



Rep. Kelly M. Cassidy

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09800HB1584ham002

LRB098 08118 CEL 44371 a

1 AMENDMENT TO HOUSE BILL 1584

2 AMENDMENT NO. _____. Amend House Bill 1584, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Nursing Home Care Act is amended by
6 changing Sections 3-208 and 3-304.1 as follows:

7 (210 ILCS 45/3-208) (from Ch. 111 1/2, par. 4153-208)

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

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

1 funds shall be paid to or on behalf of a facility which has
2 failed to file a statement.

3 (c) The Director of Public Health and the Director of
4 Healthcare and Family Services shall promulgate under Sections
5 3-801 and 3-802, one set of regulations for the filing of these
6 financial statements, and shall provide in these regulations
7 for forms, required information, intervals and dates of filing
8 and such other provisions as they may deem necessary.

9 (c-5) 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 a copy of the Home Office
12 Cost Statement required to be submitted by the home office of
13 the chain to the United States Department of Health and Human
14 Services. The Home Office Cost Statement shall not be placed on
15 the World Wide Web. Any request from the public received by any
16 public agency pursuant to the Freedom of Information Act to
17 disclose this Home Office Cost Statement is subject to a case
18 by case determination of whether to withhold the information in
19 whole or in part. The Department shall use subsection (b) of
20 Section 7 of the Freedom of Information Act as guidance on such
21 requests.

22 (d) The Director of Public Health and the Director of
23 Healthcare and Family Services shall seek the advice and
24 comments of other State and federal agencies which require the
25 submission of financial data from facilities licensed under
26 this Act and shall incorporate the information requirements of

1 these agencies so as to impose the least possible burden on
2 licensees. No other State agency may require submission of
3 financial data except as expressly authorized by law or as
4 necessary to meet requirements of federal statutes or
5 regulations. Information obtained under this Section shall be
6 made available, upon request, by the Department to any other
7 State agency or legislative commission to which such
8 information is necessary for investigations or required for the
9 purposes of State or federal law or regulation.

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

11 (210 ILCS 45/3-304.1)

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

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

17 (1) who regulates nursing homes;

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

20 (3) deficiencies and plans of correction;

21 (4) enforcement remedies;

22 (5) penalty letters;

23 (6) designation of penalty monies;

24 (7) the U.S. Department of Health and Human Services'
25 Health Care Financing Administration special projects or

1 federally required inspections;

2 (8) advisory standards;

3 (9) deficiency-free surveys;

4 (10) enforcement actions and enforcement summaries;

5 ~~and~~

6 (11) distressed facilities;~~;~~

7 (12) a link to the most recent facility cost report
8 filed with the Department of Healthcare and Family
9 Services;

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

12 (14) whether the facility is part of a chain; the
13 facility shall be deemed part of a chain if it meets
14 criteria established by the United States Department of
15 Health and Human Services that identify it as owned by a
16 chain organization;

17 (15) whether the facility is a for-profit or
18 not-for-profit facility; and

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

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

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

26 (d) The information shall be made available as provided in

1 this Section in the shortest practicable time after it is
2 publicly available in any other form.
3 (Source: P.A. 96-1372, eff. 7-29-10.)".