

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 changing
5 Section 2-108 as follows:

6 (210 ILCS 45/2-108) (from Ch. 111 1/2, par. 4152-108)

7 Sec. 2-108. Communications; visits; married residents.

8 Every resident shall be permitted unimpeded, private and
9 uncensored communication of his choice by mail, public
10 telephone or visitation.

11 (a) The administrator shall ensure that correspondence is
12 conveniently received and mailed, and that telephones are
13 reasonably accessible.

14 (b) The administrator shall ensure that residents may have
15 private visits at any reasonable hour unless such visits are
16 not medically advisable for the resident as documented in the
17 resident's clinical record by the resident's physician.

18 A resident has the right to immediate access by his or her
19 immediate family or other relatives. The facility in which a
20 resident resides must permit immediate access to the resident
21 by the resident's immediate family or other relatives, subject
22 to the resident's right to deny or withdraw his or her consent
23 to such access. In particular, a resident's immediate family
24 members are not subject to visiting hour limitations.

25 (c) The administrator shall ensure that space for visits is
26 available and that facility personnel knock, except in an
27 emergency, before entering any resident's room.

28 (d) Unimpeded, private and uncensored communication by
29 mail, public telephone and visitation may be reasonably
30 restricted by a physician only in order to protect the resident
31 or others from harm, harassment or intimidation, provided that
32 the reason for any such restriction is placed in the resident's

1 clinical record by the physician and that notice of such
2 restriction shall be given to all residents upon admission.
3 However, all letters addressed by a resident to the Governor,
4 members of the General Assembly, Attorney General, judges,
5 state's attorneys, officers of the Department, or licensed
6 attorneys at law shall be forwarded at once to the persons to
7 whom they are addressed without examination by facility
8 personnel. Letters in reply from the officials and attorneys
9 mentioned above shall be delivered to the recipient without
10 examination by facility personnel.

11 (e) The administrator shall ensure that married residents
12 residing in the same facility be allowed to reside in the same
13 room within the facility unless there is no room available in
14 the facility or it is deemed medically inadvisable by the
15 residents' attending physician and so documented in the
16 residents' medical records.

17 (Source: P.A. 81-223.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.