

# HB0808



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0808

Introduced 2/7/2007, by Rep. Elizabeth Coulson

### SYNOPSIS AS INTRODUCED:

210 ILCS 9/35

Amends the Assisted Living and Shared Housing Act. In connection with the issuance of a license under the Act, requires that all employees (instead of only direct care staff) meet the requirements of the Health Care Worker Background Check Act. Effective immediately.

LRB095 10044 DRJ 30258 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 Assisted Living and Shared Housing Act is  
5 amended by changing Section 35 as follows:

6 (210 ILCS 9/35)

7 Sec. 35. Issuance of license.

8 (a) Upon receipt and review of an application for a license  
9 and review of the applicant establishment, the Director may  
10 issue a license if he or she finds:

11 (1) that the individual applicant, or the corporation,  
12 partnership, or other entity if the applicant is not an  
13 individual, is a person responsible and suitable to operate  
14 or to direct or participate in the operation of an  
15 establishment by virtue of financial capacity, appropriate  
16 business or professional experience, a record of lawful  
17 compliance with lawful orders of the Department and lack of  
18 revocation of a license issued under this Act or the  
19 Nursing Home Care Act during the previous 5 years;

20 (2) that the establishment is under the supervision of  
21 a full-time director who is at least 21 years of age with  
22 ability, training, and education appropriate to meet the  
23 needs of the residents and to manage the operations of the

1 establishment and who participates in ongoing training for  
2 these purposes;

3 (3) that the establishment has staff sufficient in  
4 number with qualifications, adequate skills, education,  
5 and experience to meet the 24 hour scheduled and  
6 unscheduled needs of residents and who participate in  
7 ongoing training to serve the resident population;

8 (4) that all employees ~~direct care staff~~ meet the  
9 requirements of the Health Care Worker Background Check  
10 Act;

11 (5) that the applicant is in substantial compliance  
12 with this Act and such other requirements for a license as  
13 the Department by rule may establish under this Act;

14 (6) that the applicant pays all required fees;

15 (7) that the applicant has provided to the Department  
16 an accurate disclosure document in accordance with the  
17 Alzheimer's Special Care Disclosure Act and in substantial  
18 compliance with Section 150 of this Act.

19 Any license issued by the Director shall state the physical  
20 location of the establishment, the date the license was issued,  
21 and the expiration date. All licenses shall be valid for one  
22 year, except as provided in Section 40. Each license shall be  
23 issued only for the premises and persons named in the  
24 application, and shall not be transferable or assignable.

25 (Source: P.A. 93-141, eff. 7-10-03.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.