

1 AN ACT relating to risk management.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Department of Insurance Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 1405-35 as follows:

7 (20 ILCS 5/1405-35 new)

8 Sec. 1405-35. Nursing home risk management practices.

9 (a) The Director shall adopt and promulgate best
10 practices guidelines for risk management and loss control for
11 nursing homes no later than April 30, 2003.

12 (b) In developing the best practices guidelines, the
13 Director shall appoint and consult with a task force composed
14 of:

15 (1) the Director or the Director's designee of the
16 Department of Public Aid and of the Department of Public
17 Health;

18 (2) five representatives of insurance companies
19 that write liability insurance for nursing homes; and

20 (3) five representatives of nursing homes, no more
21 than 3 of whom may be representatives of not-for-profit
22 nursing homes.

23 (c) The best practices guidelines for risk management
24 and loss control established under this Section do not create
25 a standard of care or impose a duty upon nursing homes that
26 provides a basis for a civil action against a nursing home.

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.