

HB4276



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4276

Introduced 1/16/2024, by Rep. Janet Yang Rohr - Michelle Mussman - Maura Hirschauer

SYNOPSIS AS INTRODUCED:

210 ILCS 40/5

from Ch. 111 1/2, par. 4160-5

Amends the Life Care Facilities Act. Provides that the financial disclosure provided to a resident must include, but is not limited to, fee schedules; fee adjustment policies; the history of fee increases; reserve funding provisions; expected source of funding for the development of new facilities; refund policies; and the status of resident claims on assets if the facility were to fall into bankruptcy or insolvency (instead of only a disclosure of short-term assets and liabilities). Provides that the required financial disclosures shall also be posted in a conspicuous location in the facility to which residents must have access.

LRB103 34669 RPS 64512 b

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 Life Care Facilities Act is amended by
5 changing Section 5 as follows:

6 (210 ILCS 40/5) (from Ch. 111 1/2, par. 4160-5)

7 Sec. 5. (a) At the time of or prior to the execution of a
8 life care contract and the transfer of any money or other
9 property to a provider or escrow agent, the provider shall
10 deliver to the resident a copy of a financial disclosure
11 statement reflecting the provider's financial condition. This
12 statement must ~~shall~~ include, but is not limited to, the
13 following financial disclosures: but not be limited to,
14 disclosure of short term assets and liabilities.

15 (1) fee schedules;

16 (2) fee adjustment policies;

17 (3) the history of fee increases;

18 (4) reserve funding provisions;

19 (5) expected source of funding for the development of
20 new facilities;

21 (6) refund policies; and

22 (7) status of resident claims on assets if the
23 facility were to fall into bankruptcy or insolvency.

1 (b) The life care contract shall provide that any person
2 entering into the contract shall have a period of 14 days
3 beginning with the first full calendar day following the
4 execution of the contract, or the payment of an initial sum of
5 money as a deposit or application fee, or receipt of the
6 financial disclosure statement, whichever occurs last, within
7 which to rescind the life care contract without penalty or
8 further obligation. In the event of such rescission, all money
9 or property paid or transferred by such person shall be fully
10 refunded. No person shall be required to move into a facility
11 until after the expiration of the 14-day ~~14-day~~ rescission
12 period. No permit shall be issued under this Act if the form of
13 life care contract attached as an exhibit in support of the
14 application for permit as provided in Section 4 does not
15 contain the provisions required by this paragraph (b).

16 (c) The financial disclosures required in a life care
17 contract under subsection (a) shall also be posted in a
18 conspicuous location in the facility to which residents must
19 have access.

20 (Source: P.A. 82-547.)