

1 AN ACT concerning health.

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

4 Section 2. The Assisted Living and Shared Housing Act is
5 amended by changing Section 76 as follows:

6 (210 ILCS 9/76)

7 Sec. 76. Vaccinations.

8 (a) Before a prospective resident's admission to an
9 assisted living establishment or shared housing establishment
10 that does not provide medication administration as an optional
11 service, the establishment shall advise the prospective
12 resident to consult a physician to determine whether the
13 prospective resident should obtain a vaccination against
14 pneumococcal pneumonia or influenza, or both.

15 (b) An assisted living establishment or shared housing
16 establishment that provides medication administration as an
17 optional service shall annually administer or arrange for
18 administration of a vaccination against influenza to each
19 resident, in accordance with the recommendations of the
20 Advisory Committee on Immunization Practices of the Centers for
21 Disease Control and Prevention that are most recent to the time
22 of vaccination, unless the vaccination is medically
23 contraindicated or the resident has refused the vaccine.
24 Influenza vaccinations for all residents age 65 or over shall
25 be completed by November 30 of each year or as soon as
26 practicable if vaccine supplies are not available before
27 November 1. Residents admitted after November 30, during the
28 flu season, and until February 1 shall, as medically
29 appropriate, receive an influenza vaccination prior to or upon
30 admission or as soon as practicable if vaccine supplies are not
31 available at the time of the admission, unless the vaccine is
32 medically contraindicated or the resident has refused the

1 vaccine. In the event that the Advisory Committee on
2 Immunization Practices of the Centers for Disease Control and
3 Prevention determines that dates of administration other than
4 those stated in this Section are optimal to protect the health
5 of residents, the Department is authorized to adopt rules to
6 require vaccinations at those times rather than the times
7 stated in this Section. An establishment shall document in the
8 resident's medication record that an annual vaccination
9 against influenza was administered, arranged, refused, or
10 medically contraindicated.

11 An assisted living establishment or shared housing
12 establishment that provides medication administration as an
13 optional service shall administer or arrange for
14 administration of a pneumococcal vaccination to each resident
15 who is age 65 or over, in accordance with the recommendations
16 of the Advisory Committee on Immunization Practices of the
17 Centers for Disease Control and Prevention, who has not
18 received this immunization prior to or upon admission to the
19 establishment, unless the resident refuses the offer for
20 vaccination or the vaccination is medically contraindicated.
21 An establishment shall document in each resident's medication
22 record that a vaccination against pneumococcal pneumonia was
23 offered and administered, arranged, refused, or medically
24 contraindicated.

25 (Source: P.A. 92-562, eff. 6-24-02; 93-1003, eff. 8-23-04.)

26 Section 3. The Nursing Home Care Act is amended by changing
27 Section 2-213 as follows:

28 (210 ILCS 45/2-213)

29 Sec. 2-213. Vaccinations.

30 (a) A facility shall annually administer or arrange for
31 administration of a vaccination against influenza to each
32 resident, in accordance with the recommendations of the
33 Advisory Committee on Immunization Practices of the Centers for
34 Disease Control and Prevention that are most recent to the time

1 of vaccination, unless the vaccination is medically
2 contraindicated or the resident has refused the vaccine.
3 Influenza vaccinations for all residents age 65 and over shall
4 be completed by November 30 of each year or as soon as
5 practicable if vaccine supplies are not available before
6 November 1. Residents admitted after November 30, during the
7 flu season, and until February 1 shall, as medically
8 appropriate, receive an influenza vaccination prior to or upon
9 admission or as soon as practicable if vaccine supplies are not
10 available at the time of the admission, unless the vaccine is
11 medically contraindicated or the resident has refused the
12 vaccine. In the event that the Advisory Committee on
13 Immunization Practices of the Centers for Disease Control and
14 Prevention determines that dates of administration other than
15 those stated in this Act are optimal to protect the health of
16 residents, the Department is authorized to develop rules to
17 mandate vaccinations at those times rather than the times
18 stated in this Act. A facility shall document in the resident's
19 medical record that an annual vaccination against influenza was
20 administered, arranged, refused or medically contraindicated.

21 (b) A facility shall administer ~~provide~~ or arrange for
22 administration of a pneumococcal vaccination to each resident
23 who is age 65 and over, in accordance with the recommendations
24 of the Advisory Committee on Immunization Practices of the
25 Centers for Disease Control and Prevention, who has not
26 received this immunization prior to or upon admission to the
27 facility, unless the resident refuses the offer for vaccination
28 or the vaccination is medically contraindicated. A facility
29 shall document in each resident's medical record that a
30 vaccination against pneumococcal pneumonia was offered and
31 administered, arranged, refused, or medically contraindicated.

32 (Source: P.A. 93-384, eff. 7-25-03.)

33 Section 5. The Home Health Agency Licensing Act is amended
34 by adding Section 6.5 as follows:

1 (210 ILCS 55/6.5 new)

2 Sec. 6.5. Vaccinations.

3 (a) A home health agency shall annually administer or
4 arrange for administration of a vaccination against influenza
5 to each client, in accordance with the recommendations of the
6 Advisory Committee on Immunization Practices of the Centers for
7 Disease Control and Prevention that are most recent to the time
8 of vaccination, unless the vaccination is medically
9 contraindicated or the client has refused the vaccine.
10 Influenza vaccinations for all clients age 65 or over shall be
11 completed by November 30 of each year or as soon as practicable
12 if vaccine supplies are not available before November 1. Home
13 health clients whose services start after November 30, during
14 the flu season, and until February 1 shall, as medically
15 appropriate, receive an influenza vaccination prior to or upon
16 service initiation or as soon as practicable if vaccine
17 supplies are not available at the time of the service
18 initiation, unless the vaccine is medically contraindicated or
19 the client has refused the vaccine. If the Advisory Committee
20 on Immunization Practices of the Centers for Disease Control
21 and Prevention determines that dates of administration other
22 than those stated in this Section are optimal to protect the
23 health of clients, the Department may adopt rules to mandate
24 vaccinations at those times rather than the times stated in
25 this Section. A home health agency shall document in the
26 client's medical record that an annual vaccination against
27 influenza was administered, arranged, refused, or medically
28 contraindicated.

29 (b) A home health agency shall administer or arrange for
30 administration of a pneumococcal vaccination, in accordance
31 with the recommendations of the Advisory Committee on
32 Immunization Practices of the Centers for Disease Control and
33 Prevention, to each client who is age 65 or over and who has
34 not received this immunization prior to or upon service
35 initiation, unless the client refuses the offer for vaccination
36 or the vaccination is medically contraindicated. A home health

1 agency shall document in each client's medical record that a
2 vaccination against pneumococcal pneumonia was offered and was
3 administered, arranged, refused, or medically contraindicated.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.