

# HB0737



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB0737

by Rep. Charles Meier

#### SYNOPSIS AS INTRODUCED:

210 ILCS 135/6

from Ch. 91 1/2, par. 1706

Amends the Community-Integrated Living Arrangements Licensure and Certification Act. Provides that after a community mental health or developmental services agency's license has been revoked, it shall continue providing for the health, safety, and welfare of the individuals it was serving by ensuring residents have been fully informed of their rights and options within time frames to be specified in rule and by a specified private, not-for-profit corporation directed by the Governor to administer the State plan to protect and advocate for the rights of persons with developmental disabilities. Effective immediately.

LRB100 06693 MJP 16734 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 Community-Integrated Living Arrangements  
5 Licensure and Certification Act is amended by changing Section  
6 6 as follows:

7 (210 ILCS 135/6) (from Ch. 91 1/2, par. 1706)

8 Sec. 6. (a) The Department shall deny an application for a  
9 license, or revoke or refuse to renew the license of a  
10 community mental health or developmental services agency, or  
11 refuse to issue a license to the holder of a temporary permit,  
12 if the Department determines that the applicant, agency or  
13 permit holder has not complied with a provision of this Act,  
14 the Mental Health and Developmental Disabilities Code, or  
15 applicable Department rules and regulations. Specific grounds  
16 for denial or revocation of a license, or refusal to renew a  
17 license or to issue a license to the holder of a temporary  
18 permit, shall include but not be limited to:

19 (1) Submission of false information either on  
20 Department licensure forms or during an inspection;

21 (2) Refusal to allow an inspection to occur;

22 (3) Violation of this Act or rules and regulations  
23 promulgated under this Act;

- 1 (4) Violation of the rights of a recipient;
- 2 (5) Failure to submit or implement a plan of correction
- 3 within the specified time period; or
- 4 (6) Failure to submit a workplace violence prevention
- 5 plan in compliance with the Health Care Workplace Violence
- 6 Prevention Act.

7 (b) If the Department determines that the operation of a

8 community mental health or developmental services agency or one

9 or more of the programs or placements certified by the agency

10 under this Act jeopardizes the health, safety or welfare of the

11 recipients served by the agency, the Department may immediately

12 revoke the agency's license and may direct the agency to

13 withdraw recipients from any such program or placement.

14 The agency shall continue providing for the health, safety,

15 and welfare of the individuals they were serving at the time

16 the agency's license was revoked by ensuring residents have

17 been fully informed of their rights and options within time

18 frames to be specified in rule and by the private,

19 not-for-profit corporation directed by the Governor to

20 administer the State plan to protect and advocate for the

21 rights of persons with developmental disabilities under

22 Section 1 of the Protection and Advocacy for Persons with

23 Developmental Disabilities Act.

24 (Source: P.A. 94-347, eff. 7-28-05.)

25 Section 99. Effective date. This Act takes effect upon

26 becoming law.