



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2353

Introduced 2/15/2013, by Sen. Heather A. Steans

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 08114 DRJ 38205 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.