



Sen. Heather A. Steans

Filed: 4/15/2013

09800SB2353sam002

LRB098 08114 KTG 44675 a

1 AMENDMENT TO SENATE BILL 2353

2 AMENDMENT NO. _____. Amend Senate Bill 2353 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nursing Home Care Act is amended by
5 changing 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

1 failed to file a statement.

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

8 (c-5) A facility which is owned by a chain organization as
9 defined by the Centers for Medicare and Medicaid Services shall
10 submit annually to the Department a copy of the Home Office
11 Cost Statement required to be submitted by the home office of
12 the chain to the United States Department of Health and Human
13 Services. This Home Office Cost Statement contains
14 proprietary, privileged, and confidential information that
15 shall not be placed on the World Wide Web. Any request from the
16 public received by any public agency to disclose this Home
17 Office Cost Statement shall be subject to the provisions of the
18 Freedom of Information Act.

19 (d) The Director of Public Health and the Director of
20 Healthcare and Family Services shall seek the advice and
21 comments of other State and federal agencies which require the
22 submission of financial data from facilities licensed under
23 this Act and shall incorporate the information requirements of
24 these agencies so as to impose the least possible burden on
25 licensees. No other State agency may require submission of
26 financial data except as expressly authorized by law or as

1 necessary to meet requirements of federal statutes or
2 regulations. Information obtained under this Section shall be
3 made available, upon request, by the Department to any other
4 State agency or legislative commission to which such
5 information is necessary for investigations or required for the
6 purposes of State or federal law or regulation.

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

8 (210 ILCS 45/3-304.1)

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

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

14 (1) who regulates nursing homes;

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

17 (3) deficiencies and plans of correction;

18 (4) enforcement remedies;

19 (5) penalty letters;

20 (6) designation of penalty monies;

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

24 (8) advisory standards;

25 (9) deficiency-free surveys;

1 (10) enforcement actions and enforcement summaries;

2 ~~and~~

3 (11) distressed facilities;~~;~~

4 (12) a link to the most recent facility cost report
5 filed with the Department of Healthcare and Family
6 Services;

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

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

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

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

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

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

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

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