



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB4440**

by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

210 ILCS 45/2-213

Amends the Nursing Home Care Act. Provides that the Department of Public Health shall provide facilities with educational information on all vaccines recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices, including, but not limited to, the risks associated with shingles and how to protect oneself against the varicella-zoster virus. Requires a facility to distribute the information to each resident who requests the information and each newly admitted resident. Allows the facility to distribute the information to residents electronically. Effective January 1, 2019.

LRB100 16985 MJP 32132 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 Nursing Home Care Act is amended by changing  
5 Section 2-213 as follows:

6 (210 ILCS 45/2-213)

7 Sec. 2-213. Vaccinations.

8 (a) A facility shall annually administer or arrange for  
9 administration of a vaccination against influenza to each  
10 resident, in accordance with the recommendations of the  
11 Advisory Committee on Immunization Practices of the Centers for  
12 Disease Control and Prevention that are most recent to the time  
13 of vaccination, unless the vaccination is medically  
14 contraindicated or the resident has refused the vaccine.  
15 Influenza vaccinations for all residents age 65 and over shall  
16 be completed by November 30 of each year or as soon as  
17 practicable if vaccine supplies are not available before  
18 November 1. Residents admitted after November 30, during the  
19 flu season, and until February 1 shall, as medically  
20 appropriate, receive an influenza vaccination prior to or upon  
21 admission or as soon as practicable if vaccine supplies are not  
22 available at the time of the admission, unless the vaccine is  
23 medically contraindicated or the resident has refused the

1 vaccine. In the event that the Advisory Committee on  
2 Immunization Practices of the Centers for Disease Control and  
3 Prevention determines that dates of administration other than  
4 those stated in this Act are optimal to protect the health of  
5 residents, the Department is authorized to develop rules to  
6 mandate vaccinations at those times rather than the times  
7 stated in this Act. A facility shall document in the resident's  
8 medical record that an annual vaccination against influenza was  
9 administered, arranged, refused or medically contraindicated.

10 (b) A facility shall administer or arrange for  
11 administration of a pneumococcal vaccination to each resident,  
12 in accordance with the recommendations of the Advisory  
13 Committee on Immunization Practices of the Centers for Disease  
14 Control and Prevention, who has not received this immunization  
15 prior to or upon admission to the facility, unless the resident  
16 refuses the offer for vaccination or the vaccination is  
17 medically contraindicated. A facility shall document in each  
18 resident's medical record that a vaccination against  
19 pneumococcal pneumonia was offered and administered, arranged,  
20 refused, or medically contraindicated.

21 (c) All persons seeking admission to a nursing facility  
22 shall be verbally screened for risk factors associated with  
23 hepatitis B, hepatitis C, and the Human Immunodeficiency Virus  
24 (HIV) according to guidelines established by the U.S. Centers  
25 for Disease Control and Prevention. Persons who are identified  
26 as being at high risk for hepatitis B, hepatitis C, or HIV

1 shall be offered an opportunity to undergo laboratory testing  
2 in order to determine infection status if they will be admitted  
3 to the nursing facility for at least 7 days and are not known  
4 to be infected with any of the listed viruses. All HIV testing  
5 shall be conducted in compliance with the AIDS Confidentiality  
6 Act. All persons determined to be susceptible to the hepatitis  
7 B virus shall be offered immunization within 10 days of  
8 admission to any nursing facility. A facility shall document in  
9 the resident's medical record that he or she was verbally  
10 screened for risk factors associated with hepatitis B,  
11 hepatitis C, and HIV, and whether or not the resident was  
12 immunized against hepatitis B. Nothing in this subsection (c)  
13 shall apply to a nursing facility licensed or regulated by the  
14 Illinois Department of Veterans' Affairs.

15 (d) A skilled nursing facility shall designate a person or  
16 persons as Infection Prevention and Control Professionals to  
17 develop and implement policies governing control of infections  
18 and communicable diseases. The Infection Prevention and  
19 Control Professionals shall be qualified through education,  
20 training, experience, or certification or a combination of such  
21 qualifications. The Infection Prevention and Control  
22 Professional's qualifications shall be documented and shall be  
23 made available for inspection by the Department.

24 (e) The Department shall provide facilities with  
25 educational information on all vaccines recommended by the  
26 Centers for Disease Control and Prevention's Advisory

1 Committee on Immunization Practices, including, but not  
2 limited to, the risks associated with shingles and how to  
3 protect oneself against the varicella-zoster virus. A facility  
4 shall distribute the information to: (1) each resident who  
5 requests the information; and (2) each newly admitted resident.  
6 The facility may distribute the information to residents  
7 electronically.

8 (Source: P.A. 97-107, eff. 1-1-12; 98-271, eff. 1-1-14.)

9 Section 99. Effective date. This Act takes effect January  
10 1, 2019.