

HB4094



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4094

by Rep. Norine Hammond

SYNOPSIS AS INTRODUCED:

210 ILCS 47/3-202

Amends the ID/DD Community Care Act. Provides that the Department of Public Health shall require that each long-term care for under age 22 facility: (1) place video cameras in the common areas of the facility; (2) place audio recording equipment in each private bedroom of the facility with the consent of all residents of the bedroom capable of knowingly consenting to the placement of that equipment, or if incapable of knowingly consenting, the parent or guardian of the resident; and (3) obtain an insurance policy to cover the costs of the equipment and its installation.

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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 ID/DD Community Care Act is amended by
5 changing Section 3-202 as follows:

6 (210 ILCS 47/3-202)

7 Sec. 3-202. Standards for facilities.

8 (a) The Department shall prescribe minimum standards for
9 facilities. These standards shall regulate:

10 (1) Location and construction of the facility,
11 including plumbing, heating, lighting, ventilation, and
12 other physical conditions which shall ensure the health,
13 safety, and comfort of residents and their protection from
14 fire hazard;

15 (2) To the extent this Act has not established minimum
16 staffing requirements within this Act, the numbers and
17 qualifications of all personnel, including management and
18 nursing personnel, having responsibility for any part of
19 the care given to residents; specifically, the Department
20 shall establish staffing ratios for facilities which shall
21 specify the number of staff hours per resident of care that
22 are needed for professional nursing care for various types
23 of facilities or areas within facilities;

1 (3) All sanitary conditions within the facility and its
2 surroundings, including water supply, sewage disposal,
3 food handling, and general hygiene, which shall ensure the
4 health and comfort of residents;

5 (4) Diet related to the needs of each resident based on
6 good nutritional practice and on recommendations which may
7 be made by the physicians attending the resident;

8 (5) Equipment essential to the health and welfare of
9 the residents;

10 (6) A program of habilitation and rehabilitation for
11 those residents who would benefit from such programs;

12 (7) A program for adequate maintenance of physical
13 plant and equipment;

14 (8) Adequate accommodations, staff and services for
15 the number and types of residents for whom the facility is
16 licensed to care, including standards for temperature and
17 relative humidity within comfort zones determined by the
18 Department based upon a combination of air temperature,
19 relative humidity and air movement. Such standards shall
20 also require facility plans that provide for health and
21 comfort of residents at medical risk as determined by the
22 attending physician whenever the temperature and relative
23 humidity are outside such comfort zones established by the
24 Department. The standards must include a requirement that
25 areas of a facility used by residents of the facility be
26 air-conditioned and heated by means of operable

1 air-conditioning and heating equipment. The areas subject
2 to this air-conditioning and heating requirement include,
3 without limitation, bedrooms or common areas such as
4 sitting rooms, activity rooms, living rooms, community
5 rooms, and dining rooms;

6 (9) Development of evacuation and other appropriate
7 safety plans for use during weather, health, fire, physical
8 plant, environmental and national defense emergencies; and

9 (10) Maintenance of minimum financial or other
10 resources necessary to meet the standards established
11 under this Section, and to operate and conduct the facility
12 in accordance with this Act.

13 (b) The Department shall require that each long-term care
14 for under age 22 facility:

15 (1) place video cameras in the common areas of the
16 facility;

17 (2) place audio recording equipment in each private
18 bedroom of the facility with the consent of all residents
19 of the bedroom capable of knowingly consenting to the
20 placement of that equipment, or if incapable of knowingly
21 consenting, the parent or guardian of the resident; and

22 (3) obtain an insurance policy to cover the costs of
23 the equipment and its installation.

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