

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 Mental Health and Developmental  
5 Disabilities Administrative Act is amended by changing Section  
6 4 as follows:

7 (20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

8 Sec. 4. Supervision of facilities and services; quarterly  
9 reports.

10 (a) To exercise executive and administrative supervision  
11 over all facilities, divisions, programs and services now  
12 existing or hereafter acquired or created under the  
13 jurisdiction of the Department, including, but not limited to,  
14 the following:

15 The Alton Mental Health Center, at Alton

16 The Clyde L. Choate Mental Health and Developmental  
17 Center, at Anna

18 The Chester Mental Health Center, at Chester

19 The Chicago-Read Mental Health Center, at Chicago

20 The Elgin Mental Health Center, at Elgin

21 The Metropolitan Children and Adolescents Center, at  
22 Chicago

23 The Jacksonville Developmental Center, at Jacksonville

1           The Governor Samuel H. Shapiro Developmental Center,  
2           at Kankakee

3           The Tinley Park Mental Health Center, at Tinley Park

4           The Warren G. Murray Developmental Center, at  
5           Centralia

6           The Jack Mabley Developmental Center, at Dixon

7           The Lincoln Developmental Center, at Lincoln

8           The H. Douglas Singer Mental Health and Developmental  
9           Center, at Rockford

10          The John J. Madden Mental Health Center, at Chicago

11          The George A. Zeller Mental Health Center, at Peoria

12          The Andrew McFarland Mental Health Center, at  
13          Springfield

14          The Adolf Meyer Mental Health Center, at Decatur

15          The William W. Fox Developmental Center, at Dwight

16          The Elisabeth Ludeman Developmental Center, at Park  
17          Forest

18          The William A. Howe Developmental Center, at Tinley  
19          Park

20          The Ann M. Kiley Developmental Center, at Waukegan.

21          (b) Beginning not later than July 1, 1977, the Department  
22          shall cause each of the facilities under its jurisdiction which  
23          provide in-patient care to comply with standards, rules and  
24          regulations of the Department of Public Health prescribed under  
25          Section 6.05 of the Hospital Licensing Act.

26          (b-5) The Department shall cause each of the facilities

1 under its jurisdiction that provide in-patient care to comply  
2 with Section 6.25 of the Hospital Licensing Act.

3 (c) The Department shall issue quarterly reports on  
4 admissions, deflections, discharges, bed closures,  
5 staff-resident ratios, census, average length of stay, and any  
6 adverse federal certification or accreditation findings, if  
7 any, for each State-operated facility for the mentally ill and  
8 developmentally disabled.

9 (Source: P.A. 93-636, eff. 6-1-04.)

10 Section 10. The University of Illinois Hospital Act is  
11 amended by adding Section 8 as follows:

12 (110 ILCS 330/8 new)

13 Sec. 8. Safe patient handling policy. The University of  
14 Illinois Hospital shall cause each of the facilities under its  
15 jurisdiction that provide in-patient care to comply with  
16 Section 6.25 of the Hospital Licensing Act.

17 Section 15. The Nursing Home Care Act is amended by adding  
18 Section 3-206.05 as follows:

19 (210 ILCS 45/3-206.05 new)

20 Sec. 3-206.05. Safe resident handling policy.

21 (a) In this Section:

22 "Health care worker" means an individual providing direct

1 resident care services who may be required to lift, transfer,  
2 reposition, or move a resident.

3 "Nurse" means an advanced practice nurse, a registered  
4 nurse, or a licensed practical nurse licensed under the Nurse  
5 Practice Act.

6 (b) A facility must adopt and ensure implementation of a  
7 policy to identify, assess, and develop strategies to control  
8 risk of injury to residents and nurses and other health care  
9 workers associated with the lifting, transferring,  
10 repositioning, or movement of a resident. The policy shall  
11 establish a process that, at a minimum, includes all of the  
12 following:

13 (1) Analysis of the risk of injury to residents and  
14 nurses and other health care workers taking into account  
15 the resident handling needs of the resident populations  
16 served by the facility and the physical environment in  
17 which the resident handling and movement occurs.

18 (2) Education of nurses in the identification,  
19 assessment, and control of risks of injury to residents and  
20 nurses and other health care workers during resident  
21 handling.

22 (3) Evaluation of alternative ways to reduce risks  
23 associated with resident handling, including evaluation of  
24 equipment and the environment.

25 (4) Restriction, to the extent feasible with existing  
26 equipment and aids, of manual resident handling or movement

1 of all or most of a resident's weight except for emergency,  
2 life-threatening, or otherwise exceptional circumstances.

3 (5) Procedures for a nurse to refuse to perform or be  
4 involved in resident handling or movement that the nurse in  
5 good faith believes will expose a resident or nurse or  
6 other health care worker to an unacceptable risk of injury.

7 (6) Development of strategies to control risk of injury  
8 to residents and nurses and other health care workers  
9 associated with the lifting, transferring, repositioning,  
10 or movement of a resident.

11 (7) In developing architectural plans for construction  
12 or remodeling of a facility or unit of a facility in which  
13 resident handling and movement occurs, consideration of  
14 the feasibility of incorporating resident handling  
15 equipment or the physical space and construction design  
16 needed to incorporate that equipment.

17 Section 20. The Hospital Licensing Act is amended by adding  
18 Section 6.25 as follows:

19 (210 ILCS 85/6.25 new)

20 Sec. 6.25. Safe patient handling policy.

21 (a) In this Section:

22 "Health care worker" means an individual providing direct  
23 patient care services who may be required to lift, transfer,  
24 reposition, or move a patient.

1       "Nurse" means an advanced practice nurse, a registered  
2 nurse, or a licensed practical nurse licensed under the Nurse  
3 Practice Act.

4       (b) A hospital must adopt and ensure implementation of a  
5 policy to identify, assess, and develop strategies to control  
6 risk of injury to patients and nurses and other health care  
7 workers associated with the lifting, transferring,  
8 repositioning, or movement of a patient. The policy shall  
9 establish a process that, at a minimum, includes all of the  
10 following:

11       (1) Analysis of the risk of injury to patients and  
12 nurses and other health care workers posed by the patient  
13 handling needs of the patient populations served by the  
14 hospital and the physical environment in which the patient  
15 handling and movement occurs.

16       (2) Education of nurses in the identification,  
17 assessment, and control of risks of injury to patients and  
18 nurses and other health care workers during patient  
19 handling.

20       (3) Evaluation of alternative ways to reduce risks  
21 associated with patient handling, including evaluation of  
22 equipment and the environment.

23       (4) Restriction, to the extent feasible with existing  
24 equipment and aids, of manual patient handling or movement  
25 of all or most of a patient's weight except for emergency,  
26 life-threatening, or otherwise exceptional circumstances.

1           (5) Collaboration with and an annual report to the  
2           nurse staffing committee.

3           (6) Procedures for a nurse to refuse to perform or be  
4           involved in patient handling or movement that the nurse in  
5           good faith believes will expose a patient or nurse or other  
6           health care worker to an unacceptable risk of injury.

7           (7) Submission of an annual report to the hospital's  
8           governing body or quality assurance committee on  
9           activities related to the identification, assessment, and  
10           development of strategies to control risk of injury to  
11           patients and nurses and other health care workers  
12           associated with the lifting, transferring, repositioning,  
13           or movement of a patient.

14           (8) In developing architectural plans for construction  
15           or remodeling of a hospital or unit of a hospital in which  
16           patient handling and movement occurs, consideration of the  
17           feasibility of incorporating patient handling equipment or  
18           the physical space and construction design needed to  
19           incorporate that equipment.

20           Section 99. Effective date. This Act takes effect January  
21           1, 2010.