

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 2. The Illinois Act on the Aging is amended by
5 changing Section 4.03 as follows:

6 (20 ILCS 105/4.03) (from Ch. 23, par. 6104.03)

7 Sec. 4.03. The Department on Aging, in cooperation with the
8 Department of Human Services and any other appropriate State,
9 local or federal agency, shall, without regard to income
10 guidelines, establish a nursing home prescreening program to
11 determine whether Alzheimer's Disease and related disorders
12 victims, and persons who are deemed as blind or disabled as
13 defined by the Social Security Act and who are in need of long
14 term care, may be satisfactorily cared for in their homes
15 through the use of home and community based services.
16 Responsibility for prescreening shall be vested with case
17 coordination units. Prescreening shall occur: (i) when
18 hospital discharge planners have advised the case coordination
19 unit of the imminent risk of nursing home placement of a
20 patient who meets the above criteria and in advance of
21 discharge of the patient; or (ii) when a case coordination unit
22 has been advised of the imminent risk of nursing home placement
23 of an individual in the community. The individual who is

1 prescreened shall be informed of all appropriate options,
2 including placement in a nursing home and the availability of
3 in-home and community-based services and shall be advised of
4 her or his right to refuse nursing home, in-home,
5 community-based, or all services. Case coordination units
6 under contract with the Department may charge a fee for the
7 prescreening provided under this Section and the fee shall be
8 no greater than the cost of such services to the case
9 coordination unit.

10 (Source: P.A. 89-21, eff. 7-1-95; 89-507, eff. 7-1-97.)

11 Section 5. The Hospital Licensing Act is amended by
12 changing Section 6.09 as follows:

13 (210 ILCS 85/6.09) (from Ch. 111 1/2, par. 147.09)

14 Sec. 6.09. (a) In order to facilitate the orderly
15 transition of aged and disabled patients from hospitals to
16 post-hospital care, whenever a patient who qualifies for the
17 federal Medicare program is hospitalized, the patient shall be
18 notified of discharge at least 24 hours prior to discharge from
19 the hospital. With regard to pending discharges to a skilled
20 nursing facility, the hospital must notify the case
21 coordination unit, as defined in 89 Ill. Adm. Code 240.260, at
22 least 24 hours prior to discharge or, if home health services
23 are ordered, the hospital must inform its designated case
24 coordination unit, as defined in 89 Ill. Adm. Code 240.260, of

1 the pending discharge and must provide the patient with the
2 case coordination unit's telephone number and other contact
3 information.

4 (b) Every hospital shall develop procedures for a physician
5 with medical staff privileges at the hospital or any
6 appropriate medical staff member to provide the discharge
7 notice prescribed in subsection (a) of this Section. The
8 procedures must include prohibitions against discharging or
9 referring a patient to any of the following if unlicensed,
10 uncertified, or unregistered: (i) a board and care facility, as
11 defined in the Board and Care Home Registration Act; (ii) an
12 assisted living and shared housing establishment, as defined in
13 the Assisted Living and Shared Housing Act; (iii) a facility
14 licensed under the Nursing Home Care Act; (iv) a supportive
15 living facility, as defined in Section 5-5.01a of the Illinois
16 Public Aid Code; or (v) a free-standing hospice facility
17 licensed under the Hospice Program Licensing Act if licensure,
18 certification, or registration is required. The Department of
19 Public Health shall annually provide hospitals with a list of
20 licensed, certified, or registered board and care facilities,
21 assisted living and shared housing establishments, nursing
22 homes, supportive living facilities, and hospice facilities.
23 Reliance upon this list by a hospital shall satisfy compliance
24 with this requirement. The procedure may also include a waiver
25 for any case in which a discharge notice is not feasible due to
26 a short length of stay in the hospital by the patient, or for

1 any case in which the patient voluntarily desires to leave the
2 hospital before the expiration of the 24 hour period.

3 (c) At least 24 hours prior to discharge from the hospital,
4 the patient shall receive written information on the patient's
5 right to appeal the discharge pursuant to the federal Medicare
6 program, including the steps to follow to appeal the discharge
7 and the appropriate telephone number to call in case the
8 patient intends to appeal the discharge.

9 (Source: P.A. 94-335, eff. 7-26-05.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.