

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 3-301 as follows:

6 (210 ILCS 45/3-301) (from Ch. 111 1/2, par. 4153-301)

7 Sec. 3-301. Determination of violation; notice; review
8 team.

9 (a) If after receiving the report specified in subsection
10 (c) of Section 3-212 the Director or his designee determines
11 that a facility is in violation of this Act or of any rule
12 promulgated thereunder, then, except as provided in subsection
13 (b), he shall serve a notice of violation upon the licensee
14 within 10 days thereafter. Each notice of violation shall be
15 prepared in writing and shall specify the nature of the
16 violation, and the statutory provision or rule alleged to have
17 been violated. The notice shall inform the licensee of any
18 action the Department may take under the Act, including the
19 requirement of a facility plan of correction under Section
20 3-303; placement of the facility on a list prepared under
21 Section 3-304; assessment of a penalty under Section 3-305; a
22 conditional license under Sections 3-311 through 3-317; or
23 license suspension or revocation under Section 3-119. The

1 Director or his designee shall also inform the licensee of
2 rights to a hearing under Section 3-703.

3 (b) The Department shall establish a statewide management
4 review team to review all alleged Type "AA" or Type "A"
5 violations of this Act or the rules promulgated thereunder. The
6 management review team shall review all such alleged violations
7 before the Director or his or her designee determines that a
8 violation exists and serves a notice of violation under
9 subsection (a). In conducting a review under this subsection,
10 the review team shall analyze all available data and precedents
11 for the purpose of ensuring that determinations of violations
12 are consistent throughout the State.

13 (Source: P.A. 85-1378.)

14 Section 99. Effective date. This Act takes effect January
15 1, 2013.