



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4237

Introduced 2/27/2009, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

20 ILCS 2805/2.10
210 ILCS 45/3-101.5 new

Amends the Department of Veterans Affairs Act and the Nursing Home Care Act. Provides that if there is a conflict between the provisions of the Department of Veterans Affairs Act and the provisions of the Nursing Home Care Act concerning an Illinois Veterans Home operated by the Illinois Department of Veterans' Affairs, then the provisions of the Department of Veterans Affairs Act shall apply. Provides that an Illinois Veterans Home licensed under the Nursing Home Care Act and operated by the Illinois Department of Veterans' Affairs is exempt from certain provisions of the Nursing Home Care Act, including provisions concerning license fees, licensing by municipalities, facility plan review, annual financial statements, violations and penalties, and actions by residents for injunctive and declaratory relief. Provides that such a Home is also exempt from provisions of the Nursing Home Care Act concerning standards for facilities, so long as the Home meets the standards for similar provisions required or regulated by the United States Department of Veterans Affairs. Effective immediately.

LRB096 07701 DRJ 17802 b

FISCAL NOTE ACT
MAY APPLY

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 Department of Veterans Affairs Act is
5 amended by changing Section 2.10 as follows:

6 (20 ILCS 2805/2.10)

7 Sec. 2.10. Conflicts with the Nursing Home Care Act. If
8 there is a conflict between the provisions of this Act and the
9 provisions of the Nursing Home Care Act concerning an Illinois
10 Veterans Home not operated by the Department of Veterans'
11 Affairs, then the provisions of the Nursing Home Care Act shall
12 apply. If there is a conflict between the provisions of this
13 Act and the provisions of the Nursing Home Care Act concerning
14 an Illinois Veterans Home operated by the Illinois Department
15 of Veterans' Affairs, then the provisions of this Act shall
16 apply.

17 (Source: P.A. 90-168, eff. 7-23-97.)

18 Section 10. The Nursing Home Care Act is amended by adding
19 Section 3-101.5 as follows:

20 (210 ILCS 45/3-101.5 new)

21 Sec. 3-101.5. Illinois Veterans Homes. An Illinois

1 Veterans Home licensed under this Act and operated by the
2 Illinois Department of Veterans' Affairs is exempt from the
3 license fee provisions of Section 3-103 of this Act and the
4 provisions of Sections 3-104 through 3-106, 3-202.5, 3-208,
5 3-301 through 3-517, and 3-603 through 3-607 of this Act. Such
6 a Home is also exempt from Section 3-202 of this Act so long as
7 the Home meets the standards for similar provisions required or
8 regulated by the United States Department of Veterans Affairs.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.