



Rep. Randy E. Frese

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10000HB2383ham001

LRB100 00361 MJP 22936 a

1 AMENDMENT TO HOUSE BILL 2383

2 AMENDMENT NO. _____. Amend House Bill 2383 on page 10,
3 immediately below line 11, by inserting the following:

4 "Section 10. The MC/DD Act is amended by adding Section
5 3-301.1 as follows:

6 (210 ILCS 46/3-301.1 new)

7 Sec. 3-301.1. Administration of medication by direct care
8 staff at day programs. For the purposes of this Act, violations
9 cited against a facility as a result of actions involving
10 administration of medication by direct care staff of day
11 programs certified to serve persons with developmental
12 disabilities by the Department of Human Services under Section
13 15.4 of the Mental Health and Developmental Disabilities
14 Administrative Act will not result in:

15 (1) the facility being issued a "Type AA" violation as
16 defined in Section 1-128.5 of this Act;

1 (2) the facility being issued a "Type A" violation as
2 defined in Section 1-129 of this Act;

3 (3) the facility being issued a "Type B" violation as
4 defined in Section 1-130 of this Act;

5 (4) denial of the facility's license under Section
6 3-117 of this Act;

7 (5) the facility being placed on the Department's
8 quarterly list of facilities which the Department has taken
9 action against prepared under Section 3-304 of this Act;

10 (6) the facility being assessed a penalty or fine under
11 Section 3-305 of this Act;

12 (7) the facility being issued a conditional license
13 under Section 3-311 of this Act; or

14 (8) the Department's suspension or revocation of a
15 facility's license or refusal to renew a facility's license
16 under Section 3-119 of this Act.

17 The Department shall notify the Division of Developmental
18 Disabilities of the Department of Human Services when it
19 becomes aware of a medication error at a day program or that a
20 resident is injured or is subject to alleged abuse or neglect
21 at a day program.

22 Section 15. The ID/DD Community Care Act is amended by
23 adding Section 3-301.1 as follows:

24 (210 ILCS 47/3-301.1 new)

1 Sec. 3-301.1. Administration of medication by direct care
2 staff at day programs. For the purposes of this Act, violations
3 cited against a facility as a result of actions involving
4 administration of medication by direct care staff of day
5 programs certified to serve persons with developmental
6 disabilities by the Department of Human Services under Section
7 15.4 of the Mental Health and Developmental Disabilities
8 Administrative Act will not result in:

9 (1) the facility being issued a "Type AA" violation as
10 defined in Section 1-128.5 of this Act;

11 (2) the facility being issued a "Type A" violation as
12 defined in Section 1-129 of this Act;

13 (3) the facility being issued a "Type B" violation as
14 defined in Section 1-130 of this Act;

15 (4) denial of the facility's license under Section
16 3-117 of this Act;

17 (5) the facility being placed on the Department's
18 quarterly list of facilities which the Department has taken
19 action against prepared under Section 3-304 of this Act;

20 (6) the facility being assessed a penalty or fine under
21 Section 3-305 of this Act;

22 (7) the facility being issued a conditional license
23 under Section 3-311 of this Act; or

24 (8) the Department's suspension or revocation of a
25 facility's license or refusal to renew a facility's license
26 under Section 3-119 of this Act.

1 The Department shall notify the Division of Developmental
2 Disabilities of the Department of Human Services when it
3 becomes aware of a medication error at a day program or that a
4 resident is injured or is subject to alleged abuse or neglect
5 at a day program."