



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB3468**

by Rep. Monica Bristow

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the University of Illinois Hospital Act, Alternative Health Care Delivery Act, Ambulatory Surgical Treatment Center Act, Community Living Facilities Licensing Act, Nursing Home Care Act, MC/DD Act, ID/DD Community Care Act, Specialized Mental Health Rehabilitation Act of 2013, Hospital Licensing Act, and Community-Integrated Living Arrangements Licensure and Certification Act. Provides that for hospitals, alternative health care models, Community Living Facilities, long-term care facilities, MC/DD facilities, ID/DD facilities, specialized mental health rehabilitation facilities, and community-integrated living arrangements, reasonable efforts must be made to have activated at all times the closed captioning feature on a television in a common area provided for use by the general public or in a patient's, resident's, or consumer's room or to enable the closed captioning feature when requested to do so by a member of the general public or a patient if the television includes a closed captioning feature, or if a staff member deactivates a closed captioning feature unless the deactivation was done so knowingly or intentionally, or if the closed captioning feature is deactivated by specified individuals. Provides that if there is not a television with a closed captioning feature available, then it must be ensured that all televisions obtained for common areas and patient rooms after the effective date of the amendatory Act include a closed captioning feature. Provides that certain provisions concerning closed captioning shall not apply to televisions that are privately owned by a resident or third party and not owned by the facility.

LRB101 09959 CPF 55061 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 University of Illinois Hospital Act is  
5 amended by adding Section 8b as follows:

6 (110 ILCS 330/8b new)

7 Sec. 8b. Closed captioning required. The University of  
8 Illinois Hospital must make reasonable efforts to have  
9 activated at all times the closed captioning feature on a  
10 television in a common area provided for use by the general  
11 public or in a patient's room or to enable the closed  
12 captioning feature when requested to do so by a member of the  
13 general public or a patient if the television includes a closed  
14 captioning feature.

15 It is not a violation of this Section if the closed  
16 captioning feature is deactivated by a member of the University  
17 of Illinois Hospital's staff after such feature is enabled in a  
18 common area or in a patient's room unless the deactivation of  
19 the closed captioning feature is knowing or intentional. It is  
20 not a violation of this Section if the closed captioning  
21 feature is deactivated by a member of the general public, a  
22 patient, or a member of the University of Illinois Hospital's  
23 staff at the request of a patient of the University of Illinois

1 Hospital.

2 If the University of Illinois Hospital does not have a  
3 television that includes a closed captioning feature, then the  
4 University of Illinois Hospital must ensure that all  
5 televisions obtained for common areas and patient rooms after  
6 the effective date of this amendatory Act of the 101st General  
7 Assembly include a closed captioning feature. This Section does  
8 not affect any other provision of law relating to disability  
9 discrimination or providing reasonable accommodations or  
10 diminish the rights of a person with a disability under any  
11 other law.

12 As used in this Section, "closed captioning" means a text  
13 display of spoken words presented on a television that allows a  
14 deaf or hard of hearing viewer to follow the dialogue and the  
15 action of a program simultaneously.

16 Section 10. The Alternative Health Care Delivery Act is  
17 amended by adding Section 35.5 as follows:

18 (210 ILCS 3/35.5 new)

19 Sec. 35.5. Closed captioning required. An alternative  
20 health care model licensed under this Act must make reasonable  
21 efforts to have activated at all times the closed captioning  
22 feature on a television in a common area provided for use by  
23 the general public or in a patient's room, or enable the closed  
24 captioning feature when requested to do so by a member of the

1 general public or a patient, if the television includes a  
2 closed captioning feature.

3 It is not a violation of this Section if the closed  
4 captioning feature is deactivated by a member of the  
5 alternative health care model's staff after such feature is  
6 enabled in a common area or in a patient's room unless the  
7 deactivation of the closed captioning feature is knowing or  
8 intentional. It is not a violation of this Section if the  
9 closed captioning feature is deactivated by a member of the  
10 general public, a patient, or a member of the alternative  
11 health care model's staff at the request of a patient of the  
12 alternative health care model licensed under this Act.

13 If the alternative health care model licensed under this  
14 Act does not have a television that includes a closed  
15 captioning feature, then the alternative health care model  
16 licensed under this Act must ensure that all televisions  
17 obtained for common areas and patient rooms after the effective  
18 date of this amendatory Act of the 101st General Assembly  
19 include a closed captioning feature. This Section does not  
20 affect any other provision of law relating to disability  
21 discrimination or providing reasonable accommodations or  
22 diminish the rights of a person with a disability under any  
23 other law.

24 As used in this Section, "closed captioning" means a text  
25 display of spoken words presented on a television that allows a  
26 deaf or hard of hearing viewer to follow the dialogue and the

1 action of a program simultaneously.

2 Section 15. The Ambulatory Surgical Treatment Center Act is  
3 amended by adding Section 7c as follows:

4 (210 ILCS 5/7c new)

5 Sec. 7c. Closed captioning required. An ambulatory  
6 surgical treatment center licensed under this Act must make  
7 reasonable efforts to have activated at all times the closed  
8 captioning feature on a television in a common area provided  
9 for use by the general public or in a patient's room, or enable  
10 the closed captioning feature when requested to do so by a  
11 member of the general public or a patient, if the television  
12 includes a closed captioning feature.

13 It is not a violation of this Section if the closed  
14 captioning feature is deactivated by a member of the ambulatory  
15 surgical treatment center's staff after such feature is enabled  
16 in a common area or in a patient's room unless the deactivation  
17 of the closed captioning feature is knowing or intentional. It  
18 is not a violation of this Section if the closed captioning  
19 feature is deactivated by a member of the general public, a  
20 patient, or a member of the ambulatory surgical treatment  
21 center's staff at the request of a patient of the ambulatory  
22 surgical treatment center licensed under this Act.

23 If the ambulatory surgical treatment center licensed under  
24 this Act does not have a television that includes a closed

1 captioning feature, then the ambulatory surgical treatment  
2 center licensed under this Act must ensure that all televisions  
3 obtained for common areas and patient rooms after the effective  
4 date of this amendatory Act of the 101st General Assembly  
5 include a closed captioning feature. This Section does not  
6 affect any other provision of law relating to disability  
7 discrimination or providing reasonable accommodations or  
8 diminish the rights of a person with a disability under any  
9 other law.

10 As used in this Section, "closed captioning" means a text  
11 display of spoken words presented on a television that allows a  
12 deaf or hard of hearing viewer to follow the dialogue and the  
13 action of a program simultaneously.

14 Section 20. The Community Living Facilities Licensing Act  
15 is amended by adding Section 5.5 as follows:

16 (210 ILCS 35/5.5 new)

17 Sec. 5.5. Closed captioning required. A Community Living  
18 Facility licensed under this Act must make reasonable efforts  
19 to have activated at all times the closed captioning feature on  
20 a television in a common area provided for use by the general  
21 public or in a resident's room, or enable the closed captioning  
22 feature when requested to do so by a member of the general  
23 public or a resident, if the television includes a closed  
24 captioning feature.

1       It is not a violation of this Section if the closed  
2 captioning feature is deactivated by a member of the Community  
3 Living Facility's staff after such feature is enabled in a  
4 common area or in a resident's room unless the deactivation of  
5 the closed captioning feature is knowing or intentional. It is  
6 not a violation of this Section if the closed captioning  
7 feature is deactivated by a member of the general public, a  
8 resident, or a member of the a Community Living Facility's  
9 staff at the request of a resident of the Community Living  
10 Facility licensed under this Act.

11       If a Community Living Facility licensed under this Act does  
12 not have a television in a common area that includes a closed  
13 captioning feature, then the Community Living Facility  
14 licensed under this Act must ensure that all televisions  
15 obtained for common areas after the effective date of this  
16 amendatory Act of the 101st General Assembly include a closed  
17 captioning feature. This Section does not affect any other  
18 provision of law relating to disability discrimination or  
19 providing reasonable accommodations or diminish the rights of a  
20 person with a disability under any other law. Nothing in this  
21 Section shall apply to televisions that are privately owned by  
22 a resident or third party and not owned by the Community Living  
23 Facility.

24       As used in this Section, "closed captioning" means a text  
25 display of spoken words presented on a television that allows a  
26 deaf or hard of hearing viewer to follow the dialogue and the

1 action of a program simultaneously.

2 Section 25. The Nursing Home Care Act is amended by adding  
3 Section 3-801.2 as follows:

4 (210 ILCS 45/3-801.2 new)

5 Sec. 3-801.2. Closed captioning required. A facility  
6 licensed under this Act must make reasonable efforts to have  
7 activated at all times the closed captioning feature on a  
8 television in a common area provided for use by the general  
9 public or in a resident's room, or enable the closed captioning  
10 feature when requested to do so by a member of the general  
11 public or a resident, if the television includes a closed  
12 captioning feature.

13 It is not a violation of this Section if the closed  
14 captioning feature is deactivated by a member of the facility's  
15 staff after such feature is enabled in a common area or in a  
16 resident's room unless the deactivation of the closed  
17 captioning feature is knowing or intentional. It is not a  
18 violation of this Section if the closed captioning feature is  
19 deactivated by a member of the general public, a resident, or a  
20 member of the facility's staff at the request of a resident of  
21 a facility licensed under this Act.

22 If a facility licensed under this Act does not have a  
23 television in a common area that includes a closed captioning  
24 feature, then the facility licensed under this Act must ensure



1 that all televisions obtained for common areas after the  
2 effective date of this amendatory Act of the 101st General  
3 Assembly include a closed captioning feature. This Section does  
4 not affect any other provision of law relating to disability  
5 discrimination or providing reasonable accommodations or  
6 diminish the rights of a person with a disability under any  
7 other law. Nothing in this Section shall apply to televisions  
8 that are privately owned by a resident or third party and not  
9 owned by the facility.

10 As used in this Section, "closed captioning" means a text  
11 display of spoken words presented on a television that allows a  
12 deaf or hard of hearing viewer to follow the dialogue and the  
13 action of a program simultaneously.

14 Section 30. The MC/DD Act is amended by adding Section  
15 3-801.2 as follows:

16 (210 ILCS 46/3-801.2 new)

17 Sec. 3-801.2. Closed captioning required. A facility  
18 licensed under this Act must make reasonable efforts to have  
19 activated at all times the closed captioning feature on a  
20 television in a common area provided for use by the general  
21 public or in a resident's room, or enable the closed captioning  
22 feature when requested to do so by a member of the general  
23 public or a resident, if the television includes a closed  
24 captioning feature.

1       It is not a violation of this Section if the closed  
2 captioning feature is deactivated by a member of the facility's  
3 staff after such feature is enabled in a common area or in a  
4 resident's room unless the deactivation of the closed  
5 captioning feature is knowing or intentional. It is not a  
6 violation of this Section if the closed captioning feature is  
7 deactivated by a member of the general public, a resident, or a  
8 member of the facility's staff at the request of a resident of  
9 a facility licensed under this Act.

10       If a facility licensed under this Act does not have a  
11 television in a common area that includes a closed captioning  
12 feature, then the facility licensed under this Act must ensure  
13 that all televisions obtained for common areas after the  
14 effective date of this amendatory Act of the 101st General  
15 Assembly include a closed captioning feature. This Section does  
16 not affect any other provision of law relating to disability  
17 discrimination or providing reasonable accommodations or  
18 diminish the rights of a person with a disability under any  
19 other law. Nothing in this Section shall apply to televisions  
20 that are privately owned by a resident or third party and not  
21 owned by the facility.

22       As used in this Section, "closed captioning" means a text  
23 display of spoken words presented on a television that allows a  
24 deaf or hard of hearing viewer to follow the dialogue and the  
25 action of a program simultaneously.

1 Section 35. The ID/DD Community Care Act is amended by  
2 adding Section 3-801.2 as follows:

3 (210 ILCS 47/3-801.2 new)

4 Sec. 3-801.2. Closed captioning required. A facility  
5 licensed under this Act must make reasonable efforts to have  
6 activated at all times the closed captioning feature on a  
7 television in a common area provided for use by the general  
8 public or in a resident's room, or enable the closed captioning  
9 feature when requested to do so by a member of the general  
10 public or a resident, if the television includes a closed  
11 captioning feature.

12 It is not a violation of this Section if the closed  
13 captioning feature is deactivated by a member of the facility's  
14 staff after such feature is enabled in a common area or in a  
15 resident's room unless the deactivation of the closed  
16 captioning feature is knowing or intentional. It is not a  
17 violation of this Section if the closed captioning feature is  
18 deactivated by a member of the general public, a resident, or a  
19 member of the facility's staff at the request of a resident of  
20 a facility licensed under this Act.

21 If a facility licensed under this Act does not have a  
22 television in a common area that includes a closed captioning  
23 feature, then the facility licensed under this Act must ensure  
24 that all televisions obtained for common areas after the  
25 effective date of this amendatory Act of the 101st General

1 Assembly include a closed captioning feature. This Section does  
2 not affect any other provision of law relating to disability  
3 discrimination or providing reasonable accommodations or  
4 diminish the rights of a person with a disability under any  
5 other law. Nothing in this Section shall apply to televisions  
6 that are privately owned by a resident or third party and not  
7 owned by the facility.

8 As used in this Section, "closed captioning" means a text  
9 display of spoken words presented on a television that allows a  
10 deaf or hard of hearing viewer to follow the dialogue and the  
11 action of a program simultaneously.

12 Section 40. The Specialized Mental Health Rehabilitation  
13 Act of 2013 is amended by adding Section 2-101.5 as follows:

14 (210 ILCS 49/2-101.5 new)

15 Sec. 2-101.5. Closed captioning required. A facility  
16 licensed under this Act must make reasonable efforts to have  
17 activated at all times the closed captioning feature on a  
18 television in a common area provided for use by the general  
19 public or in a consumer's room, or enable the closed captioning  
20 feature when requested to do so by a member of the general  
21 public or a consumer, if the television includes a closed  
22 captioning feature.

23 It is not a violation of this Section if the closed  
24 captioning feature is deactivated by a member of the facility's

1 staff after such feature is enabled in a common area or in a  
2 consumer's room unless the deactivation of the closed  
3 captioning feature is knowing or intentional. It is not a  
4 violation of this Section if the closed captioning feature is  
5 deactivated by a member of the general public, a consumer, or a  
6 member of the facility's staff at the request of a consumer of  
7 a facility licensed under this Act.

8 If a facility licensed under this Act does not have a  
9 television in a common area that includes a closed captioning  
10 feature, then the facility licensed under this Act must ensure  
11 that all televisions obtained for common areas after the  
12 effective date of this amendatory Act of the 101st General  
13 Assembly include a closed captioning feature. This Section does  
14 not affect any other provision of law relating to disability  
15 discrimination or providing reasonable accommodations or  
16 diminish the rights of a person with a disability under any  
17 other law. Nothing in this Section shall apply to televisions  
18 that are privately owned by a resident or third party and not  
19 owned by the facility.

20 As used in this Section, "closed captioning" means a text  
21 display of spoken words presented on a television that allows a  
22 deaf or hard of hearing viewer to follow the dialogue and the  
23 action of a program simultaneously.

24 Section 45. The Hospital Licensing Act is amended by adding  
25 Section 11.8 as follows:

1 (210 ILCS 85/11.8 new)

2 Sec. 11.8. Closed captioning required. A hospital licensed  
3 under this Act must make reasonable efforts to have activated  
4 at all times the closed captioning feature on a television in a  
5 common area provided for use by the general public or in a  
6 patient's room, or enable the closed captioning feature when  
7 requested to do so by a member of the general public or a  
8 patient, if the television includes a closed captioning  
9 feature.

10 It is not a violation of this Section if the closed  
11 captioning feature is deactivated by a member of the hospital's  
12 staff after such feature is enabled in a common area or in a  
13 patient's room unless the deactivation of the closed captioning  
14 feature is knowing or intentional. It is not a violation of  
15 this Section if the closed captioning feature is deactivated by  
16 a member of the general public, a patient, or a member of the  
17 hospital's staff at the request of a patient of a hospital  
18 licensed under this Act.

19 If a hospital licensed under this Act does not have a  
20 television that includes a closed captioning feature, then the  
21 hospital must ensure that all televisions obtained for common  
22 areas and patient rooms after the effective date of this  
23 amendatory Act of the 101st General Assembly include a closed  
24 captioning feature. This Section does not affect any other  
25 provision of law relating to disability discrimination or

1 providing reasonable accommodations or diminish the rights of a  
2 person with a disability under any other law.

3 As used in this Section, "closed captioning" means a text  
4 display of spoken words presented on a television that allows a  
5 deaf or hard of hearing viewer to follow the dialogue and the  
6 action of a program simultaneously.

7 Section 50. The Community-Integrated Living Arrangements  
8 Licensure and Certification Act is amended by adding Section  
9 10.5 as follows:

10 (210 ILCS 135/10.5 new)

11 Sec. 10.5. Closed captioning required. A  
12 community-integrated living arrangement certified under this  
13 Act must make reasonable efforts to have activated at all times  
14 the closed captioning feature on a television in a common area  
15 provided for use by the general public or in a resident's room,  
16 or enable the closed captioning feature when requested to do so  
17 by a member of the general public or a resident, if the  
18 television includes a closed captioning feature.

19 It is not a violation of this Section if the closed  
20 captioning feature is deactivated by a member of the  
21 community-integrated living arrangement's staff after such  
22 feature is enabled in a common area or in a resident's room  
23 unless the deactivation of the closed captioning feature is  
24 knowing or intentional. It is not a violation of this Section

1 if the closed captioning feature is deactivated by a member of  
2 the general public, a resident, or a member of the  
3 community-integrated living arrangement's staff at the request  
4 of a resident of a community-integrated living arrangement  
5 certified under this Act.

6 If a community-integrated living arrangement certified  
7 under this Act does not have a television in a common area that  
8 includes a closed captioning feature, then the  
9 community-integrated living arrangement certified under this  
10 Act must ensure that all televisions obtained for common areas  
11 after the effective date of this amendatory Act of the 101st  
12 General Assembly include a closed captioning feature. This  
13 Section does not affect any other provision of law relating to  
14 disability discrimination or providing reasonable  
15 accommodations or diminish the rights of a person with a  
16 disability under any other law. Nothing in this Section shall  
17 apply to televisions that are privately owned by a resident or  
18 third party and not owned by the community-integrated living  
19 arrangement.

20 As used in this Section, "closed captioning" means a text  
21 display of spoken words presented on a television that allows a  
22 deaf or hard of hearing viewer to follow the dialogue and the  
23 action of a program simultaneously.



1 INDEX

2 Statutes amended in order of appearance

3 110 ILCS 330/8b new

4 210 ILCS 3/35.5 new

5 210 ILCS 5/7c new

6 210 ILCS 35/5.5 new

7 210 ILCS 45/3-801.2 new

8 210 ILCS 46/3-801.2 new

9 210 ILCS 47/3-801.2 new

10 210 ILCS 49/2-101.5 new

11 210 ILCS 85/11.8 new

12 210 ILCS 135/10.5 new