

SB0640



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0640

Introduced 2/8/2007, by Sen. Deanna Demuzio

SYNOPSIS AS INTRODUCED:

210 ILCS 45/1-113

from Ch. 111 1/2, par. 4151-113

Amends the Nursing Home Care Act. To the general provisions that, for purposes of the Act, "long-term care facility" does not include a "supportive living facility" established under the Illinois Public Aid Code or an assisted living or shared housing establishment, adds an exception for purposes of provisions concerning the nurse aide registry and the employment of persons as a nursing assistant, habilitation aide, or child care aide. Effective immediately.

LRB095 10766 DRJ 31088 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 5. The Nursing Home Care Act is amended by changing
5 Section 1-113 as follows:

6 (210 ILCS 45/1-113) (from Ch. 111 1/2, par. 4151-113)

7 Sec. 1-113. "Facility" or "long-term care facility" means a
8 private home, institution, building, residence, or any other
9 place, whether operated for profit or not, or a county home for
10 the infirm and chronically ill operated pursuant to Division
11 5-21 or 5-22 of the Counties Code, or any similar institution
12 operated by a political subdivision of the State of Illinois,
13 which provides, through its ownership or management, personal
14 care, sheltered care or nursing for 3 or more persons, not
15 related to the applicant or owner by blood or marriage. It
16 includes skilled nursing facilities and intermediate care
17 facilities as those terms are defined in Title XVIII and Title
18 XIX of the Federal Social Security Act. It also includes homes,
19 institutions, or other places operated by or under the
20 authority of the Illinois Department of Veterans' Affairs.

21 "Facility" does not include the following:

22 (1) A home, institution, or other place operated by the
23 federal government or agency thereof, or by the State of

1 Illinois, other than homes, institutions, or other places
2 operated by or under the authority of the Illinois
3 Department of Veterans' Affairs;

4 (2) A hospital, sanitarium, or other institution whose
5 principal activity or business is the diagnosis, care, and
6 treatment of human illness through the maintenance and
7 operation as organized facilities therefor, which is
8 required to be licensed under the Hospital Licensing Act;

9 (3) Any "facility for child care" as defined in the
10 Child Care Act of 1969;

11 (4) Any "Community Living Facility" as defined in the
12 Community Living Facilities Licensing Act;

13 (5) Any "community residential alternative" as defined
14 in the Community Residential Alternatives Licensing Act;

15 (6) Any nursing home or sanatorium operated solely by
16 and for persons who rely exclusively upon treatment by
17 spiritual means through prayer, in accordance with the
18 creed or tenets of any well-recognized church or religious
19 denomination. However, such nursing home or sanatorium
20 shall comply with all local laws and rules relating to
21 sanitation and safety;

22 (7) Any facility licensed by the Department of Human
23 Services as a community-integrated living arrangement as
24 defined in the Community-Integrated Living Arrangements
25 Licensure and Certification Act;

26 (8) Any "Supportive Residence" licensed under the

1 Supportive Residences Licensing Act;

2 (9) Any "supportive living facility" in good standing
3 with the program established under Section 5-5.01a of the
4 Illinois Public Aid Code, except only for purposes of the
5 employment of persons in accordance with Section 3-206.01;

6 (10) Any assisted living or shared housing
7 establishment licensed under the Assisted Living and
8 Shared Housing Act, except only for purposes of the
9 employment of persons in accordance with Section 3-206.01;

10 or

11 (11) An Alzheimer's disease management center
12 alternative health care model licensed under the
13 Alternative Health Care Delivery Act.

14 (Source: P.A. 94-342, eff. 7-26-05.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.