



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

### HB1584

by Rep. Kelly M. Cassidy

#### SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-207 from Ch. 111 1/2, par. 4153-207  
210 ILCS 45/3-304.1  
210 ILCS 47/3-207  
210 ILCS 47/3-304.1  
210 ILCS 48/3-207  
210 ILCS 48/3-304.1

Amends the Nursing Home Care Act, the ID/DD Community Care Act, and the Specialized Mental Health Rehabilitation Act. Provides that a facility which is owned by a chain organization as defined by the Centers for Medicare and Medicaid Services shall submit annually to the Department of Public Health (IDPH) an electronic copy of the Home Office Cost Statement required to be submitted by the home office of the chain to the United States Department of Health and Human Services; provides a penalty for failure to comply. Adds certain information regarding nursing homes that IDPH must make available to the public on the World Wide Web, including certain cost reports and statements and whether the facility is part of a chain. Effective immediately.

LRB098 08118 DRJ 38209 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 Sections 3-207 and 3-304.1 as follows:

6 (210 ILCS 45/3-207) (from Ch. 111 1/2, par. 4153-207)

7 Sec. 3-207. Statement of ownership.

8 (a) As a condition of the issuance or renewal of the  
9 license of any facility, the applicant shall file a statement  
10 of ownership. The applicant shall update the information  
11 required in the statement of ownership within 10 days of any  
12 change.

13 (b) The statement of ownership shall include the following:

14 (1) The name, address, telephone number, occupation or  
15 business activity, business address and business telephone  
16 number of the person who is the owner of the facility and  
17 every person who owns the building in which the facility is  
18 located, if other than the owner of the facility, which is  
19 the subject of the application or license; and if the owner  
20 is a partnership or corporation, the name of every partner  
21 and stockholder of the owner;

22 (2) The name and address of any facility, wherever  
23 located, any financial interest in which is owned by the

1 applicant, if the facility were required to be licensed if  
2 it were located in this State;

3 (3) Other information necessary to determine the  
4 identity and qualifications of an applicant or licensee to  
5 operate a facility in accordance with this Act as required  
6 by the Department in regulations.

7 (c) The information in the statement of ownership shall be  
8 public information and shall be available from the Department.

9 (d) A facility which is owned by a chain organization as  
10 defined by the Centers for Medicare and Medicaid Services shall  
11 submit annually to the Department an electronic copy of the  
12 Home Office Cost Statement required to be submitted by the home  
13 office of the chain to the United States Department of Health  
14 and Human Services. The facility shall send the cost statement  
15 in electronic form to the Department forthwith after it submits  
16 the statement to the Department of Health and Human Services.  
17 Each week that a facility fails to comply with the requirements  
18 of this subsection shall be cited as a separate administrative  
19 warning.

20 (Source: P.A. 85-1183.)

21 (210 ILCS 45/3-304.1)

22 Sec. 3-304.1. Public computer access to information.

23 (a) The Department must make information regarding nursing  
24 homes in the State available to the public in electronic form  
25 on the World Wide Web, including all of the following

1 information:

2 (1) who regulates nursing homes;

3 (2) information in the possession of the Department  
4 that is listed in Sections 3-210 and 3-304;

5 (3) deficiencies and plans of correction;

6 (4) enforcement remedies;

7 (5) penalty letters;

8 (6) designation of penalty monies;

9 (7) the U.S. Department of Health and Human Services'  
10 Health Care Financing Administration special projects or  
11 federally required inspections;

12 (8) advisory standards;

13 (9) deficiency-free surveys;

14 (10) enforcement actions and enforcement summaries;

15 ~~and~~

16 (11) distressed facilities;;

17 (12) a link to the most recent facility cost report  
18 filed with the Department of Healthcare and Family  
19 Services;

20 (13) a link to the most recent Consumer Choice  
21 Information Report filed with the Department on Aging;

22 (14) whether the facility is part of a chain; the  
23 facility shall be deemed part of a chain if it meets  
24 criteria established by the United States Department of  
25 Health and Human Services that identify it as owned by a  
26 chain organization; and

1           (15) a copy of the latest Home Office Cost Statement,  
2           if any, filed by the home office of the owner of the  
3           facility with the United States Department of Health and  
4           Human Services.

5           (b) No fee or other charge may be imposed by the Department  
6 as a condition of accessing the information.

7           (c) The electronic public access provided through the World  
8 Wide Web shall be in addition to any other electronic or print  
9 distribution of the information.

10          (d) The information shall be made available as provided in  
11 this Section in the shortest practicable time after it is  
12 publicly available in any other form.

13          (Source: P.A. 96-1372, eff. 7-29-10.)

14          Section 10. The ID/DD Community Care Act is amended by  
15 changing Sections 3-207 and 3-304.1 as follows:

16           (210 ILCS 47/3-207)

17           Sec. 3-207. Statement of ownership.

18           (a) As a condition of the issuance or renewal of the  
19 license of any facility, the applicant shall file a statement  
20 of ownership. The applicant shall update the information  
21 required in the statement of ownership within 10 days of any  
22 change.

23           (b) The statement of ownership shall include the following:

24           (1) The name, address, telephone number, occupation or

1 business activity, business address and business telephone  
2 number of the person who is the owner of the facility and  
3 every person who owns the building in which the facility is  
4 located, if other than the owner of the facility, which is  
5 the subject of the application or license; and if the owner  
6 is a partnership or corporation, the name of every partner  
7 and stockholder of the owner;

8 (2) The name and address of any facility, wherever  
9 located, any financial interest in which is owned by the  
10 applicant, if the facility were required to be licensed if  
11 it were located in this State;

12 (3) Other information necessary to determine the  
13 identity and qualifications of an applicant or licensee to  
14 operate a facility in accordance with this Act as required  
15 by the Department in regulations.

16 (c) The information in the statement of ownership shall be  
17 public information and shall be available from the Department.

18 (d) A facility which is owned by a chain organization as  
19 defined by the Centers for Medicare and Medicaid Services shall  
20 submit annually to the Department an electronic copy of the  
21 Home Office Cost Statement required to be submitted by the home  
22 office of the chain to the United States Department of Health  
23 and Human Services. The facility shall send the cost statement  
24 in electronic form to the Department forthwith after it submits  
25 the statement to the Department of Health and Human Services.  
26 Each week that a facility fails to comply with the requirements

1 of this subsection shall be cited as a separate administrative  
2 warning.

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

4 (210 ILCS 47/3-304.1)

5 Sec. 3-304.1. Public computer access to information.

6 (a) The Department must make information regarding nursing  
7 homes in the State available to the public in electronic form  
8 on the World Wide Web, including all of the following  
9 information:

10 (1) who regulates facilities licensed under this Act;

11 (2) information in the possession of the Department  
12 that is listed in Sections 3-210 and 3-304;

13 (3) deficiencies and plans of correction;

14 (4) enforcement remedies;

15 (5) penalty letters;

16 (6) designation of penalty monies;

17 (7) the U.S. Department of Health and Human Services'  
18 Health Care Financing Administration special projects or  
19 federally required inspections;

20 (8) advisory standards;

21 (9) deficiency free surveys;

22 (10) enforcement actions and enforcement summaries;

23 ~~and~~

24 (11) distressed facilities;~~;~~

25 (12) a link to the most recent facility cost report

1 filed with the Department of Healthcare and Family  
2 Services;

3 (13) a link to the most recent Consumer Choice  
4 Information Report filed with the Department on Aging;

5 (14) whether the facility is part of a chain; the  
6 facility shall be deemed part of a chain if it meets  
7 criteria established by the United States Department of  
8 Health and Human Services that identify it as owned by a  
9 chain organization; and

10 (15) a copy of the latest Home Office Cost Statement,  
11 if any, filed by the home office of the owner of the  
12 facility with the United States Department of Health and  
13 Human Services.

14 (b) No fee or other charge may be imposed by the Department  
15 as a condition of accessing the information.

16 (c) The electronic public access provided through the World  
17 Wide Web shall be in addition to any other electronic or print  
18 distribution of the information.

19 (d) The information shall be made available as provided in  
20 this Section in the shortest practicable time after it is  
21 publicly available in any other form.

22 (Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11.)

23 Section 15. The Specialized Mental Health Rehabilitation  
24 Act is amended by changing Sections 3-207 and 3-304.1 as  
25 follows:



1 (210 ILCS 48/3-207)

2 Sec. 3-207. Statement of ownership.

3 (a) As a condition of the issuance or renewal of the  
4 license of any facility, the applicant shall file a statement  
5 of ownership. The applicant shall update the information  
6 required in the statement of ownership within 10 days of any  
7 change.

8 (b) The statement of ownership shall include the following:

9 (1) The name, address, telephone number, occupation or  
10 business activity, business address and business telephone  
11 number of the person who is the owner of the facility and  
12 every person who owns the building in which the facility is  
13 located, if other than the owner of the facility, which is  
14 the subject of the application or license; and if the owner  
15 is a partnership or corporation, the name of every partner  
16 and stockholder of the owner;

17 (2) The name and address of any facility, wherever  
18 ~~wherever~~ located, any financial interest in which is owned  
19 by the applicant, if the facility were required to be  
20 licensed if it were located in this State;

21 (3) Other information necessary to determine the  
22 identity and qualifications of an applicant or licensee to  
23 operate a facility in accordance with this Act as required  
24 by the Department in regulations.

25 (c) The information in the statement of ownership shall be

1 public information and shall be available from the Department.

2 (d) A facility which is owned by a chain organization as  
3 defined by the Centers for Medicare and Medicaid Services shall  
4 submit annually to the Department an electronic copy of the  
5 Home Office Cost Statement required to be submitted by the home  
6 office of the chain to the United States Department of Health  
7 and Human Services. The facility shall send the cost statement  
8 in electronic form to the Department forthwith after it submits  
9 the statement to the Department of Health and Human Services.  
10 Each week that a facility fails to comply with the requirements  
11 of this subsection shall be cited as a separate administrative  
12 warning.

13 (Source: P.A. 97-38, eff. 6-28-11; revised 8-3-12.)

14 (210 ILCS 48/3-304.1)

15 Sec. 3-304.1. Public computer access to information.

16 (a) The Department must make information regarding nursing  
17 homes in the State available to the public in electronic form  
18 on the World Wide Web, including all of the following  
19 information:

20 (1) who regulates facilities licensed under this Act;

21 (2) information in the possession of the Department  
22 that is listed in Sections 3-210 and 3-304;

23 (3) deficiencies and plans of correction;

24 (4) enforcement remedies;

25 (5) penalty letters;

- 1 (6) designation of penalty monies;
- 2 (7) the U.S. Department of Health and Human Services'
- 3 special projects or federally required inspections;
- 4 (8) advisory standards;
- 5 (9) deficiency free surveys;
- 6 (10) enforcement actions and enforcement summaries;
- 7 ~~and~~
- 8 (11) distressed facilities;~~;~~
- 9 (12) a link to the most recent facility cost report
- 10 filed with the Department of Healthcare and Family
- 11 Services;
- 12 (13) a link to the most recent Consumer Choice
- 13 Information Report filed with the Department on Aging;
- 14 (14) whether the facility is part of a chain; the
- 15 facility shall be deemed part of a chain if it meets
- 16 criteria established by the United States Department of
- 17 Health and Human Services that identify it as owned by a
- 18 chain organization; and
- 19 (15) a copy of the latest Home Office Cost Statement,
- 20 if any, filed by the home office of the owner of the
- 21 facility with the United States Department of Health and
- 22 Human Services.

23 (b) No fee or other charge may be imposed by the Department

24 as a condition of accessing the information.

25 (c) The electronic public access provided through the World

26 Wide Web shall be in addition to any other electronic or print

1 distribution of the information.

2 (d) The information shall be made available as provided in  
3 this Section in the shortest practicable time after it is  
4 publicly available in any other form.

5 (Source: P.A. 97-38, eff. 6-28-11.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.