

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 3-208 and 3-304.1 as follows:

6 (210 ILCS 45/3-208) (from Ch. 111 1/2, par. 4153-208)

7 Sec. 3-208. (a) Each licensee shall file annually, or more
8 often as the Director shall by rule prescribe, an attested
9 financial statement. The Director may order an audited
10 financial statement of a particular facility by an auditor of
11 the Director's choice, provided the cost of such audit is paid
12 by the Department.

13 (b) No public funds shall be expended for the maintenance
14 of any resident in a facility which has failed to file the
15 financial statement required under this Section and no public
16 funds shall be paid to or on behalf of a facility which has
17 failed to file a statement.

18 (c) The Director of Public Health and the Director of
19 Healthcare and Family Services shall promulgate under Sections
20 3-801 and 3-802, one set of regulations for the filing of these
21 financial statements, and shall provide in these regulations
22 for forms, required information, intervals and dates of filing
23 and such other provisions as they may deem necessary.

1 (c-5) A facility which is owned by a chain organization as
2 defined by the Centers for Medicare and Medicaid Services shall
3 submit annually to the Department a copy of the Home Office
4 Cost Statement required to be submitted by the home office of
5 the chain to the United States Department of Health and Human
6 Services. The Home Office Cost Statement shall not be placed on
7 the World Wide Web. Any request from the public received by any
8 public agency pursuant to the Freedom of Information Act to
9 disclose this Home Office Cost Statement is subject to a case
10 by case determination of whether to withhold the information in
11 whole or in part. The Department shall use subsection (g) of
12 Section 7 of the Freedom of Information Act as guidance on such
13 requests.

14 (d) The Director of Public Health and the Director of
15 Healthcare and Family Services shall seek the advice and
16 comments of other State and federal agencies which require the
17 submission of financial data from facilities licensed under
18 this Act and shall incorporate the information requirements of
19 these agencies so as to impose the least possible burden on
20 licensees. No other State agency may require submission of
21 financial data except as expressly authorized by law or as
22 necessary to meet requirements of federal statutes or
23 regulations. Information obtained under this Section shall be
24 made available, upon request, by the Department to any other
25 State agency or legislative commission to which such
26 information is necessary for investigations or required for the

1 purposes of State or federal law or regulation.

2 (Source: P.A. 95-331, eff. 8-21-07.)

3 (210 ILCS 45/3-304.1)

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

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

9 (1) who regulates nursing homes;

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

12 (3) deficiencies and plans of correction;

13 (4) enforcement remedies;

14 (5) penalty letters;

15 (6) designation of penalty monies;

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

19 (8) advisory standards;

20 (9) deficiency-free surveys;

21 (10) enforcement actions and enforcement summaries;

22 ~~and~~

23 (11) distressed facilities;~~;~~

24 (12) a link to the most recent facility cost report
25 filed with the Department of Healthcare and Family

1 Services;

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

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

9 (15) whether the facility is a for-profit or
10 not-for-profit facility; and

11 (16) whether the facility is or is part of a continuing
12 care retirement community.

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

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

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

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