the applicant with this notice
13 within 10 working days shall result in the submission being
14 deemed complete for purposes of initiating the 45 calendar day
15 review period under this Section. If the submission is
16 incomplete, the Department shall inform the applicant of the
17 deficiencies with the submission in writing. If the submission
18 is complete and the required fee, if any, has been paid, the
19 Department shall approve or disapprove drawings and
20 specifications submitted to the Department no later than 45
21 calendar days following receipt by the Department. The
22 drawings and specifications shall be of sufficient detail, as
23 provided by Department rule, to enable the Department to
24 render a determination of compliance with design and
25 construction standards under this Act. If the Department finds
26 that the drawings are not of sufficient detail for it to render

1 a determination of compliance, the plans shall be determined
2 to be incomplete and shall not be considered for purposes of
3 initiating the 45 calendar day review period. If a submission
4 of drawings and specifications is incomplete, the applicant
5 may submit additional information. The 45 calendar day review
6 period shall not commence until the Department determines that
7 a submission of drawings and specifications is complete or the
8 submission is deemed complete. If the Department has not
9 approved or disapproved the drawings and specifications within
10 45 calendar days, the construction, major alteration, or
11 addition shall be deemed approved. If the drawings and
12 specifications are disapproved, the Department shall state in
13 writing, with specificity, the reasons for the disapproval.
14 The entity submitting the drawings and specifications may
15 submit additional information in response to the written
16 comments from the Department or request a reconsideration of
17 the disapproval. A final decision of approval or disapproval
18 shall be made within 30 calendar days of the receipt of the
19 additional information or reconsideration request. If denied,
20 the Department shall state the specific reasons for the
21 denial.

22 (c) The Department shall provide written approval for
23 occupancy pursuant to subsection (g).

24 (d) The Department shall charge the following fees in
25 connection with its reviews conducted after the effective date
26 of this amendatory Act of the 103rd General Assembly under

1 this Section:

2 (1) If the estimated dollar value of the alteration,
3 addition, or new construction is \$99,999.99 or less, no
4 fee is required.

5 (2) If the estimated dollar value of the alteration,
6 addition, or new construction is \$100,000 or more but less
7 than \$500,000, the fee shall be the greater of \$2,400 or
8 1.2% of the estimated dollar value of the alteration,
9 addition, or new construction.

10 (3) If the estimated dollar value of the alteration,
11 addition, or new construction is \$500,000 or more but less
12 than \$1,000,000, the fee shall be the greater of \$6,0000
13 or 0.96% of that value.

14 (4) If the estimated dollar value of the alteration,
15 addition, or new construction is \$1,000,000 or more but
16 less than \$5,000,000, the fee shall be the greater of
17 \$9,600 or 0.22% of the estimated dollar value of the
18 alteration, addition, or new construction.

19 (5) If the estimated dollar value of the alteration,
20 addition, or new construction is \$5,000,000 or more, the
21 fee shall be the greater of \$11,000 or 0.11% of the
22 estimated dollar value of the alteration, addition, or new
23 construction, but shall not exceed \$30,000.

24 The fees provided in this subsection (d) shall not apply
25 to major construction projects involving establishment changes
26 that are required by an amendment to a Department rule.

1 The Department shall not commence the establishment plan
2 review process under this Section until the applicable fee has
3 been paid.

4 (e) All fees received by the Department under this Section
5 shall be deposited into the Health Facility Plan Review Fund,
6 a special fund created in the State Treasury. All fees paid by
7 establishments under this Section shall be used only to cover
8 the costs relating to the Department's review of projects
9 listed in this Section. Moneys shall be appropriated from that
10 Fund to the Department only to pay the costs of conducting
11 reviews under this Section, under Section 3-202.5 of the
12 Nursing Home Care Act, Section 3-202.5 of the MC/DD Act, or
13 Section 3-202.5 of the ID/DD Community Care Act. None of the
14 moneys in the Health Facility Plan Review Fund shall be used to
15 reduce the amount of General Revenue Fund moneys appropriated
16 to the Department for plan reviews conducted pursuant to this
17 Section.

18 (f) The Department shall review the fee structure 3 years
19 after the effective date of this amendatory Act of the 103rd
20 General Assembly and every 5 years thereafter, and fees shall
21 be increased or decreased to maintain the plan review program.

22 (g) The Department shall conduct an on-site inspection of
23 the completed project no later than 30 working days after
24 notification from the applicant under this Section that the
25 project has been completed and all certifications required by
26 the Department have been received and accepted by the

1 Department. The Department shall provide written approval for
2 occupancy to the applicant within 10 working days of the
3 Department's final inspection, provided the applicant has
4 demonstrated substantial compliance as defined by Department
5 rule. Occupancy of new major construction is prohibited until
6 Department approval is received, unless the Department has not
7 acted within the time frames provided in this subsection (g),
8 in which case the construction shall be deemed approved.
9 Occupancy shall be authorized after any required health
10 inspection by the Department has been conducted.

11 (h) The Department shall establish, by rule, a procedure
12 to conduct voluntary interim on-site review of large or
13 complex construction projects for a fee of \$3,000 per interim
14 on-site review.

15 (i) The Department shall establish, by rule, an expedited
16 process for emergency repairs or replacement of like
17 equipment.

18 The establishment shall not be occupied until the
19 Department provides written approval for occupancy to the
20 owner or operator within 10 business days after the
21 Department's final inspection, provided that the owner or
22 operator has substantially complied with this Section as
23 determined by the Department by rule.

24 (j) Nothing in this Section shall be construed to apply to
25 maintenance, upkeep, or renovation that does not affect the
26 structural integrity of the building, does not add units or

1 services over the number for which the establishment is
2 licensed, and provides a reasonable degree of safety for the
3 residents.

4 Section 10. The Nursing Home Care Act is amended by
5 changing Section 3-202.5 as follows:

6 (210 ILCS 45/3-202.5)

7 Sec. 3-202.5. Facility plan review; fees.

8 (a) Before commencing construction of a new facility or
9 specified types of alteration or additions to an existing long
10 term care facility involving major construction, as defined by
11 rule by the Department, with an estimated cost greater than
12 \$100,000, architectural drawings and specifications for the
13 facility shall be submitted to the Department for review and
14 approval. A facility may submit architectural drawings and
15 specifications for other construction projects for Department
16 review according to subsection (b) that shall not be subject
17 to fees under subsection (d). Review of drawings and
18 specifications shall be conducted by an employee of the
19 Department meeting the qualifications established by the
20 Department of Central Management Services class specifications
21 for such an individual's position or by a person contracting
22 with the Department who meets those class specifications.
23 Final approval of the drawings and specifications for
24 compliance with design and construction standards shall be

1 obtained from the Department before the alteration, addition,
2 or new construction is begun.

3 (b) The Department shall inform an applicant in writing
4 within 10 working days after receiving drawings and
5 specifications and the required fee, if any, from the
6 applicant whether the applicant's submission is complete or
7 incomplete. Failure to provide the applicant with this notice
8 within 10 working days shall result in the submission being
9 deemed complete for purposes of initiating the 60-day review
10 period under this Section. If the submission is incomplete,
11 the Department shall inform the applicant of the deficiencies
12 with the submission in writing. If the submission is complete
13 the required fee, if any, has been paid, the Department shall
14 approve or disapprove drawings and specifications submitted to
15 the Department no later than 60 days following receipt by the
16 Department. The drawings and specifications shall be of
17 sufficient detail, as provided by Department rule, to enable
18 the Department to render a determination of compliance with
19 design and construction standards under this Act. If the
20 Department finds that the drawings are not of sufficient
21 detail for it to render a determination of compliance, the
22 plans shall be determined to be incomplete and shall not be
23 considered for purposes of initiating the 60-day review
24 period. If a submission of drawings and specifications is
25 incomplete, the applicant may submit additional information.
26 The 60-day review period shall not commence until the

1 Department determines that a submission of drawings and
2 specifications is complete or the submission is deemed
3 complete. If the Department has not approved or disapproved
4 the drawings and specifications within 60 days, the
5 construction, major alteration, or addition shall be deemed
6 approved. If the drawings and specifications are disapproved,
7 the Department shall state in writing, with specificity, the
8 reasons for the disapproval. The entity submitting the
9 drawings and specifications may submit additional information
10 in response to the written comments from the Department or
11 request a reconsideration of the disapproval. A final decision
12 of approval or disapproval shall be made within 45 days of the
13 receipt of the additional information or reconsideration
14 request. If denied, the Department shall state the specific
15 reasons for the denial.

16 (c) The Department shall provide written approval for
17 occupancy pursuant to subsection (g) and shall not issue a
18 violation to a facility as a result of a licensure or complaint
19 survey based upon the facility's physical structure if:

20 (1) the Department reviewed and approved or deemed
21 approved the drawings and specifications for compliance
22 with design and construction standards;

23 (2) the construction, major alteration, or addition
24 was built as submitted;

25 (3) the law or rules have not been amended since the
26 original approval; and

1 (4) the conditions at the facility indicate that there
2 is a reasonable degree of safety provided for the
3 residents.

4 (d) The Department shall charge the following fees in
5 connection with its reviews conducted before June 30, 2004
6 under this Section:

7 (1) (Blank).

8 (2) (Blank).

9 (3) If the estimated dollar value of the alteration,
10 addition, or new construction is \$100,000 or more but less
11 than \$500,000, the fee shall be the greater of \$2,400 or
12 1.2% of that value.

13 (4) If the estimated dollar value of the alteration,
14 addition, or new construction is \$500,000 or more but less
15 than \$1,000,000, the fee shall be the greater of \$6,000 or
16 0.96% of that value.

17 (5) If the estimated dollar value of the alteration,
18 addition, or new construction is \$1,000,000 or more but
19 less than \$5,000,000, the fee shall be the greater of
20 \$9,600 or 0.22% of that value.

21 (6) If the estimated dollar value of the alteration,
22 addition, or new construction is \$5,000,000 or more, the
23 fee shall be the greater of \$11,000 or 0.11% of that value,
24 but shall not exceed \$40,000.

25 The fees provided in this subsection (d) shall not apply
26 to major construction projects involving facility changes that

1 are required by Department rule amendments.

2 The fees provided in this subsection (d) shall also not
3 apply to major construction projects if 51% or more of the
4 estimated cost of the project is attributed to capital
5 equipment. For major construction projects where 51% or more
6 of the estimated cost of the project is attributed to capital
7 equipment, the Department shall by rule establish a fee that
8 is reasonably related to the cost of reviewing the project.

9 The Department shall not commence the facility plan review
10 process under this Section until the applicable fee has been
11 paid.

12 (e) All fees received by the Department under this Section
13 shall be deposited into the Health Facility Plan Review Fund,
14 a special fund created in the State Treasury. All fees paid by
15 long-term care facilities under subsection (d) shall be used
16 only to cover the costs relating to the Department's review of
17 long-term care facility projects under this Section. Moneys
18 shall be appropriated from that Fund to the Department only to
19 pay the costs of conducting reviews under this Section, or
20 under Section 3-202.5 of the ID/DD Community Care Act, or
21 Section 3-202.5 of the MC/DD Act, or Section 21 of the Assisted
22 Living and Shared Housing Act. None of the moneys in the Health
23 Facility Plan Review Fund shall be used to reduce the amount of
24 General Revenue Fund moneys appropriated to the Department for
25 facility plan reviews conducted pursuant to this Section.

26 (f) (1) The provisions of this amendatory Act of 1997

1 concerning drawings and specifications shall apply only to
2 drawings and specifications submitted to the Department on or
3 after October 1, 1997.

4 (2) On and after the effective date of this amendatory Act
5 of 1997 and before October 1, 1997, an applicant may submit or
6 resubmit drawings and specifications to the Department and pay
7 the fees provided in subsection (d). If an applicant pays the
8 fees provided in subsection (d) under this paragraph (2), the
9 provisions of subsection (b) shall apply with regard to those
10 drawings and specifications.

11 (g) The Department shall conduct an on-site inspection of
12 the completed project no later than 30 days after notification
13 from the applicant that the project has been completed and all
14 certifications required by the Department have been received
15 and accepted by the Department, except that, during a
16 statewide public health emergency, as defined in the Illinois
17 Emergency Management Agency Act, the Department shall conduct
18 an on-site inspection of the completed project to the extent
19 feasible. The Department shall provide written approval for
20 occupancy to the applicant within 5 working days of the
21 Department's final inspection, provided the applicant has
22 demonstrated substantial compliance as defined by Department
23 rule. Occupancy of new major construction is prohibited until
24 Department approval is received, unless the Department has not
25 acted within the time frames provided in this subsection (g),
26 in which case the construction shall be deemed approved.

1 Occupancy shall be authorized after any required health
2 inspection by the Department has been conducted.

3 (h) The Department shall establish, by rule, a procedure
4 to conduct interim on-site review of large or complex
5 construction projects.

6 (i) The Department shall establish, by rule, an expedited
7 process for emergency repairs or replacement of like
8 equipment.

9 (j) Nothing in this Section shall be construed to apply to
10 maintenance, upkeep, or renovation that does not affect the
11 structural integrity of the building, does not add beds or
12 services over the number for which the long-term care facility
13 is licensed, and provides a reasonable degree of safety for
14 the residents.

15 (Source: P.A. 103-1, eff. 4-27-23.)

16 Section 15. The MC/DD Act is amended by changing Section
17 3-202.5 as follows:

18 (210 ILCS 46/3-202.5)

19 Sec. 3-202.5. Facility plan review; fees.

20 (a) Before commencing construction of a new facility or
21 specified types of alteration or additions to an existing
22 facility involving major construction, as defined by rule by
23 the Department, with an estimated cost greater than \$100,000,
24 architectural drawings and specifications for the facility

1 shall be submitted to the Department for review and approval.
2 A facility may submit architectural drawings and
3 specifications for other construction projects for Department
4 review according to subsection (b) that shall not be subject
5 to fees under subsection (d). Review of drawings and
6 specifications shall be conducted by an employee of the
7 Department meeting the qualifications established by the
8 Department of Central Management Services class specifications
9 for such an individual's position or by a person contracting
10 with the Department who meets those class specifications.
11 Final approval of the drawings and specifications for
12 compliance with design and construction standards shall be
13 obtained from the Department before the alteration, addition,
14 or new construction is begun.

15 (b) The Department shall inform an applicant in writing
16 within 10 working days after receiving drawings and
17 specifications and the required fee, if any, from the
18 applicant whether the applicant's submission is complete or
19 incomplete. Failure to provide the applicant with this notice
20 within 10 working days shall result in the submission being
21 deemed complete for purposes of initiating the 60-day review
22 period under this Section. If the submission is incomplete,
23 the Department shall inform the applicant of the deficiencies
24 with the submission in writing. If the submission is complete
25 the required fee, if any, has been paid, the Department shall
26 approve or disapprove drawings and specifications submitted to

1 the Department no later than 60 days following receipt by the
2 Department. The drawings and specifications shall be of
3 sufficient detail, as provided by Department rule, to enable
4 the Department to render a determination of compliance with
5 design and construction standards under this Act. If the
6 Department finds that the drawings are not of sufficient
7 detail for it to render a determination of compliance, the
8 plans shall be determined to be incomplete and shall not be
9 considered for purposes of initiating the 60 day review
10 period. If a submission of drawings and specifications is
11 incomplete, the applicant may submit additional information.
12 The 60 day review period shall not commence until the
13 Department determines that a submission of drawings and
14 specifications is complete or the submission is deemed
15 complete. If the Department has not approved or disapproved
16 the drawings and specifications within 60 days, the
17 construction, major alteration, or addition shall be deemed
18 approved. If the drawings and specifications are disapproved,
19 the Department shall state in writing, with specificity, the
20 reasons for the disapproval. The entity submitting the
21 drawings and specifications may submit additional information
22 in response to the written comments from the Department or
23 request a reconsideration of the disapproval. A final decision
24 of approval or disapproval shall be made within 45 days of the
25 receipt of the additional information or reconsideration
26 request. If denied, the Department shall state the specific

1 reasons for the denial.

2 (c) The Department shall provide written approval for
3 occupancy pursuant to subsection (g) and shall not issue a
4 violation to a facility as a result of a licensure or complaint
5 survey based upon the facility's physical structure if:

6 (1) the Department reviewed and approved or deemed
7 approved the drawings and specifications for compliance
8 with design and construction standards;

9 (2) the construction, major alteration, or addition
10 was built as submitted;

11 (3) the law or rules have not been amended since the
12 original approval; and

13 (4) the conditions at the facility indicate that there
14 is a reasonable degree of safety provided for the
15 residents.

16 (d) (Blank).

17 (e) All fees received by the Department under this Section
18 shall be deposited into the Health Facility Plan Review Fund,
19 a special fund created in the State Treasury. All fees paid by
20 facilities under this Section shall be used to cover the costs
21 relating to the Department's review of facility projects under
22 this Section only. Moneys shall be appropriated from that Fund
23 to the Department only to pay the costs of conducting reviews
24 under this Section, under Section 3-202.5 of the Nursing Home
25 Care Act, under Section 21 of the Assisted Living and Shared
26 Housing Act, or under Section 3-202.5 of the ID/DD Community

1 Care Act. None of the moneys in the Health Facility Plan Review
2 Fund shall be used to reduce the amount of General Revenue Fund
3 moneys appropriated to the Department for facility plan
4 reviews conducted pursuant to this Section.

5 (f) (Blank).

6 (g) The Department shall conduct an on site inspection of
7 the completed project no later than 30 days after notification
8 from the applicant that the project has been completed and all
9 certifications required by the Department have been received
10 and accepted by the Department, except that, during a
11 statewide public health emergency, as defined in the Illinois
12 Emergency Management Agency Act, the Department shall conduct
13 an on-site inspection to the extent feasible. The Department
14 shall provide written approval for occupancy to the applicant
15 within 5 working days of the Department's final inspection,
16 provided the applicant has demonstrated substantial compliance
17 as defined by Department rule. Occupancy of new major
18 construction is prohibited until Department approval is
19 received, unless the Department has not acted within the time
20 frames provided in this subsection (g), in which case the
21 construction shall be deemed approved. Occupancy shall be
22 authorized after any required health inspection by the
23 Department has been conducted.

24 (h) The Department shall establish, by rule, a procedure
25 to conduct interim on site review of large or complex
26 construction projects.

1 (i) The Department shall establish, by rule, an expedited
2 process for emergency repairs or replacement of like
3 equipment.

4 (j) Nothing in this Section shall be construed to apply to
5 maintenance, upkeep, or renovation that does not affect the
6 structural integrity of the building, does not add beds or
7 services over the number for which the facility is licensed,
8 and provides a reasonable degree of safety for the residents.

9 (Source: P.A. 103-1, eff. 4-27-23.)

10 Section 20. The ID/DD Community Care Act is amended by
11 changing Section 3-202.5 as follows:

12 (210 ILCS 47/3-202.5)

13 Sec. 3-202.5. Facility plan review; fees.

14 (a) Before commencing construction of a new facility or
15 specified types of alteration or additions to an existing long
16 term care facility involving major construction, as defined by
17 rule by the Department, with an estimated cost greater than
18 \$100,000, architectural drawings and specifications for the
19 facility shall be submitted to the Department for review and
20 approval. A facility may submit architectural drawings and
21 specifications for other construction projects for Department
22 review according to subsection (b) that shall not be subject
23 to fees under subsection (d). Review of drawings and
24 specifications shall be conducted by an employee of the

1 Department meeting the qualifications established by the
2 Department of Central Management Services class specifications
3 for such an individual's position or by a person contracting
4 with the Department who meets those class specifications.
5 Final approval of the drawings and specifications for
6 compliance with design and construction standards shall be
7 obtained from the Department before the alteration, addition,
8 or new construction is begun.

9 (b) The Department shall inform an applicant in writing
10 within 10 working days after receiving drawings and
11 specifications and the required fee, if any, from the
12 applicant whether the applicant's submission is complete or
13 incomplete. Failure to provide the applicant with this notice
14 within 10 working days shall result in the submission being
15 deemed complete for purposes of initiating the 60 day review
16 period under this Section. If the submission is incomplete,
17 the Department shall inform the applicant of the deficiencies
18 with the submission in writing. If the submission is complete
19 the required fee, if any, has been paid, the Department shall
20 approve or disapprove drawings and specifications submitted to
21 the Department no later than 60 days following receipt by the
22 Department. The drawings and specifications shall be of
23 sufficient detail, as provided by Department rule, to enable
24 the Department to render a determination of compliance with
25 design and construction standards under this Act. If the
26 Department finds that the drawings are not of sufficient

1 detail for it to render a determination of compliance, the
2 plans shall be determined to be incomplete and shall not be
3 considered for purposes of initiating the 60 day review
4 period. If a submission of drawings and specifications is
5 incomplete, the applicant may submit additional information.
6 The 60 day review period shall not commence until the
7 Department determines that a submission of drawings and
8 specifications is complete or the submission is deemed
9 complete. If the Department has not approved or disapproved
10 the drawings and specifications within 60 days, the
11 construction, major alteration, or addition shall be deemed
12 approved. If the drawings and specifications are disapproved,
13 the Department shall state in writing, with specificity, the
14 reasons for the disapproval. The entity submitting the
15 drawings and specifications may submit additional information
16 in response to the written comments from the Department or
17 request a reconsideration of the disapproval. A final decision
18 of approval or disapproval shall be made within 45 days of the
19 receipt of the additional information or reconsideration
20 request. If denied, the Department shall state the specific
21 reasons for the denial.

22 (c) The Department shall provide written approval for
23 occupancy pursuant to subsection (g) and shall not issue a
24 violation to a facility as a result of a licensure or complaint
25 survey based upon the facility's physical structure if:

26 (1) the Department reviewed and approved or deemed

1 approved the drawings and specifications for compliance
2 with design and construction standards;

3 (2) the construction, major alteration, or addition
4 was built as submitted;

5 (3) the law or rules have not been amended since the
6 original approval; and

7 (4) the conditions at the facility indicate that there
8 is a reasonable degree of safety provided for the
9 residents.

10 (d) The Department shall charge the following fees in
11 connection with its reviews conducted before June 30, 2004
12 under this Section:

13 (1) (Blank).

14 (2) (Blank).

15 (3) If the estimated dollar value of the alteration,
16 addition, or new construction is \$100,000 or more but less
17 than \$500,000, the fee shall be the greater of \$2,400 or
18 1.2% of that value.

19 (4) If the estimated dollar value of the alteration,
20 addition, or new construction is \$500,000 or more but less
21 than \$1,000,000, the fee shall be the greater of \$6,000 or
22 0.96% of that value.

23 (5) If the estimated dollar value of the alteration,
24 addition, or new construction is \$1,000,000 or more but
25 less than \$5,000,000, the fee shall be the greater of
26 \$9,600 or 0.22% of that value.

1 (6) If the estimated dollar value of the alteration,
2 addition, or new construction is \$5,000,000 or more, the
3 fee shall be the greater of \$11,000 or 0.11% of that value,
4 but shall not exceed \$40,000. The fees provided in this
5 subsection (d) shall not apply to major construction
6 projects involving facility changes that are required by
7 Department rule amendments. The fees provided in this
8 subsection (d) shall also not apply to major construction
9 projects if 51% or more of the estimated cost of the
10 project is attributed to capital equipment. For major
11 construction projects where 51% or more of the estimated
12 cost of the project is attributed to capital equipment,
13 the Department shall by rule establish a fee that is
14 reasonably related to the cost of reviewing the project.
15 The Department shall not commence the facility plan review
16 process under this Section until the applicable fee has
17 been paid.

18 (e) All fees received by the Department under this Section
19 shall be deposited into the Health Facility Plan Review Fund,
20 a special fund created in the State Treasury. All fees paid by
21 long term care facilities under subsection (d) shall be used
22 only to cover the costs relating to the Department's review of
23 long term care facility projects under this Section. Moneys
24 shall be appropriated from that Fund to the Department only to
25 pay the costs of conducting reviews under this Section,
26 Section 3-202.5 of the MC/DD Act, Section 21 of the Assisted

1 Living and Shared Housing Act, or under Section 3-202.5 of the
2 Nursing Home Care Act. None of the moneys in the Health
3 Facility Plan Review Fund shall be used to reduce the amount of
4 General Revenue Fund moneys appropriated to the Department for
5 facility plan reviews conducted pursuant to this Section.

6 (f) (Blank).

7 (g) The Department shall conduct an on site inspection of
8 the completed project no later than 30 days after notification
9 from the applicant that the project has been completed and all
10 certifications required by the Department have been received
11 and accepted by the Department. The Department shall provide
12 written approval for occupancy to the applicant within 5
13 working days of the Department's final inspection, provided
14 the applicant has demonstrated substantial compliance as
15 defined by Department rule. Occupancy of new major
16 construction is prohibited until Department approval is
17 received, unless the Department has not acted within the time
18 frames provided in this subsection (g), in which case the
19 construction shall be deemed approved. Occupancy shall be
20 authorized after any required health inspection by the
21 Department has been conducted.

22 (h) The Department shall establish, by rule, a procedure
23 to conduct interim on site review of large or complex
24 construction projects.

25 (i) The Department shall establish, by rule, an expedited
26 process for emergency repairs or replacement of like

1 equipment.

2 (j) Nothing in this Section shall be construed to apply to
3 maintenance, upkeep, or renovation that does not affect the
4 structural integrity of the building, does not add beds or
5 services over the number for which the long term care facility
6 is licensed, and provides a reasonable degree of safety for
7 the residents.

8 (Source: P.A. 96-339, eff. 7-1-10.)