

HB1538



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1538

Introduced 1/31/2023, by Rep. Hoan Huynh

SYNOPSIS AS INTRODUCED:

210 ILCS 55/4

from Ch. 111 1/2, par. 2804

Amends the Home Health, Home Services, and Home Nursing Agency Licensing Act. Provides that a 3-year (rather than an annual) license shall be issued for conducting or maintaining a home health agency. Provides that the fee for each single home health agency license or any renewal shall be \$100 (rather than \$25). Effective immediately.

LRB103 04820 CPF 49830 b

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 Home Health, Home Services, and Home
5 Nursing Agency Licensing Act is amended by changing Section 4
6 as follows:

7 (210 ILCS 55/4) (from Ch. 111 1/2, par. 2804)

8 Sec. 4. Types of licenses.

9 (a) If an applicant for licensure has not been previously
10 licensed, or if the home health agency, home services agency,
11 or home nursing agency is not in operation at the time
12 application is made, the Department may issue a provisional
13 license. A provisional license shall be valid for a period of
14 120 days unless sooner suspended or revoked pursuant to
15 Section 9 of this Act. Within 30 days prior to the termination
16 of a provisional license, the Department shall inspect the
17 agency and, if the applicant substantially meets the
18 requirements for licensure, it shall issue a license under
19 this Section. If the Department finds that a holder of a
20 provisional license does not substantially meet the
21 requirements for licensure, but has made significant progress
22 toward meeting those requirements, the Director may renew the
23 provisional license once for a period not to exceed 120 days

1 from the expiration date of the initial provisional license.

2 (b) (1) The Director may also issue a provisional license
3 to any licensed agency which does not substantially comply
4 with the provisions of this Act and the rules promulgated
5 hereunder, provided he finds that the health, safety, and
6 well-being of the clients of the agency will be protected
7 during the period for which such provisional license is
8 issued. The term of such provisional license shall not exceed
9 120 days.

10 (2) The Director shall advise the licensee of the
11 conditions under which such provisional license is issued,
12 including the manner in which the licensee fails to comply
13 with the provisions of the Act or rules, and the time within
14 which the corrections necessary for the agency to
15 substantially comply with the Act and rules shall be
16 completed.

17 (3) The Director, at his discretion, may extend the term
18 of such provisional license for an additional 120 days, if he
19 finds that the agency has made substantial progress toward
20 correcting the violations and bringing the agency into full
21 compliance with this Act and the rules promulgated hereunder.

22 (c) A 3-year ~~An annual~~ license shall be issued to any
23 person conducting or maintaining a home health agency upon
24 receipt of an application and payment of the licensure fee,
25 and when the other requirements of this Act, and the
26 standards, rules and regulations promulgated hereunder, are

1 met. The fee for each single home health agency license or any
2 renewal shall be \$100 ~~\$25~~.

3 (d) The Department shall establish, by rule, a system
4 whereby an entity that meets the requirements for licensure
5 may obtain licensure singly or in any combination for the
6 categories authorized under this Act. The Department shall
7 develop and implement one application to be used even if a
8 combination of licenses authorized under the Act is sought.
9 Applicants for multiple licenses under this system shall pay
10 the higher of the licensure fees applicable. Fees collected
11 under this system shall be deposited into the Home Care
12 Services Agency Licensure Fund.

13 (Source: P.A. 94-379, eff. 1-1-06.)

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