

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 5-5.4f as follows:

6 (305 ILCS 5/5-5.4f new)

7 Sec. 5-5.4f. Minimum Data Set (MDS) Compliance Review. The
8 Department shall establish by rule a procedure for a Minimum
9 Data Set (MDS) Compliance Review. The procedure shall include,
10 but not be limited to, verbal notice to a nursing facility of
11 specific deficiencies in documentation required under Section
12 147.175 of the Illinois Administrative Code and the federally
13 mandated resident assessment instrument as specified in 42 CFR
14 483.20. Verbal notice shall be given no later than the close of
15 each survey day. If given the opportunity, timeframes for the
16 nursing facility to provide the missing documentation shall be
17 no more restrictive than those in effect as of January 15,
18 2010. The provider may request an administrative review if,
19 after receiving the final determination, the provider believes
20 that the basis for reducing the facility's MDS rate was in
21 error. The provider may not offer any additional documentation
22 during the administrative review conference, but may point out
23 documentation that was provided and overlooked by the

1 Department in making its final determination. If disputes still
2 exist after the conference, the final determination shall be
3 made by the Director of Medical Programs.

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