

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 2-213 as follows:

6 (210 ILCS 45/2-213)

7 Sec. 2-213. Vaccinations.

8 (a) A facility shall annually administer or arrange for
9 administration of a vaccination against influenza to each
10 resident, in accordance with the recommendations of the
11 Advisory Committee on Immunization Practices of the Centers for
12 Disease Control and Prevention that are most recent to the time
13 of vaccination, unless the vaccination is medically
14 contraindicated or the resident has refused the vaccine.
15 Influenza vaccinations for all residents age 65 and over shall
16 be completed by November 30 of each year or as soon as
17 practicable if vaccine supplies are not available before
18 November 1. Residents admitted after November 30, during the
19 flu season, and until February 1 shall, as medically
20 appropriate, receive an influenza vaccination prior to or upon
21 admission or as soon as practicable if vaccine supplies are not
22 available at the time of the admission, unless the vaccine is
23 medically contraindicated or the resident has refused the

1 vaccine. In the event that the Advisory Committee on
2 Immunization Practices of the Centers for Disease Control and
3 Prevention determines that dates of administration other than
4 those stated in this Act are optimal to protect the health of
5 residents, the Department is authorized to develop rules to
6 mandate vaccinations at those times rather than the times
7 stated in this Act. A facility shall document in the resident's
8 medical record that an annual vaccination against influenza was
9 administered, arranged, refused or medically contraindicated.

10 (b) A facility shall administer or arrange for
11 administration of a pneumococcal vaccination to each resident
12 who is age 65 and over, in accordance with the recommendations
13 of the Advisory Committee on Immunization Practices of the
14 Centers for Disease Control and Prevention, who has not
15 received this immunization prior to or upon admission to the
16 facility, unless the resident refuses the offer for vaccination
17 or the vaccination is medically contraindicated. A facility
18 shall document in each resident's medical record that a
19 vaccination against pneumococcal pneumonia was offered and
20 administered, arranged, refused, or medically contraindicated.

21 (c) All persons seeking admission to a nursing facility
22 shall be verbally screened for risk factors associated with
23 hepatitis B, hepatitis C, and the Human Immunodeficiency Virus
24 (HIV) according to guidelines established by the U.S. Centers
25 for Disease Control and Prevention. Persons who are identified
26 as being at high risk for hepatitis B, hepatitis C, or HIV

1 shall be offered an opportunity to undergo laboratory testing
2 in order to determine infection status if they will be admitted
3 to the nursing facility for at least 7 days and are not known
4 to be infected with any of the listed viruses. All HIV testing
5 shall be conducted in compliance with the AIDS Confidentiality
6 Act. All persons determined to be susceptible to the hepatitis
7 B virus shall be offered immunization within 10 days of
8 admission to any nursing facility. A facility shall document in
9 the resident's medical record that he or she was verbally
10 screened for risk factors associated with hepatitis B,
11 hepatitis C, and HIV, and whether or not the resident was
12 immunized against hepatitis B. Nothing in this subsection (c)
13 shall apply to a nursing facility licensed or regulated by the
14 Illinois Department of Veterans' Affairs.

15 (Source: P.A. 93-384, eff. 7-25-03; 94-429, eff. 8-2-05.)

16 Section 99. Effective date. This Act takes effect January
17 1, 2011.