

AN ACT concerning health facilities.

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

Section 5. The Hospice Program Licensing Act is amended
by changing Sections 3 and 4 as follows:

(210 ILCS 60/3) (from Ch. 111 1/2, par. 6103)

Sec. 3. Definitions. As used in this Act, unless the
context otherwise requires:

(a) "Bereavement" means the period of time during which
the hospice patient's family experiences and adjusts to the
death of the hospice patient.

(b) "Department" means the Illinois Department of Public
Health.

(c) "Director" means the Director of the Illinois
Department of Public Health.

(d) "Full hospice" means a coordinated program of home
and inpatient care providing directly, or through agreement,
palliative and supportive medical, health and other services
to terminally ill patients and their families. A full
hospice utilizes a medically directed interdisciplinary
hospice care team of professionals and volunteers. The
program provides care to meet the physical, psychological,
social, spiritual and other special needs which are
experienced during the final stages of illness and during
dying and bereavement. Home care is to be provided on a
part-time, intermittent, regularly scheduled basis, and on an
on-call around-the-clock basis according to patient and
family need. To the maximum extent possible, care shall be
furnished in the patient's home. Should in-patient care be
required, services are to be provided with the intent of
minimizing the length of such care and shall only be provided

in a hospital licensed under the Hospital Licensing Act, or a skilled nursing facility licensed under the Nursing Home Care Act.

(e) "Hospice care team" means an interdisciplinary working unit composed of but not limited to a physician licensed to practice medicine in all of its branches, a nurse licensed pursuant to the Nursing and Advanced Practice Nursing Act, a social worker, a pastoral or other counselor, and trained volunteers. The patient and the patient's family are considered members of the hospice care team when development or revision of the patient's plan of care takes place.

(f) "Hospice patient" means a terminally ill person receiving hospice services.

(g) "Hospice patient's family" means a hospice patient's immediate family consisting of a spouse, sibling, child, parent and those individuals designated as such by the patient for the purposes of this Act.

(g-1) "Hospice residence" means a home, apartment building, or similar building providing living quarters:

(1) that is owned or operated by a person licensed to operate as a full hospice; and

(2) at which hospice services are provided to facility residents.

A building that is licensed under the Hospital Licensing Act or the Nursing Home Care Act is not a hospice residence.

(h) "Hospice services" means palliative and supportive care provided to a hospice patient and his family to meet the special need arising out of the physical, emotional, spiritual and social stresses which are experienced during the final stages of illness and during dying and bereavement. Services provided to the terminally ill patient shall be furnished, to the maximum extent possible, in the patient's home. Should inpatient care be required, services are to be

provided with the intent of minimizing the length of such care.

(i) "Palliative care" means treatment to provide for the reduction or abatement of pain and other troubling symptoms, rather than treatment aimed at investigation and intervention for the purpose of cure or inappropriate prolongation of life.

(j) "Hospice service plan" means a plan detailing the specific hospice services offered by a full or volunteer hospice, and the administrative and direct care personnel responsible for those services. The plan shall include but not be limited to:

(1) Identification of the person or persons administratively responsible for the program, ~~and the affiliation of such person or persons with a licensed home health agency, hospital or nursing home.~~

(2) The estimated average monthly patient census.

(3) The proposed geographic area the hospice will serve.

(4) A listing of those hospice services provided directly by the hospice, and those hospice services provided indirectly through a contractual agreement.

(5) The name and qualifications of those persons or entities under contract to provide indirect hospice services.

(6) The name and qualifications of those persons providing direct hospice services, with the exception of volunteers.

(7) A description of how the hospice plans to utilize volunteers in the provision of hospice services.

(8) A description of the program's record keeping system.

(k) "Terminally ill" means a medical prognosis by a physician licensed to practice medicine in all of its

branches that a patient has an anticipated life expectancy of one year ~~6-months~~ or less.

(l) "Volunteer" means a person who offers his or her services to a hospice without compensation. Reimbursement for a volunteer's expenses in providing hospice service shall not be considered compensation.

(m) "Volunteer hospice" means a program which provides hospice services to patients regardless of their ability to pay, with emphasis on the utilization of volunteers to provide services, under the administration of a not-for-profit agency. This definition does not prohibit the employment of staff.

(Source: P.A. 89-278, eff. 8-10-95; 90-742, eff. 8-13-98.)

(210 ILCS 60/4) (from Ch. 111 1/2, par. 6104)

Sec. 4. License.

(a) No person shall establish, conduct or maintain a full or volunteer hospice without first obtaining a license from the Department. A hospice residence may be operated only at the locations listed on the license. A full hospice owning or operating a hospice residence is not subject to the provisions of the Nursing Home Care Act in owning or operating a hospice residence.

(b) No public or private agency shall advertise or present itself to the public as a full or volunteer hospice which provides hospice services without meeting the provisions of subsection (a).

(c) The license shall be valid only in the possession of the hospice ~~home-health-agency, hospital, nursing-home or not-for-profit agency~~ to which it was originally issued and shall not be transferred or assigned to any other person, agency, or corporation.

(d) The license shall be renewed annually.

(e) The license shall be displayed in a conspicuous

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place inside the hospice program office.

(Source: P.A. 89-278, eff. 8-10-95.)

Section 99. Effective date. This Act takes effect upon becoming law.