



Health Care Licenses Committee

Filed: 3/11/2009

09600HB0149ham001

LRB096 03858 DRJ 23520 a

1 AMENDMENT TO HOUSE BILL 149

2 AMENDMENT NO. _____. Amend House Bill 149 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nursing Home Care Act is amended by
5 changing Section 3-103 as follows:

6 (210 ILCS 45/3-103) (from Ch. 111 1/2, par. 4153-103)

7 Sec. 3-103. The procedure for obtaining a valid license
8 shall be as follows:

9 (1) Application to operate a facility shall be made to
10 the ~~the~~ Department on forms furnished by the Department.

11 (2) All license applications shall be accompanied with
12 an application fee. The fee for an annual license shall be
13 \$995. Facilities that pay a fee or assessment pursuant to
14 Article V-C of the Illinois Public Aid Code shall be exempt
15 from the license fee imposed under this item (2). The fee
16 for a 2-year license shall be double the fee for the annual

1 license set forth in the preceding sentence. The fees
2 collected shall be deposited with the State Treasurer into
3 the Long Term Care Monitor/Receiver Fund, which has been
4 created as a special fund in the State treasury. This
5 special fund is to be used by the Department for expenses
6 related to the appointment of monitors and receivers as
7 contained in Sections 3-501 through 3-517 of this Act and
8 for implementation of the Abuse Prevention Review Team Act.
9 At the end of each fiscal year, any funds in excess of
10 \$1,000,000 held in the Long Term Care Monitor/Receiver Fund
11 shall be deposited in the State's General Revenue Fund. The
12 application shall be under oath and the submission of false
13 or misleading information shall be a Class A misdemeanor.
14 The application shall contain the following information:

15 (a) The name and address of the applicant if an
16 individual, and if a firm, partnership, or
17 association, of every member thereof, and in the case
18 of a corporation, the name and address thereof and of
19 its officers and its registered agent, and in the case
20 of a unit of local government, the name and address of
21 its chief executive officer;

22 (b) The name and location of the facility for which
23 a license is sought;

24 (c) The name of the person or persons under whose
25 management or supervision the facility will be
26 conducted;

1 (d) The number and type of residents for which
2 maintenance, personal care, or nursing is to be
3 provided; and

4 (e) Such information relating to the number,
5 experience, and training of the employees of the
6 facility, any management agreements for the operation
7 of the facility, and of the moral character of the
8 applicant and employees as the Department may deem
9 necessary.

10 (3) Each initial application shall be accompanied by a
11 financial statement setting forth the financial condition
12 of the applicant and by a statement from the unit of local
13 government having zoning jurisdiction over the facility's
14 location stating that the location of the facility is not
15 in violation of a zoning ordinance. An initial application
16 for a new facility shall be accompanied by a permit as
17 required by the "Illinois Health Facilities Planning Act".
18 After the application is approved, the applicant shall
19 advise the Department every 6 months of any changes in the
20 information originally provided in the application.

21 (4) Other information necessary to determine the
22 identity and qualifications of an applicant to operate a
23 facility in accordance with this Act shall be included in
24 the application as required by the Department in
25 regulations.

26 (Source: P.A. 93-32, eff. 7-1-03; 93-841, eff. 7-30-04; 94-931,

1 eff. 6-26-06.)".