

1 AN ACT concerning health care.

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

4 Section 1. Short title. This Act may be cited as the
5 Community Benefits Act.

6 Section 5. Definitions. As used in this Act:

7 "Community benefits" means the unreimbursed cost to a
8 hospital of providing charity care, government-sponsored
9 indigent health care, donations, education,
10 government-sponsored program services, research, and
11 subsidized health services. "Community benefits" does not
12 include the cost of paying any taxes or other governmental
13 assessments.

14 "Government sponsored indigent health care" means the
15 unreimbursed cost to a hospital of Medicare, providing health
16 care services to recipients of Medicaid, and other federal,
17 State, or local indigent health care programs, eligibility
18 for which is based on financial need.

19 "Nonprofit hospital" means a hospital that is organized
20 as a nonprofit corporation, including religious
21 organizations, or a charitable trust under Illinois law or
22 the laws of any other state or country.

23 Section 10. Organizational mission statement; community
24 benefits plan. A nonprofit hospital shall develop:

25 (1) an organizational mission statement that
26 identifies the hospital's commitment to serving the
27 health care needs of the community; and

28 (2) a community benefits plan defined as an
29 operational plan for serving the community's health care
30 needs that:

1 (A) sets out goals and objectives for
2 providing community benefits that include charity
3 care and government sponsored indigent health care;
4 and

5 (B) identifies the populations and communities
6 served by the hospital.

7 Section 15. Health care needs of community. When
8 developing the community benefits plan, the hospital shall
9 consider the health care needs of the community as determined
10 by community-wide needs assessments.

11 Section 20. Elements of community benefits plan. The
12 hospital shall include at least the following elements in the
13 community benefits plan:

14 (1) Mechanisms to evaluate the plan's
15 effectiveness, including a method for soliciting the
16 views of the communities served by the hospital.

17 (2) Measurable objectives to be achieved within a
18 specified time frame.

19 (3) A budget for the plan.

20 Section 25. Annual report for community benefits plan.

21 (a) Each nonprofit hospital shall prepare an annual
22 report of the community benefits plan. The report must
23 include, in addition to the community benefits plan itself,
24 all of the following background information:

25 (1) The hospital's mission statement.

26 (2) A disclosure of the health care needs of the
27 community that were considered in developing the
28 hospital's community benefits plan.

29 (3) A disclosure of the amount and types of
30 community benefits actually provided, including charity
31 care. Charity care must be reported separate from other

1 community benefits. In reporting amounts and types of
2 community benefits provided, the hospital must report the
3 actual cost of services, not the charges for the
4 services.

5 (4) Audited annual financial reports and the
6 Medicare cost report (OMB Form 2552 or equivalent federal
7 form) of all hospitals and ambulatory service facilities.

8 (b) Each nonprofit hospital shall annually file a
9 report of the community benefits plan with the Attorney
10 General. The report must be filed not later than 120 days
11 after the close of the hospital's fiscal year.

12 (c) Each nonprofit hospital shall prepare a statement
13 that notifies the public that the annual report of the
14 community benefits plan is:

- 15 (1) public information;
- 16 (2) filed with the Attorney General; and
- 17 (3) available to the public on request from the
18 Attorney General.

19 This statement shall be posted in prominent places
20 throughout the hospital, including the emergency room waiting
21 area and the admissions office waiting area. The statement
22 shall also be printed in the hospital patient guide or other
23 material that provides the patient with information about the
24 admissions criteria of the hospital.

25 (d) Each nonprofit hospital shall develop a written
26 notice about any charity care program operated by the
27 hospital and how to apply for charity care. The notice must
28 be in appropriate languages. The notice must also be
29 conspicuously posted in the following areas:

- 30 (1) the general waiting area;
- 31 (2) the waiting area for emergency services;
- 32 (3) the business office;
- 33 (4) Any other area that the hospital considers an
34 appropriate area in which to provide notice of a charity

1 care program.

2 Section 30. Failure to file annual report. The Attorney
3 General may assess a civil penalty against a nonprofit
4 hospital that fails to make a report of the community
5 benefits plan as required under this Act in an amount not to
6 exceed \$1,000 for each day a report is delinquent after the
7 date on which the report is due. No penalty may be assessed
8 against a hospital under this Section until 30 business days
9 have elapsed after written notification to the hospital of
10 its failure to file a report.

11 Section 35. Other rights and remedies retained. The
12 rights and remedies provided for in this Act are in addition
13 to other statutory or common law rights or remedies available
14 to the State.