

SB2100



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2100

Introduced 2/20/2009, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-103

from Ch. 111 1/2, par. 4153-103

Amends the Nursing Home Care Act. Provides that an initial application for licensure under the Act must be accompanied by verification of financial responsibility. Effective immediately.

LRB096 08562 DRJ 18685 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 3-103 as follows:

6 (210 ILCS 45/3-103) (from Ch. 111 1/2, par. 4153-103)

7 Sec. 3-103. The procedure for obtaining a valid license
8 shall be as follows:

9 (1) Application to operate a facility shall be made to
10 the Department on forms furnished by the Department.

11 (2) All license applications shall be accompanied with
12 an application fee. The fee for an annual license shall be
13 \$995. Facilities that pay a fee or assessment pursuant to
14 Article V-C of the Illinois Public Aid Code shall be exempt
15 from the license fee imposed under this item (2). The fee
16 for a 2-year license shall be double the fee for the annual
17 license set forth in the preceding sentence. The fees
18 collected shall be deposited with the State Treasurer into
19 the Long Term Care Monitor/Receiver Fund, which has been
20 created as a special fund in the State treasury. This
21 special fund is to be used by the Department for expenses
22 related to the appointment of monitors and receivers as
23 contained in Sections 3-501 through 3-517 of this Act and

1 for implementation of the Abuse Prevention Review Team Act.
2 At the end of each fiscal year, any funds in excess of
3 \$1,000,000 held in the Long Term Care Monitor/Receiver Fund
4 shall be deposited in the State's General Revenue Fund. The
5 application shall be under oath and the submission of false
6 or misleading information shall be a Class A misdemeanor.
7 The application shall contain the following information:

8 (a) The name and address of the applicant if an
9 individual, and if a firm, partnership, or
10 association, of every member thereof, and in the case
11 of a corporation, the name and address thereof and of
12 its officers and its registered agent, and in the case
13 of a unit of local government, the name and address of
14 its chief executive officer;

15 (b) The name and location of the facility for which
16 a license is sought;

17 (c) The name of the person or persons under whose
18 management or supervision the facility will be
19 conducted;

20 (d) The number and type of residents for which
21 maintenance, personal care, or nursing is to be
22 provided; and

23 (e) Such information relating to the number,
24 experience, and training of the employees of the
25 facility, any management agreements for the operation
26 of the facility, and of the moral character of the

1 applicant and employees as the Department may deem
2 necessary.

3 (3) Each initial application shall be accompanied by a
4 financial statement setting forth the financial condition
5 of the applicant, by verification of financial
6 responsibility, and by a statement from the unit of local
7 government having zoning jurisdiction over the facility's
8 location stating that the location of the facility is not
9 in violation of a zoning ordinance. An initial application
10 for a new facility shall be accompanied by a permit as
11 required by the "Illinois Health Facilities Planning Act".
12 After the application is approved, the applicant shall
13 advise the Department every 6 months of any changes in the
14 information originally provided in the application.

15 (4) Other information necessary to determine the
16 identity and qualifications of an applicant to operate a
17 facility in accordance with this Act shall be included in
18 the application as required by the Department in
19 regulations.

20 (Source: P.A. 93-32, eff. 7-1-03; 93-841, eff. 7-30-04; 94-931,
21 eff. 6-26-06.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.