

1 AN ACT concerning health facilities.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Hospice Program Licensing Act is amended  
5 by changing Sections 3, 4 and 5 as follows:

6 (210 ILCS 60/3) (from Ch. 111 1/2, par. 6103)

7 Sec. 3. Definitions. As used in this Act, unless the  
8 context otherwise requires:

9 (a) "Bereavement" means the period of time during which  
10 the hospice patient's family experiences and adjusts to the  
11 death of the hospice patient.

12 (b) "Department" means the Illinois Department of Public  
13 Health.

14 (c) "Director" means the Director of the Illinois  
15 Department of Public Health.

16 (d) "Full hospice" means a coordinated program of home  
17 and inpatient care providing directly, or through agreement,  
18 palliative and supportive medical, health and other services  
19 to terminally ill patients and their families. A full  
20 hospice utilizes a medically directed interdisciplinary  
21 hospice care team of professionals and volunteers. The  
22 program provides care to meet the physical, psychological,  
23 social, spiritual and other special needs which are  
24 experienced during the final stages of illness and during  
25 dying and bereavement. Home care is to be provided on a  
26 part-time, intermittent, regularly scheduled basis, and on an  
27 on-call around-the-clock basis according to patient and  
28 family need. To the maximum extent possible, care shall be  
29 furnished in the patient's home. Should in-patient care be  
30 required, services are to be provided with the intent of  
31 minimizing the length of such care and shall only be provided

1 in a hospital licensed under the Hospital Licensing Act, or a  
2 skilled nursing facility licensed under the Nursing Home Care  
3 Act.

4 (e) "Hospice care team" means an interdisciplinary  
5 working unit composed of but not limited to a physician  
6 licensed to practice medicine in all of its branches, a nurse  
7 licensed pursuant to the Nursing and Advanced Practice  
8 Nursing Act, a social worker, a pastoral or other counselor,  
9 and trained volunteers. The patient and the patient's family  
10 are considered members of the hospice care team when  
11 development or revision of the patient's plan of care takes  
12 place.

13 (f) "Hospice patient" means a terminally ill person  
14 receiving hospice services.

15 (g) "Hospice patient's family" means a hospice patient's  
16 immediate family consisting of a spouse, sibling, child,  
17 parent and those individuals designated as such by the  
18 patient for the purposes of this Act.

19 (g-1) "Hospice residence" means a home, apartment  
20 building, or similar building providing living quarters:

21 (1) that is owned or operated by a person licensed  
22 to operate as a full hospice; and

23 (2) at which hospice services are provided to  
24 facility residents.

25 A building that is licensed under the Hospital Licensing  
26 Act or the Nursing Home Care Act is not a hospice residence.

27 (h) "Hospice services" means palliative and supportive  
28 care provided to a hospice patient and his family to meet the  
29 special need arising out of the physical, emotional,  
30 spiritual and social stresses which are experienced during  
31 the final stages of illness and during dying and bereavement.  
32 Services provided to the terminally ill patient shall be  
33 furnished, to the maximum extent possible, in the patient's  
34 home. Should inpatient care be required, services are to be

1 provided with the intent of minimizing the length of such  
2 care.

3 (i) "Palliative care" means treatment to provide for the  
4 reduction or abatement of pain and other troubling symptoms,  
5 rather than treatment aimed at investigation and intervention  
6 for the purpose of cure or inappropriate prolongation of  
7 life.

8 (j) "Hospice service plan" means a plan detailing the  
9 specific hospice services offered by a full or volunteer  
10 hospice, and the administrative and direct care personnel  
11 responsible for those services. The plan shall include but  
12 not be limited to:

13 (1) Identification of the person or persons  
14 administratively responsible for the program, ~~and the~~  
15 ~~affiliation of such person or persons with a licensed~~  
16 ~~home health agency, hospital or nursing home.~~

17 (2) The estimated average monthly patient census.

18 (3) The proposed geographic area the hospice will  
19 serve.

20 (4) A listing of those hospice services provided  
21 directly by the hospice, and those hospice services  
22 provided indirectly through a contractual agreement.

23 (5) The name and qualifications of those persons or  
24 entities under contract to provide indirect hospice  
25 services.

26 (6) The name and qualifications of those persons  
27 providing direct hospice services, with the exception of  
28 volunteers.

29 (7) A description of how the hospice plans to  
30 utilize volunteers in the provision of hospice services.

31 (8) A description of the program's record keeping  
32 system.

33 (k) "Terminally ill" means a medical prognosis by a  
34 physician licensed to practice medicine in all of its

1 branches that a patient has an anticipated life expectancy of  
2 one year ~~6-months~~ or less.

3 (l) "Volunteer" means a person who offers his or her  
4 services to a hospice without compensation. Reimbursement  
5 for a volunteer's expenses in providing hospice service shall  
6 not be considered compensation.

7 (m) "Volunteer hospice" means a program which provides  
8 hospice services to patients regardless of their ability to  
9 pay, with emphasis on the utilization of volunteers to  
10 provide services, under the administration of a  
11 not-for-profit agency. This definition does not prohibit the  
12 employment of staff.

13 (Source: P.A. 89-278, eff. 8-10-95; 90-742, eff. 8-13-98.)

14 (210 ILCS 60/4) (from Ch. 111 1/2, par. 6104)  
15 Sec. 4. License.

16 (a) No person shall establish, conduct or maintain a full  
17 or volunteer hospice without first obtaining a license from  
18 the Department. A hospice residence may be operated only at  
19 the locations listed on the license. A full hospice owning  
20 or operating a hospice residence is not subject to the  
21 provisions of the Nursing Home Care Act in owning or  
22 operating a hospice residence.

23 (b) No public or private agency shall advertise or  
24 present itself to the public as a full or volunteer hospice  
25 which provides hospice services without meeting the  
26 provisions of subsection (a).

27 (c) The license shall be valid only in the possession of  
28 the hospice ~~home--health--agency, hospital, nursing-home-or~~  
29 ~~not-for-profit-agency~~ to which it was originally issued and  
30 shall not be transferred or assigned to any other person,  
31 agency, or corporation.

32 (d) The license shall be renewed annually.

33 (e) The license shall be displayed in a conspicuous

1 place inside the hospice program office.

2 (Source: P.A. 89-278, eff. 8-10-95.)

3 (210 ILCS 60/5) (from Ch. 111 1/2, par. 6105)

4 Sec. 5. Application for License. An application for  
5 license or renewal thereof to operate as a full or volunteer  
6 hospice shall be made to the Department upon forms provided  
7 by it, and shall contain information reasonably required by  
8 the Department, ~~taking into consideration the different~~  
9 ~~categories of hospice programs.~~ The application shall be  
10 accompanied by:

11 (1) The hospice service plan;

12 (2) A financial statement containing information deemed  
13 appropriate by the Department ~~for the category of the~~  
14 ~~applicant;~~ and

15 (3) A uniform license fee determined by the Department  
16 ~~based on the hospice program's category.~~

17 (Source: P.A. 84-427.)

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