

1 AN ACT in relation to public aid.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 5-5.8c as follows:

6 (305 ILCS 5/5-5.8c new)

7 Sec. 5-5.8c. Reporting deaths and discharges from a  
8 facility.

9 (a) Every skilled nursing facility and intermediate care  
10 facility subject to this Code must report to the Illinois  
11 Department of Public Aid every death of a resident of the  
12 facility and every discharge of a resident from the facility.  
13 The facility must report this information in the form and  
14 manner established by the Department and within 5 working  
15 days after the death or discharge.

16 (b) If a facility fails to report a death or discharge  
17 under subsection (a) within the required 5-working-day  
18 period, the Illinois Department of Public Aid may impose a  
19 civil penalty of not more than \$100 per day against the  
20 facility for each day that the facility is late in making the  
21 report. This civil penalty is in addition to any amount that  
22 the Department is entitled to recover from the facility due  
23 to overpayments made to the facility under this Code. The  
24 Department may withhold the amount of a civil penalty imposed  
25 under this subsection from future payments to the facility  
26 under this Code, and the Director is authorized to bring a  
27 civil action to collect the penalty. The Department must  
28 adopt rules to provide procedures for a facility to request  
29 reconsideration of a civil penalty imposed under this  
30 subsection, reduction of such a civil penalty, or a waiver of  
31 such a civil penalty for good cause.

1           Section 99. Effective date. This Act takes effect on  
2    January 1, 2002.