

SB2375



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2375

Introduced 2/10/2023, by Sen. Karina Villa

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-209

from Ch. 111 1/2, par. 4153-209

Amends the Nursing Home Care Act. Provides that, if there is a violation by a facility of the Act's minimum staffing requirements, then the facility must display a notice of noncompliance during the calendar quarter in which the facility is notified of the violation (rather than during the period of time the facility is out of compliance). Makes conforming changes to the required notice. Effective immediately.

LRB103 27162 CPF 53532 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
5 changing Section 3-209 as follows:

6 (210 ILCS 45/3-209) (from Ch. 111 1/2, par. 4153-209)

7 Sec. 3-209. Required posting of information.

8 (a) Every facility shall conspicuously post for display in
9 an area of its offices accessible to residents, employees, and
10 visitors the following:

11 (1) Its current license;

12 (2) A description, provided by the Department, of
13 complaint procedures established under this Act and the
14 name, address, and telephone number of a person authorized
15 by the Department to receive complaints;

16 (3) A copy of any order pertaining to the facility
17 issued by the Department or a court;

18 (4) A list of the material available for public
19 inspection under Section 3-210;

20 (5) Phone numbers and websites for rights protection
21 services must be posted in common areas and at the main
22 entrance and provided upon entry and at the request of
23 residents or the resident's representative in accordance

1 with 42 CFR 483.10(j)(4); and

2 (6) The statement "The Illinois Long-Term Care
3 Ombudsman Program is a free resident advocacy service
4 available to the public."

5 In accordance with F574 of the State Operations Manual for
6 Long-Term Care Facilities, the administrator shall post for
7 all residents and at the main entrance the name, address, and
8 telephone number of the appropriate State governmental office
9 where complaints may be lodged in language the resident can
10 understand, which must include notice of the grievance
11 procedure of the facility or program as well as addresses and
12 phone numbers for the Office of Health Care Regulation and the
13 Long-Term Care Ombudsman Program and a website showing the
14 information of a facility's ownership. The facility shall
15 include a link to the Long-Term Care Ombudsman Program's
16 website on the home page of the facility's website.

17 (b) A facility that has received a notice of violation for
18 a violation of the minimum staffing requirements under Section
19 3-202.05 shall display, during the calendar quarter in which
20 the facility is notified of the violation ~~period of time the~~
21 ~~facility is out of compliance~~, a notice stating in Calibri
22 (body) font and 26-point type in black letters on an 8.5 by 11
23 inch white paper the following:

24 "Notice Dated:

25 This facility did ~~does~~ not ~~currently~~ meet the minimum staffing

1 ratios required by law for the period of time (insert
2 applicable quarter). Posted at the direction of the Illinois
3 Department of Public Health.".

4 The notice must be posted, at a minimum, at all publicly used
5 exterior entryways into the facility, inside the main entrance
6 lobby, and next to any registration desk for easily accessible
7 viewing. The notice must also be posted on the main page of the
8 facility's website. The Department shall have the discretion
9 to determine the gravity of any violation and, taking into
10 account mitigating and aggravating circumstances and facts,
11 may reduce the requirement of, and amount of time for, posting
12 the notice.

13 (Source: P.A. 101-10, eff. 6-5-19; 102-1080, eff. 1-1-23.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.