

# HB5998



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB5998**

Introduced 2/10/2010, by Rep. Thomas Holbrook

#### SYNOPSIS AS INTRODUCED:

210 ILCS 9/110  
210 ILCS 9/125 rep.

Amends the Assisted Living and Shared Housing Act. Deletes a provision providing that the Governor shall establish an Assisted Living and Shared Housing Standards and Quality of Life Advisory Board. Repeals a provision concerning the composition of the Board. Effective immediately.

LRB096 18382 KTG 33759 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 Assisted Living and Shared Housing Act is  
5 amended by changing Section 110 as follows:

6 (210 ILCS 9/110)

7 Sec. 110. Powers and duties of the Department.

8 (a) The Department shall conduct an annual unannounced  
9 on-site visit at each assisted living and shared housing  
10 establishment to determine compliance with applicable  
11 licensure requirements and standards. Additional visits may be  
12 conducted without prior notice to the assisted living or shared  
13 housing establishment.

14 (b) Upon receipt of information that may indicate the  
15 failure of the assisted living or shared housing establishment  
16 or a service provider to comply with a provision of this Act,  
17 the Department shall investigate the matter or make appropriate  
18 referrals to other government agencies and entities having  
19 jurisdiction over the subject matter of the possible violation.  
20 The Department may also make referrals to any public or private  
21 agency that the Department considers available for appropriate  
22 assistance to those involved. The Department may oversee and  
23 coordinate the enforcement of State consumer protection

1 policies affecting residents residing in an establishment  
2 licensed under this Act.

3 (c) The Department shall establish by rule complaint  
4 receipt, investigation, resolution, and involuntary residency  
5 termination procedures. Resolution procedures shall provide  
6 for on-site review and evaluation of an assisted living or  
7 shared housing establishment found to be in violation of this  
8 Act within a specified period of time based on the gravity and  
9 severity of the violation and any pervasive pattern of  
10 occurrences of the same or similar violations.

11 (d) (Blank). ~~The Governor shall establish an Assisted  
12 Living and Shared Housing Standards and Quality of Life  
13 Advisory Board.~~

14 (e) The Department shall by rule establish penalties and  
15 sanctions, which shall include, but need not be limited to, the  
16 creation of a schedule of graduated penalties and sanctions to  
17 include closure.

18 (f) The Department shall by rule establish procedures for  
19 disclosure of information to the public, which shall include,  
20 but not be limited to, ownership, licensure status, frequency  
21 of complaints, disposition of substantiated complaints, and  
22 disciplinary actions.

23 (g) (Blank).

24 (h) Beginning January 1, 2000, the Department shall begin  
25 drafting rules necessary for the administration of this Act.

26 (Source: P.A. 93-1003, eff. 8-23-04.)

1 (210 ILCS 9/125 rep.)

2 Section 10. The Assisted Living and Shared Housing Act is  
3 amended by repealing Section 125.

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