

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. If an
14 agency's license is revoked under this subsection, then the
15 Department or the Department's agents shall have unimpeded,
16 immediate, and full access to the recipients served by that
17 agency and the recipients' medications, records, and personal
18 possessions in order to ensure a timely, safe, and smooth
19 transition of those individuals from the program or placement.

20 (c) Upon revocation of an agency's license under subsection
21 (b) of this Section, the agency shall continue providing for
22 the health, safety, and welfare of the individuals that the
23 agency was serving at the time the agency's license was revoked
24 during the period of transition. The private, not-for-profit
25 corporation designated by the Governor to administer the State
26 plan to protect and advocate for the rights of persons with

1 developmental disabilities under Section 1 of the Protection
2 and Advocacy for Persons with Developmental Disabilities Act,
3 contingent on State funding from the Department, shall have
4 unimpeded, immediate, and full access to recipients and
5 recipients' guardians to inform them of the recipients' and
6 recipients' guardians' rights and options during the
7 revocation and transition process.

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

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