



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2544

by Rep. Michael D. Unes

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-713.5

Amends the Nursing Home Care Act. Provides that for informal dispute resolution under the Act, if the Department of Public Health determines that the submitted evidence or arguments were insufficient to refute either the State's informal dispute resolution findings or federal informal dispute resolution deficiencies (currently, were insufficient to refute the findings), then the Department shall provide a detailed written explanation (currently, provide a written explanation) of the reason or reasons why the evidence or arguments were insufficient to refute the State's findings or federal deficiencies (currently, refute the finding). Makes a corresponding change. Effective immediately.

LRB100 08401 MJP 18514 b

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 Nursing Home Care Act is amended by changing
5 Section 3-713.5 as follows:

6 (210 ILCS 45/3-713.5)

7 Sec. 3-713.5. Informal dispute resolution. Pursuant to the
8 requirements of subsection (c) of Section 3-212 of this Act,
9 when a facility submits comments refuting licensure findings,
10 it shall be considered an informal dispute resolution if the
11 same findings were not submitted for an informal dispute
12 resolution pursuant to protocols for federal certification
13 deficiencies established by the federal Centers for Medicare
14 and Medicaid Services. The Department shall review
15 documentation submitted as the basis for an informal dispute
16 resolution. If the Department determines that the submitted
17 evidence or arguments were insufficient to refute either the
18 State's informal dispute resolution findings or federal
19 informal dispute resolution deficiencies, then the Department
20 shall provide a detailed written explanation of the reason or
21 reasons why the evidence or arguments were insufficient to
22 refute the State's findings or federal deficiencies ~~finding~~. If
23 the Department fails to provide a written explanation of the

1 reason or reasons why the evidence or arguments were
2 insufficient to refute the State's informal dispute resolution
3 findings within 60 days of receipt, the alleged, disputed
4 licensure violation shall be cited, but no penalty shall be
5 imposed.

6 (Source: P.A. 99-555, eff. 1-1-17.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.