



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5218

Introduced 2/3/2010, by Rep. Lou Lang

#### SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-613 new

Amends the Nursing Home Care Act. Provides that a nursing home administrator may seek an order of protection in the name of a resident to protect that resident from abuse, neglect, or financial exploitation pursuant to the Illinois Domestic Violence Act of 1986. Provides that a facility shall take appropriate steps to secure the enforcement of every order of protection entered on behalf of a resident or staff member of which the facility has reasonable knowledge. Provides that such steps include, but are not limited to, reporting violations to an appropriate law enforcement agency. Provides that a facility taking steps to secure the enforcement of a valid order of protection shall be held harmless from sanctions under the Nursing Home Care Act. Provides that a facility reporting a violation of an order of protection shall be held harmless from any sanctions under the Nursing Home Care Act if the facility shows a good faith effort to secure the enforcement of the order of protection. Effective immediately.

LRB096 18178 KTG 33553 b

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 Nursing Home Care Act is amended by adding  
5 Section 3-613 as follows:

6 (210 ILCS 45/3-613 new)

7 Sec. 3-613. Order of protection. An administrator may seek  
8 an order of protection in the name of a resident to protect  
9 that resident from abuse, neglect, or financial exploitation  
10 pursuant to the Illinois Domestic Violence Act of 1986. A  
11 facility shall take appropriate steps to secure the enforcement  
12 of every order of protection entered on behalf of a resident or  
13 staff member of which the facility has reasonable knowledge.  
14 Such steps include, but are not limited to, reporting  
15 violations to an appropriate law enforcement agency. A facility  
16 taking steps to secure the enforcement of a valid order of  
17 protection shall be held harmless from sanctions under this  
18 Act. A facility reporting a violation of an order of protection  
19 shall be held harmless from any sanctions under this Act if the  
20 facility shows a good faith effort to secure the enforcement of  
21 the order of protection.

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

1 becoming law.