



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4360

Introduced 1/5/2022, by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-613 new

Amends the Nursing Home Care Act. Provides that a long-term care facility must spend at least 85% of its total operating revenue on the direct care of residents as part of residents' resident care. Provides that the Department of Public Health and the Department of Healthcare and Family Services may adopt rules for the implementation of the amendatory provisions. Defines "direct care", "resident care", and "total operating revenue". Effective immediately.

LRB102 22666 CPF 31811 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 adding
5 Section 3-613 as follows:

6 (210 ILCS 45/3-613 new)

7 Sec. 3-613. Revenue spending requirement.

8 (a) In this Section:

9 "Direct care" means the direct care provided to a
10 long-term care facility resident by a nurse, certified nurse
11 aide, or certified nurse assistant in a facility setting.

12 "Resident care" means:

13 (1) direct care;

14 (2) support services, including housing, laundry,
15 housekeeping, food service, nurse administration, activity
16 programs, social services, and transportation, as
17 identified in reports required by the Department;

18 (3) ancillary program services, including medical,
19 dental, podiatric, and laboratory services, inhalation,
20 and other physical, mental, or occupational therapeutics,
21 as identified in reports required by the Department; and

22 (4) program services for residents, including personal
23 grooming, as identified in reports required by the

1 Department.

2 "Resident care" does not include administrative costs
3 (other than nurse administration), capital costs, rent, or
4 debt service costs.

5 "Total operating revenue" means the revenue received by a
6 long-term care facility from or on behalf of residents of the
7 facility, government payors, or third-party payors to pay for
8 a resident's occupancy of the facility, resident care, and the
9 operation of the facility.

10 (b) A long-term care facility must spend at least 85% of
11 its total operating revenue on the direct care of residents as
12 part of residents' resident care.

13 (c) The Department and the Department of Healthcare and
14 Family Services, as applicable, may adopt rules for the
15 implementation of this Section.

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