

1 AN ACT concerning nursing homes.

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 adding Section 2-105.1 as follows:

6 (210 ILCS 45/2-105.1 new)

7 Sec. 2-105.1. Privacy of records. A resident and  
8 relatives of a resident have the right to keep their medical  
9 records private. If a facility closes, the owner of the  
10 facility may be held liable if a resident's medical records  
11 are not correctly transferred to (i) another facility, (ii)  
12 the resident, or (iii) the resident's relative or guardian.  
13 If the medical records are for a deceased former resident,  
14 the records shall be transferred to the resident's relative  
15 or guardian. Notwithstanding any other penalty provided in  
16 this Act, a facility that has violated or compromised the  
17 privacy of a resident's medical record shall be subject to  
18 the same penalties as those imposed under the federal Health  
19 Insurance Portability and Accountability Act.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.