

SB3549



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3549

Introduced 2/14/2020, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

210 ILCS 55/4

from Ch. 111 1/2, par. 2804

Amends the Home Health, Home Services, and Home Nursing Agency Licensing Act. Provides that the term of a provisional license for a home health agency is 240 (rather than 120) days. Provides that the fee for each single home health agency license shall be set by rule by the Department of Public Health (rather than the fee for each license or any renewal being \$25). Effective January 1, 2021.

LRB101 20383 CPF 69929 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 Home Health, Home Services, and Home Nursing
5 Agency Licensing Act is amended by changing Section 4 as
6 follows:

7 (210 ILCS 55/4) (from Ch. 111 1/2, par. 2804)

8 Sec. 4. Types of licenses.

9 (a) If an applicant for licensure has not been previously
10 licensed, or if the home health agency, home services agency,
11 or home nursing agency is not in operation at the time
12 application is made, the Department may issue a provisional
13 license. A provisional license shall be valid for a period of
14 240 ~~120~~ days unless sooner suspended or revoked pursuant to
15 Section 9 of this Act. Within 30 days prior to the termination
16 of a provisional license, the Department shall inspect the
17 agency and, if the applicant substantially meets the
18 requirements for licensure, it shall issue a license under this
19 Section. If the Department finds that a holder of a provisional
20 license does not substantially meet the requirements for
21 licensure, but has made significant progress toward meeting
22 those requirements, the Director may renew the provisional
23 license once for a period not to exceed 240 ~~120~~ days from the

1 expiration date of the initial provisional license.

2 (b) (1) The Director may also issue a provisional license to
3 any licensed agency which does not substantially comply with
4 the provisions of this Act and the rules promulgated hereunder,
5 provided he finds that the health, safety, and well-being of
6 the clients of the agency will be protected during the period
7 for which such provisional license is issued. The term of such
8 provisional license shall not exceed 240 ~~120~~ days.

9 (2) The Director shall advise the licensee of the
10 conditions under which such provisional license is issued,
11 including the manner in which the licensee fails to comply with
12 the provisions of the Act or rules, and the time within which
13 the corrections necessary for the agency to substantially
14 comply with the Act and rules shall be completed.

15 (3) The Director, at his discretion, may extend the term of
16 such provisional license for an additional 240 ~~120~~ days, if he
17 finds that the agency has made substantial progress toward
18 correcting the violations and bringing the agency into full
19 compliance with this Act and the rules promulgated hereunder.

20 (c) An annual license shall be issued to any person
21 conducting or maintaining a home health agency upon receipt of
22 an application and payment of the licensure fee, and when the
23 other requirements of this Act, and the standards, rules and
24 regulations promulgated hereunder, are met. The fee for each
25 single home health agency license shall be set by rule by the
26 Department ~~or any renewal shall be \$25.~~

1 (d) The Department shall establish, by rule, a system
2 whereby an entity that meets the requirements for licensure may
3 obtain licensure singly or in any combination for the
4 categories authorized under this Act. The Department shall
5 develop and implement one application to be used even if a
6 combination of licenses authorized under the Act is sought.
7 Applicants for multiple licenses under this system shall pay
8 the higher of the licensure fees applicable. Fees collected
9 under this system shall be deposited into the Home Care
10 Services Agency Licensure Fund.

11 (Source: P.A. 94-379, eff. 1-1-06.)

12 Section 99. Effective date. This Act takes effect January
13 1, 2021.