

HB5388



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5388

Introduced 2/5/2010, by Rep. Constance A. Howard

SYNOPSIS AS INTRODUCED:

210 ILCS 47/3-306

Amends the MR/DD Community Care Act. Includes the size of the facility licensed under the Act to the list of factors the Director of Public Health is to consider when making a determination as to possible penalties for a violation. Effective July 1, 2010.

LRB096 17652 KTG 33010 b

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 MR/DD Community Care Act is amended by
5 changing Section 3-306 as follows:

6 (210 ILCS 47/3-306)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 3-306. Factors to be considered in determining
10 penalty. In determining whether a penalty is to be imposed and
11 in fixing the amount of the penalty to be imposed, if any, for
12 a violation, the Director shall consider the following factors:

13 (1) The gravity of the violation, including the
14 probability that death or serious physical or mental harm
15 to a resident will result or has resulted; the severity of
16 the actual or potential harm, and the extent to which the
17 provisions of the applicable statutes or regulations were
18 violated;

19 (2) The reasonable diligence exercised by the licensee
20 and efforts to correct violations;

21 (3) Any previous violations committed by the licensee;

22 ~~and~~

23 (4) The financial benefit to the facility of committing

1 or continuing the violation; and -

2 (5) The size of the facility.

3 (Source: P.A. 96-339, eff. 7-1-10.)

4 Section 99. Effective date. This Act takes effect July 1,

5 2010.