



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3684

by Rep. Aaron M. Ortiz

SYNOPSIS AS INTRODUCED:

210 ILCS 85/6

from Ch. 111 1/2, par. 147

Amends the Hospital Licensing Act. Provides that the Department of Public Health may refuse to renew a license if (i) the hospital fails to provide to the Department a copy of its policy adopted under the Language Assistance Services Act, (ii) the Department determines that the hospital is not in compliance with its policy adopted under the Language Assistance Services Act, or (iii) the Department determines that the hospital is not in compliance with the Language Assistance Services Act. Effective January 1, 2020.

LRB101 10561 CPF 55667 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 Hospital Licensing Act is amended by
5 changing Section 6 as follows:

6 (210 ILCS 85/6) (from Ch. 111 1/2, par. 147)

7 Sec. 6. (a) Upon receipt of an application for a permit to
8 establish a hospital the Director shall issue a permit if he
9 finds (1) that the applicant is fit, willing, and able to
10 provide a proper standard of hospital service for the community
11 with particular regard to the qualification, background, and
12 character of the applicant, (2) that the financial resources
13 available to the applicant demonstrate an ability to construct,
14 maintain, and operate a hospital in accordance with the
15 standards, rules, and regulations adopted pursuant to this Act,
16 and (3) that safeguards are provided which assure hospital
17 operation and maintenance consistent with the public interest
18 having particular regard to safe, adequate, and efficient
19 hospital facilities and services.

20 The Director may request the cooperation of county and
21 multiple-county health departments, municipal boards of
22 health, and other governmental and non-governmental agencies
23 in obtaining information and in conducting investigations

1 relating to such applications.

2 A permit to establish a hospital shall be valid only for
3 the premises and person named in the application for such
4 permit and shall not be transferable or assignable.

5 In the event the Director issues a permit to establish a
6 hospital the applicant shall thereafter submit plans and
7 specifications to the Department in accordance with Section 8
8 of this Act.

9 (b) Upon receipt of an application for license to open,
10 conduct, operate, and maintain a hospital, the Director shall
11 issue a license if he finds the applicant and the hospital
12 facilities comply with standards, rules, and regulations
13 promulgated under this Act. A license, unless sooner suspended
14 or revoked, shall be renewable annually upon approval by the
15 Department and payment of a license fee as established pursuant
16 to Section 5 of this Act. The Department may refuse to renew a
17 license if (i) the hospital fails to provide to the Department
18 a copy of its policy adopted under Section 15 of the Language
19 Assistance Services Act, (ii) the Department determines that
20 the hospital is not in compliance with its policy adopted under
21 the Language Assistance Services Act, or (iii) the Department
22 determines that the hospital is not in compliance with the
23 Language Assistance Services Act. Each license shall be issued
24 only for the premises and persons named in the application and
25 shall not be transferable or assignable. Licenses shall be
26 posted in a conspicuous place on the licensed premises. The

1 Department may, either before or after the issuance of a
2 license, request the cooperation of the State Fire Marshal,
3 county and multiple county health departments, or municipal
4 boards of health to make investigations to determine if the
5 applicant or licensee is complying with the minimum standards
6 prescribed by the Department. The report and recommendations of
7 any such agency shall be in writing and shall state with
8 particularity its findings with respect to compliance or
9 noncompliance with such minimum standards, rules, and
10 regulations.

11 The Director may issue a provisional license to any
12 hospital which does not substantially comply with the
13 provisions of this Act and the standards, rules, and
14 regulations promulgated by virtue thereof provided that he
15 finds that such hospital has undertaken changes and corrections
16 which upon completion will render the hospital in substantial
17 compliance with the provisions of this Act, and the standards,
18 rules, and regulations adopted hereunder, and provided that the
19 health and safety of the patients of the hospital will be
20 protected during the period for which such provisional license
21 is issued. The Director shall advise the licensee of the
22 conditions under which such provisional license is issued,
23 including the manner in which the hospital facilities fail to
24 comply with the provisions of the Act, standards, rules, and
25 regulations, and the time within which the changes and
26 corrections necessary for such hospital facilities to

1 substantially comply with this Act, and the standards, rules,
2 and regulations of the Department relating thereto shall be
3 completed.

4 (Source: P.A. 98-683, eff. 6-30-14.)

5 Section 99. Effective date. This Act takes effect January
6 1, 2020.