



Sen. Karina Villa

Filed: 4/15/2021

10200SB1633sam002

LRB102 15475 CPF 25322 a

1 AMENDMENT TO SENATE BILL 1633

2 AMENDMENT NO. _____. Amend Senate Bill 1633, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Nursing Home Care Act is amended by adding
6 Section 2-100 and by changing Sections 2-101, 2-112, and 3-209
7 as follows:

8 (210 ILCS 45/2-100 new)

9 Sec. 2-100. Legislative purpose; public policy. It is the
10 public policy of the State of Illinois that facilities
11 licensed under this Act are an important part of the continuum
12 of long-term care and must be supported and preserved to
13 ensure that the long-term care needs of residents, current and
14 future, remain a priority for the State of Illinois. In
15 support of this goal, it is imperative that the State,
16 facilities, residents, and residents' families work in

1 partnership to address the needs of residents and facilities
2 in an ever-changing environment. Sufficient support and
3 flexibility must be provided to facilities and facility staff
4 as they work to preserve each person's dignity, individuality,
5 and decision-making ability and promote each person's health,
6 safety, and welfare.

7 (210 ILCS 45/2-101) (from Ch. 111 1/2, par. 4152-101)

8 Sec. 2-101. No resident shall be deprived of any rights,
9 benefits, or privileges guaranteed by law, the Constitution of
10 the State of Illinois, or the Constitution of the United
11 States solely on account of his or her status as a resident of
12 a facility.

13 (Source: P.A. 81-223.)

14 (210 ILCS 45/2-112) (from Ch. 111 1/2, par. 4152-112)

15 Sec. 2-112. A resident shall be permitted to present
16 grievances on behalf of himself or others to the
17 administrator, the Long-Term Care Facility Advisory Board, the
18 residents' advisory council, State governmental agencies, or
19 other persons of his or her choice, free from restraint,
20 interference, coercion, or discrimination and without threat
21 of discharge or reprisal in any form or manner whatsoever.
22 Every facility shall have a written internal grievance
23 procedure that, at a minimum: (1) must be posted in common
24 areas and provided to the resident or resident's

1 representative; (2) requires the facility to review all
2 grievances and provide a response; (3) requires the facility
3 to follow applicable State and federal requirements for
4 responding to and reporting any grievance alleging potential
5 abuse, neglect, misappropriation of resident property, or
6 exploitation; and (4) requires the facility to keep a copy of
7 all grievances, responses, and outcomes for 3 years and
8 provide the information to the Department upon request. ~~The~~
9 ~~administrator shall provide all residents or their~~
10 ~~representatives with the name, address, and telephone number~~
11 ~~of the appropriate State governmental office where complaints~~
12 ~~may be lodged.~~

13 (Source: P.A. 81-223.)

14 (210 ILCS 45/3-209) (from Ch. 111 1/2, par. 4153-209)

15 Sec. 3-209. Required posting of information.

16 (a) Every facility shall conspicuously post for display in
17 an area of its offices accessible to residents, employees, and
18 visitors the following:

19 (1) Its current license;

20 (2) A description, provided by the Department, of
21 complaint procedures established under this Act and the
22 name, address, and telephone number of a person authorized
23 by the Department to receive complaints;

24 (3) A copy of any order pertaining to the facility
25 issued by the Department or a court; ~~and~~

1 (4) A list of the material available for public
2 inspection under Section 3-210; ~~and-~~

3 (5) All information required by 42 CFR 483.10(g)(5).

4 (b) A facility that has received a notice of violation for
5 a violation of the minimum staffing requirements under Section
6 3-202.05 shall display, during the period of time the facility
7 is out of compliance, a notice stating in Calibri (body) font
8 and 26-point type in black letters on an 8.5 by 11 inch white
9 paper the following:

10 "Notice Dated:

11 This facility does not currently meet the minimum staffing
12 ratios required by law. Posted at the direction of the
13 Illinois Department of Public Health."

14 The notice must be posted, at a minimum, at all publicly used
15 exterior entryways into the facility, inside the main entrance
16 lobby, and next to any registration desk for easily accessible
17 viewing. The notice must also be posted on the main page of the
18 facility's website. The Department shall have the discretion
19 to determine the gravity of any violation and, taking into
20 account mitigating and aggravating circumstances and facts,
21 may reduce the requirement of, and amount of time for, posting
22 the notice.

23 (Source: P.A. 101-10, eff. 6-5-19.)"