



Rep. Charles Meier

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10000HB0737ham001

LRB100 06693 MJP 23325 a

1 AMENDMENT TO HOUSE BILL 737

2 AMENDMENT NO. _____. Amend House Bill 737 by replacing
3 everything after the enacting clause with the following:

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

1 license or to issue a license to the holder of a temporary
2 permit, shall include but not be limited to:

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

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

6 (3) Violation of this Act or rules and regulations
7 promulgated under this Act;

8 (4) Violation of the rights of a recipient;

9 (5) Failure to submit or implement a plan of correction
10 within the specified time period; or

11 (6) Failure to submit a workplace violence prevention
12 plan in compliance with the Health Care Workplace Violence
13 Prevention Act.

14 (b) If the Department determines that the operation of a
15 community mental health or developmental services agency or one
16 or more of the programs or placements certified by the agency
17 under this Act jeopardizes the health, safety or welfare of the
18 recipients served by the agency, the Department may immediately
19 revoke the agency's license and may direct the agency to
20 withdraw recipients from any such program or placement. If an
21 agency's license is revoked under this subsection, then the
22 Department or the Department's agents shall have unimpeded,
23 immediate, and full access to the recipients served by that
24 agency and the recipients' medications, records, and personal
25 possessions in order to ensure a timely, safe, and smooth
26 transition of those individuals from the program or placement.

1 (c) Upon revocation of an agency's license under subsection
2 (b) of this Section, the agency shall continue providing for
3 the health, safety, and welfare of the individuals that the
4 agency was serving at the time the agency's license was revoked
5 during the period of transition. The private, not-for-profit
6 corporation designated by the Governor to administer the State
7 plan to protect and advocate for the rights of persons with
8 developmental disabilities under Section 1 of the Protection
9 and Advocacy for Persons with Developmental Disabilities Act,
10 contingent on State funding from the Department, shall have
11 unimpeded, immediate, and full access to recipients and
12 recipients' guardians to inform them of the recipients' and
13 recipients' guardians' rights and options during the
14 revocation and transition process.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."