

SB3465



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3465

Introduced 2/8/2024, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-209

from Ch. 111 1/2, par. 4153-209

Amends the Nursing Home Care Act. Provides that a facility that has received a notice of violation for a violation of minimum staffing requirements is not required to display a notice concerning the violation if staffing was at 90% of the minimum staffing requirements or the facility corrected the violation of the minimum staffing requirements before the posting deadline. Effective immediately.

LRB103 38500 CES 68636 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 Nursing Home Care Act is amended by
5 changing Section 3-209 as follows:

6 (210 ILCS 45/3-209) (from Ch. 111 1/2, par. 4153-209)

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

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

11 (1) Its current license;

12 (2) A description, provided by the Department, of
13 complaint procedures established under this Act and the
14 name, address, and telephone number of a person authorized
15 by the Department to receive complaints;

16 (3) A copy of any order pertaining to the facility
17 issued by the Department or a court;

18 (4) A list of the material available for public
19 inspection under Section 3-210;

20 (5) Phone numbers and websites for rights protection
21 services must be posted in common areas and at the main
22 entrance and provided upon entry and at the request of
23 residents or the resident's representative in accordance

1 with 42 CFR 483.10(j)(4); and

2 (6) The statement "The Illinois Long-Term Care
3 Ombudsman Program is a free resident advocacy service
4 available to the public."

5 In accordance with F574 of the State Operations Manual for
6 Long-Term Care Facilities, the administrator shall post for
7 all residents and at the main entrance the name, address, and
8 telephone number of the appropriate State governmental office
9 where complaints may be lodged in language the resident can
10 understand, which must include notice of the grievance
11 procedure of the facility or program as well as addresses and
12 phone numbers for the Office of Health Care Regulation and the
13 Long-Term Care Ombudsman Program and a website showing the
14 information of a facility's ownership. The facility shall
15 include a link to the Long-Term Care Ombudsman Program's
16 website on the home page of the facility's website.

17 (b) A facility that has received a notice of violation for
18 a violation of the minimum staffing requirements under Section
19 3-202.05 shall display, during the period of time the facility
20 is out of compliance, a notice stating in Calibri (body) font
21 and 26-point type in black letters on an 8.5 by 11 inch white
22 paper the following:

23 "Notice Dated:

24 This facility does not currently meet the minimum staffing
25 ratios required by law. Posted at the direction of the

1 Illinois Department of Public Health.".

2 The notice must be posted, at a minimum, at all publicly
3 used exterior entryways into the facility, inside the main
4 entrance lobby, and next to any registration desk for easily
5 accessible viewing. The notice must also be posted on the main
6 page of the facility's website. The Department shall have the
7 discretion to determine the gravity of any violation and,
8 taking into account mitigating and aggravating circumstances
9 and facts, may reduce the requirement of, and amount of time
10 for, posting the notice.

11 The display of information under this subsection (b) by a
12 facility is not required if:

13 (1) staffing was at 90% of the minimum staffing
14 requirements; or

15 (2) the facility has corrected the violation of the
16 minimum staffing requirements before the posting deadline.

17 (Source: P.A. 101-10, eff. 6-5-19; 102-1080, eff. 1-1-23.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.