



Rep. Arthur L. Turner

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LRB095 01328 DRJ 49471 a

1 AMENDMENT TO HOUSE BILL 2248

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2248 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Home Health, Home Services, and Home  
5 Nursing Agency Licensing Act is amended by changing Section  
6 2.11 as follows:

7 (210 ILCS 55/2.11)

8 Sec. 2.11. "Home nursing agency" means an agency that  
9 provides services directly, or acts as a placement agency, in  
10 order to deliver skilled nursing and home health aide services  
11 to persons in their personal residences. A home nursing agency  
12 provides services that would require a licensed nurse to  
13 perform. Home health aide services are provided under the  
14 direction of a licensed nurse. A home nursing agency does not  
15 require ~~qualify for~~ licensure as a home health agency under  
16 this Act. "Home nursing agency" does not include an

1 individually licensed nurse acting as a private contractor or a  
2 person that provides or procures temporary employment in health  
3 care facilities, as defined in the Nurse Agency Licensing Act.

4 Notwithstanding any other rulemaking authority that may  
5 exist, neither the Governor nor any agency or agency head under  
6 the jurisdiction of the Governor has any authority to make or  
7 promulgate rules to implement or enforce the provisions of this  
8 amendatory Act of the 95th General Assembly. If, however, the  
9 Governor believes that rules are necessary to implement or  
10 enforce the provisions of this amendatory Act of the 95th  
11 General Assembly, the Governor may suggest rules to the General  
12 Assembly by filing them with the Clerk of the House and  
13 Secretary of the Senate and by requesting that the General  
14 Assembly authorize such rulemaking by law, enact those  
15 suggested rules into law, or take any other appropriate action  
16 in the General Assembly's discretion. Nothing contained in this  
17 amendatory Act of the 95th General Assembly shall be  
18 interpreted to grant rulemaking authority under any other  
19 Illinois statute where such authority is not otherwise  
20 explicitly given. For the purposes of this amendatory Act of  
21 the 95th General Assembly, "rules" is given the meaning  
22 contained in Section 1-70 of the Illinois Administrative  
23 Procedure Act, and "agency" and "agency head" are given the  
24 meanings contained in Sections 1-20 and 1-25 of the Illinois  
25 Administrative Procedure Act to the extent that such  
26 definitions apply to agencies or agency heads under the

1 jurisdiction of the Governor.

2 (Source: P.A. 94-379, eff. 1-1-06.)

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