



Sen. Don Harmon

Filed: 3/30/2016

09900SB3027sam001

LRB099 19160 SMS 46811 a

1 AMENDMENT TO SENATE BILL 3027

2 AMENDMENT NO. _____. Amend Senate Bill 3027 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 3-206.01 as follows:

6 (210 ILCS 45/3-206.01) (from Ch. 111 1/2, par.
7 4153-206.01)

8 Sec. 3-206.01. Health care worker registry.

9 (a) The Department shall establish and maintain a Health
10 Care Worker Registry accessible by health care employers, as
11 defined in the Health Care Worker Background Check Act, that
12 includes background check and training information ~~registry~~ of
13 all individuals who (i) have satisfactorily completed the
14 training required by Section 3-206, (ii) have begun a current
15 course of training as set forth in Section 3-206, or (iii) are
16 otherwise acting as a nursing assistant, habilitation aide,

1 home health aide, psychiatric services rehabilitation aide, or
2 child care aide. ~~The registry shall include the individual's~~
3 ~~name, his or her current address, Social Security number, and~~
4 ~~the date and location of the training course completed by the~~
5 ~~individual, and whether the individual has any of the~~
6 ~~disqualifying convictions listed in Section 25 of the Health~~
7 ~~Care Worker Background Check Act from the date of the~~
8 ~~individual's last criminal records check.~~ Any individual
9 placed on the registry is required to inform the Department of
10 any change of address within 30 days. A facility shall not
11 employ an individual as a nursing assistant, habilitation aide,
12 home health aide, psychiatric services rehabilitation aide, or
13 child care aide, or newly hired as an individual who may have
14 access to a resident, a resident's living quarters, or a
15 resident's personal, financial, or medical records, unless the
16 facility has inquired of the Department's health care worker
17 registry as to information in the registry concerning the
18 individual. The facility shall not employ an individual as a
19 nursing assistant, habilitation aide, or child care aide if
20 that individual is not on the registry unless the individual is
21 enrolled in a training program under paragraph (5) of
22 subsection (a) of Section 3-206 of this Act. The Department may
23 also maintain a publicly accessible registry.

24 (a-5) The registry maintained by the Department exclusive
25 to health care employers, as defined in the Health Care Worker
26 Background Check Act, shall clearly indicate whether an

1 applicant or employee is eligible for employment and shall
2 include the following:

3 (1) information about the individual, including the
4 individual's name, his or her current address, Social
5 Security number, the date and location of the training
6 course completed by the individual, whether the individual
7 has any of the disqualifying convictions listed in Section
8 25 of the Health Care Worker Background Check Act from the
9 date of the individual's last criminal record check,
10 whether the individual has a waiver pending under Section
11 40 of the Health Care Worker Background Check Act, and
12 whether the individual has received a waiver under Section
13 40 of that Act;

14 (2) the following language:

15 "A waiver granted by the Department of Public
16 Health is a determination that the applicant or
17 employee is eligible to work in a health care facility.
18 The Equal Employment Opportunity Commission provides
19 guidance about federal law regarding hiring of
20 individuals with criminal records."; and

21 (3) a link to Equal Employment Opportunity Commission
22 guidance regarding hiring of individuals with criminal
23 records.

24 (a-10) After June 30, 2016, the publicly accessible
25 registry maintained by the Department shall report that an
26 individual is ineligible to work if he or she has a

1 disqualifying offense under Section 25 of the Health Care
2 Worker Background Check Act and has not received a waiver under
3 Section 40 of that Act. If an applicant or employee has
4 received a waiver for one or more disqualifying offenses under
5 Section 40 of the Health Care Worker Background Check Act and
6 he or she is otherwise eligible to work, the Department of
7 Public Health shall report on the public registry that the
8 applicant or employee is eligible to work. The Department,
9 however, shall not report information regarding the waiver on
10 the public registry.

11 (a-15) If the Department finds that a nursing assistant,
12 habilitation aide, home health aide, psychiatric services
13 rehabilitation aide, or child care aide, or an unlicensed
14 individual, has abused or neglected a resident or an individual
15 under his or her care or misappropriated property of a resident
16 or an individual under his or her care, the Department shall
17 notify the individual of this finding by certified mail sent to
18 the address contained in the registry. The notice shall give
19 the individual an opportunity to contest the finding in a
20 hearing before the Department or to submit a written response
21 to the findings in lieu of requesting a hearing. If, after a
22 hearing or if the individual does not request a hearing, the
23 Department finds that the individual abused a resident,
24 neglected a resident, or misappropriated resident property in a
25 facility, the finding shall be included as part of the registry
26 as well as a clear and accurate summary from the individual, if

1 he or she chooses to make such a statement. The Department
2 shall make the following information in the registry available
3 to the public: an individual's full name; the date an
4 individual successfully completed a nurse aide training or
5 competency evaluation; and whether the Department has made a
6 finding that an individual has been guilty of abuse or neglect
7 of a resident or misappropriation of resident property. In the
8 case of inquiries to the registry concerning an individual
9 listed in the registry, any information disclosed concerning
10 such a finding shall also include disclosure of the
11 individual's statement in the registry relating to the finding
12 or a clear and accurate summary of the statement.

13 (b) The Department shall add to the health care worker
14 registry records of findings as reported by the Inspector
15 General or remove from the health care worker registry records
16 of findings as reported by the Department of Human Services,
17 under subsection (s) of Section 1-17 of the Department of Human
18 Services Act.

19 (Source: P.A. 99-78, eff. 7-20-15.)

20 Section 10. The Health Care Worker Background Check Act is
21 amended by changing Sections 25, 33, and 40 and by adding
22 Section 40.1 as follows:

23 (225 ILCS 46/25)

24 Sec. 25. Hiring of people with criminal records ~~Persons~~

1 ~~ineligible to be hired~~ by health care employers and long-term
2 care facilities.

3 (a) A health care employer or long-term care facility may
4 hire, employ, or retain any individual in a position involving
5 direct care for clients, patients, or residents, or access to
6 the living quarters or the financial, medical, or personal
7 records of clients, patients, or residents who has been
8 convicted of committing or attempting to commit one or more of
9 the following offenses only with a waiver described in Section
10 40 ~~In the discretion of the Director of Public Health, as soon~~
11 ~~after January 1, 1996, January 1, 1997, January 1, 2006, or~~
12 ~~October 1, 2007, as applicable, and as is reasonably practical,~~
13 ~~no health care employer shall knowingly hire, employ, or retain~~
14 ~~any individual in a position with duties involving direct care~~
15 ~~for clients, patients, or residents, and no long term care~~
16 ~~facility shall knowingly hire, employ, or retain any individual~~
17 ~~in a position with duties that involve or may involve contact~~
18 ~~with residents or access to the living quarters or the~~
19 ~~financial, medical, or personal records of residents, who has~~
20 ~~been convicted of committing or attempting to commit one or~~
21 ~~more of the following offenses:~~ those defined in Sections
22 8-1(b), 8-1.1, 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1,
23 9-3.2, 9-3.3, 9-3.4, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5,
24 10-7, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6,
25 11-9.1, 11-9.5, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-1,
26 12-2, 12-3.05, 12-3.1, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.2,

1 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-7.4, 12-11, 12-13,
2 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-21, 12-21.6, 12-32,
3 12-33, 12C-5, 16-1, 16-1.3, 16-25, 16A-3, 17-3, 17-56, 18-1,
4 18-2, 18-3, 18-4, 18-5, 19-1, 19-3, 19-4, 19-6, 20-1, 20-1.1,
5 24-1, 24-1.2, 24-1.5, or 33A-2, or subdivision (a)(4) of
6 Section 11-14.4, or in subsection (a) of Section 12-3 or
7 subsection (a) or (b) of Section 12-4.4a, of the Criminal Code
8 of 1961 or the Criminal Code of 2012; those provided in Section
9 4 of the Wrongs to Children Act; those provided in Section 53
10 of the Criminal Jurisprudence Act; those defined in subsection
11 (c), (d), (e), (f), or (g) of Section 5 or Section 7 5.1, 5.2,
12 7, or 9 of the Cannabis Control Act; those defined in the
13 Methamphetamine Control and Community Protection Act; or those
14 defined in Sections 401, 401.1, 404, 405, 405.1, 407, or 407.1
15 of the Illinois Controlled Substances Act, ~~unless the applicant~~
16 ~~or employee obtains a waiver pursuant to Section 40.~~

17 (a-1) A health care employer or long-term care facility may
18 hire, employ, or retain any individual in a position involving
19 direct care for clients, patients, or residents, or access to
20 the living quarters or the financial, medical, or personal
21 records of clients, patients, or residents who has been
22 convicted of committing or attempting to commit one or more of
23 the following offenses only with a waiver described in Section
24 40: those ~~In the discretion of the Director of Public Health,~~
25 ~~as soon after January 1, 2004 or October 1, 2007, as~~
26 ~~applicable, and as is reasonably practical, no health care~~

1 ~~employer shall knowingly hire any individual in a position with~~
2 ~~duties involving direct care for clients, patients, or~~
3 ~~residents, and no long-term care facility shall knowingly hire~~
4 ~~any individual in a position with duties that involve or may~~
5 ~~involve contact with residents or access to the living quarters~~
6 ~~or the financial, medical, or personal records of residents,~~
7 ~~who has (i) been convicted of committing or attempting to~~
8 ~~commit one or more of the offenses defined in Section 12-3.3,~~
9 ~~12-4.2-5, 16-2, 16-30, 16G-15, 16G-20, 17-33, 17-34, 17-36,~~
10 ~~17-44, 18-5, 20-1.2, 24-1.1, 24-1.2-5, 24-1.6, 24-3.2, or~~
11 ~~24-3.3, or subsection (b) of Section 17-32, subsection (b) of~~
12 ~~Section 18-1, or subsection (b) of Section 20-1, of the~~
13 ~~Criminal Code of 1961 or the Criminal Code of 2012; Section 4,~~
14 ~~5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card~~
15 ~~Act; or Section 11-9.1A of the Criminal Code of 1961 or the~~
16 ~~Criminal Code of 2012 or Section 5.1 of the Wrongs to Children~~
17 ~~Act; or (ii) violated Section 50-50 of the Nurse Practice Act,~~
18 ~~unless the applicant or employee obtains a waiver pursuant to~~
19 ~~Section 40 of this Act.~~

20 A health care employer is not required to retain an
21 individual in a position with duties involving direct care for
22 clients, patients, or residents, and no long-term care facility
23 is required to retain an individual in a position with duties
24 that involve or may involve contact with residents or access to
25 the living quarters or the financial, medical, or personal
26 records of residents, who has been convicted of committing or

1 attempting to commit one or more of the offenses enumerated in
2 this subsection.

3 (b) A health care employer shall not hire, employ, or
4 retain any individual in a position with duties involving
5 direct care of clients, patients, or residents, and no
6 long-term care facility shall knowingly hire, employ, or retain
7 any individual in a position with duties that involve or may
8 involve contact with residents or access to the living quarters
9 or the financial, medical, or personal records of residents, if
10 the health care employer becomes aware that the individual has
11 been convicted in another state of committing or attempting to
12 commit an offense that has the same or similar elements as an
13 offense listed in subsection (a) or (a-1), as verified by court
14 records, records from a state agency, or an FBI criminal
15 history record check, unless the applicant or employee obtains
16 a waiver pursuant to Section 40 of this Act. This shall not be
17 construed to mean that a health care employer has an obligation
18 to conduct a criminal history records check in other states in
19 which an employee has resided.

20 (Source: P.A. 96-710, eff. 1-1-10; 96-1551, Article 1, Section
21 930, eff. 7-1-11; 96-1551, Article 2, Section 995, eff. 7-1-11;
22 96-1551, Article 10, Section 10-40, eff. 7-1-11; 97-597, eff.
23 1-1-12; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150,
24 eff. 1-25-13.)

1 Sec. 33. Fingerprint-based criminal history records check.

2 (a) A fingerprint-based criminal history records check is
3 not required for health care employees who have been
4 continuously employed by a health care employer since October
5 1, 2007, have met the requirements for criminal history
6 background checks prior to October 1, 2007, and have no
7 disqualifying convictions or requested and received a waiver of
8 those disqualifying convictions. These employees shall be
9 retained on the Health Care Worker Registry as long as they
10 remain active. Nothing in this subsection (a) shall be
11 construed to prohibit a health care employer from initiating a
12 criminal history records check for these employees. Should
13 these employees seek a new position with a different health
14 care employer, then a fingerprint-based criminal history
15 records check shall be required.

16 (b) On October 1, 2007 or as soon thereafter as is
17 reasonably practical, in the discretion of the Director of
18 Public Health, and thereafter, any student, applicant, or
19 employee who desires to be included on the Department of Public
20 Health's Health Care Worker Registry must authorize the
21 Department of Public Health or its designee to request a
22 fingerprint-based criminal history records check to determine
23 if the individual has a conviction for a disqualifying offense.
24 This authorization shall allow the Department of Public Health
25 to request and receive information and assistance from any
26 State or local governmental agency. Each individual shall

1 submit his or her fingerprints to the Department of State
2 Police in an electronic format that complies with the form and
3 manner for requesting and furnishing criminal history record
4 information prescribed by the Department of State Police. The
5 fingerprints submitted under this Section shall be checked
6 against the fingerprint records now and hereafter filed in the
7 Department of State Police criminal history record databases.
8 The Department of State Police shall charge a fee for
9 conducting the criminal history records check, which shall not
10 exceed the actual cost of the records check. The livescan
11 vendor may act as the designee for individuals, educational
12 entities, or health care employers in the collection of
13 Department of State Police fees and deposit those fees into the
14 State Police Services Fund. The Department of State Police
15 shall provide information concerning any criminal convictions,
16 now or hereafter filed, against the individual.

17 (c) On October 1, 2007 or as soon thereafter as is
18 reasonably practical, in the discretion of the Director of
19 Public Health, and thereafter, an educational entity, other
20 than a secondary school, conducting a nurse aide training
21 program must initiate a fingerprint-based criminal history
22 records check requested by the Department of Public Health
23 prior to entry of an individual into the training program.

24 (d) On October 1, 2007 or as soon thereafter as is
25 reasonably practical, in the discretion of the Director of
26 Public Health, and thereafter, a health care employer who makes

1 a conditional offer of employment to an applicant for a
2 position as an employee must initiate a fingerprint-based
3 criminal history record check, requested by the Department of
4 Public Health, on the applicant, if such a background check has
5 not been previously conducted.

6 (e) When initiating a background check requested by the
7 Department of Public Health, an educational entity or health
8 care employer shall electronically submit to the Department of
9 Public Health the student's, applicant's, or employee's social
10 security number, demographics, disclosure, and authorization
11 information in a format prescribed by the Department of Public
12 Health within 2 working days after the authorization is
13 secured. The student, applicant, or employee must have his or
14 her fingerprints collected electronically and transmitted to
15 the Department of State Police within 10 working days. The
16 educational entity or health care employer must transmit all
17 necessary information and fees to the livescan vendor and
18 Department of State Police within 10 working days after receipt
19 of the authorization. This information and the results of the
20 criminal history record checks shall be maintained by the
21 Department of Public Health's Health Care Worker Registry.

22 (f) A direct care employer may initiate a fingerprint-based
23 background check requested by the Department of Public Health
24 for any of its employees, but may not use this process to
25 initiate background checks for residents. The results of any
26 fingerprint-based background check that is initiated with the

1 Department as the requestor shall be entered in the Health Care
2 Worker Registry.

3 (g) As long as the employee has had a fingerprint-based
4 criminal history record check requested by the Department of
5 Public Health and stays active on the Health Care Worker
6 Registry, no further criminal history record checks shall be
7 deemed necessary, as the Department of State Police shall
8 notify the Department of Public Health of any additional
9 convictions associated with the fingerprints previously
10 submitted. Health care employers are required to check the
11 Health Care Worker Registry before hiring an employee to
12 determine that the individual has had a fingerprint-based
13 record check requested by the Department of Public Health and
14 has no disqualifying convictions or has been granted a waiver
15 pursuant to Section 40 of this Act. If the individual has not
16 had such a background check or is not active on the Health Care
17 Worker Registry, then the health care employer must initiate a
18 fingerprint-based record check requested by the Department of
19 Public Health. If an individual is inactive on the Health Care
20 Worker Registry, that individual is prohibited from being hired
21 to work as a certified nurse aide if, since the individual's
22 most recent completion of a competency test, there has been a
23 period of 24 consecutive months during which the individual has
24 not provided nursing or nursing-related services for pay. If
25 the individual can provide proof of having retained his or her
26 certification by not having a 24 consecutive month break in

1 service for pay, he or she may be hired as a certified nurse
2 aide and that employment information shall be entered into the
3 Health Care Worker Registry.

4 (h) On October 1, 2007 or as soon thereafter as is
5 reasonably practical, in the discretion of the Director of
6 Public Health, and thereafter, if the Department of State
7 Police notifies the Department of Public Health that an
8 employee has a new conviction of a disqualifying offense, based
9 upon the fingerprints that were previously submitted, then (i)
10 the Health Care Worker Registry shall notify the employee's
11 last known employer of the offense, (ii) a record of the
12 employee's disqualifying offense shall be entered on the Health
13 Care Worker Registry, and (iii) the individual shall no longer
14 be eligible to work as an employee unless he or she obtains a
15 waiver pursuant to Section 40 of this Act.

16 (i) On October 1, 2007, or as soon thereafter, in the
17 discretion of the Director of Public Health, as is reasonably
18 practical, and thereafter, each direct care employer or its
19 designee must provide an employment verification for each
20 employee no less than annually. The direct care employer or its
21 designee must log into the Health Care Worker Registry through
22 a secure login. The health care employer or its designee must
23 indicate employment and termination dates within 30 days after
24 hiring or terminating an employee, as well as the employment
25 category and type. Failure to comply with this subsection (i)
26 constitutes a licensing violation. For health care employers

1 that are not licensed or certified, a fine of up to \$500 may be
2 imposed for failure to maintain these records. This information
3 shall be used by the Department of Public Health to notify the
4 last known employer of any disqualifying offenses that are
5 reported by the Department of State Police.

6 (j) The Department of Public Health shall notify each
7 health care employer or long-term care facility inquiring as to
8 the information on the Health Care Worker Registry if the
9 applicant or employee listed on the registry has a
10 disqualifying offense and is therefore ineligible to work. In
11 the event that an applicant or employee has a waiver for one or
12 more disqualifying offenses pursuant to Section 40 of this Act
13 and he or she is otherwise eligible to work, the Department of
14 Public Health shall report that the applicant or employee is
15 eligible to work and that additional information is available
16 on the Health Care Worker Registry. The Department may report
17 that the applicant or employee has received a waiver ~~or has a~~
18 ~~waiver pursuant to Section 40 of this Act.~~

19 (k) The student, applicant, or employee must be notified of
20 each of the following whenever a fingerprint-based criminal
21 history records check is required:

22 (1) That the educational entity, health care employer,
23 or long-term care facility shall initiate a
24 fingerprint-based criminal history record check requested
25 by the Department of Public Health of the student,
26 applicant, or employee pursuant to this Act.

1 (2) That the student, applicant, or employee has a
2 right to obtain a copy of the criminal records report that
3 indicates a conviction for a disqualifying offense and
4 challenge the accuracy and completeness of the report
5 through an established Department of State Police
6 procedure of Access and Review.

7 (3) That the applicant, if hired conditionally, may be
8 terminated if the criminal records report indicates that
9 the applicant has a record of a conviction of any of the
10 criminal offenses enumerated in Section 25, unless the
11 applicant obtains a waiver pursuant to Section 40 of this
12 Act.

13 (4) That the applicant, if not hired conditionally,
14 shall not be hired if the criminal records report indicates
15 that the applicant has a record of a conviction of any of
16 the criminal offenses enumerated in Section 25, unless the
17 applicant obtains a waiver pursuant to Section 40 of this
18 Act.

19 (5) That the employee shall be terminated if the
20 criminal records report indicates that the employee has a
21 record of a conviction of any of the criminal offenses
22 enumerated in Section 25.

23 (6) If, after the employee has originally been
24 determined not to have disqualifying offenses, the
25 employer is notified that the employee has a new
26 conviction(s) of any of the criminal offenses enumerated in

1 Section 25, then the employee shall be terminated.

2 (1) A health care employer or long-term care facility may
3 conditionally employ an applicant for up to 3 months pending
4 the results of a fingerprint-based criminal history record
5 check requested by the Department of Public Health.

6 (m) The Department of Public Health or an entity
7 responsible for inspecting, licensing, certifying, or
8 registering the health care employer or long-term care facility
9 shall be immune from liability for notices given based on the
10 results of a fingerprint-based criminal history record check.

11 (Source: P.A. 95-120, eff. 8-13-07.)

12 (225 ILCS 46/40)

13 Sec. 40. Waiver.

14 (a) Any student, applicant, or employee listed on the
15 Health Care Worker Registry may request a waiver of the
16 prohibition against employment by:

17 (1) completing a waiver application on a form
18 prescribed by the Department of Public Health;

19 (2) providing a written explanation of each conviction
20 to include (i) what happened, (ii) how many years have
21 passed since the offense, (iii) the individuals involved,
22 (iv) the age of the applicant at the time of the offense,
23 and (v) any other circumstances surrounding the offense;
24 and

25 (3) providing official documentation showing that all

1 fines have been paid, if applicable and except for in the
2 instance of payment of court-imposed fines or restitution
3 in which the applicant is adhering to a payment schedule,
4 and the date probation or parole was satisfactorily
5 completed, if applicable.

6 (b) The applicant may, but is not required to, submit
7 employment and character references and any other evidence
8 demonstrating the ability of the applicant or employee to
9 perform the employment responsibilities competently and
10 evidence that the applicant or employee does not pose a threat
11 to the health or safety of residents, patients, or clients.

12 (c) The Department of Public Health may, at the discretion
13 of the Director of Public Health, grant a waiver to an
14 applicant, student, or employee listed on the registry. The
15 Department of Public Health shall ~~must~~ ~~inform health care~~
16 ~~employers if a waiver is being sought by entering a record on~~
17 ~~the Health Care Worker Registry that a waiver is pending and~~
18 ~~must~~ act upon the waiver request within 30 days of receipt of
19 all necessary information, as defined by rule. The Department
20 of Public Health shall send an applicant, student, or employee
21 written notification of its decision whether to grant a waiver
22 ~~Except in cases where a rehabilitation waiver is granted, a~~
23 ~~letter shall be sent to the applicant notifying the applicant~~
24 ~~that he or she has received an automatic waiver.~~

25 (d) An individual shall not be employed from the time that
26 the employer receives a notification from the Department of

1 Public Health based upon the results of a fingerprint-based
2 criminal history records check containing disqualifying
3 conditions until the time that the individual receives a
4 waiver.

5 (e) The entity responsible for inspecting, licensing,
6 certifying, or registering the health care employer and the
7 Department of Public Health shall be immune from liability for
8 any waivers granted under this Section.

9 (f) A health care employer is not obligated to employ or
10 offer permanent employment to an applicant, or to retain an
11 employee who is granted a waiver under this Section.

12 (Source: P.A. 95-120, eff. 8-13-07; 95-545, eff. 8-28-07;
13 95-876, eff. 8-21-08; 96-565, eff. 8-18-09.)

14 (225 ILCS 46/40.1 new)

15 Sec. 40.1. Health Care Worker Registry working group.

16 (a) The Office of the Governor shall establish a working
17 group regarding the activities under this Act, with the
18 following goals:

19 (1) to evaluate and monitor the success of health care
20 waivers under Section 40 in creating job opportunity for
21 people with criminal records; and

22 (2) to identify and recommend changes to the waiver
23 application and implementation process to reduce barriers
24 for applicants or employees.

25 In order to ensure that the working group is fully

1 informed, the Department of Public Health and the Governor's
2 Office shall provide the working group with any relevant
3 aggregate data currently available that is related to the
4 waiver process and its effectiveness. The working group shall
5 identify any gaps in information currently collected that would
6 inform the working group's efforts and make recommendations to
7 the Governor's Office and the General Assembly about what
8 additional data should be collected to evaluate and monitor the
9 success of the waiver process by July 1, 2017.

10 (b) The working group shall be comprised of representatives
11 from advocacy and community-based organizations, individuals
12 directly impacted by the waiver process, industry
13 representatives, members of the General Assembly, and
14 representatives from the Department of Public Health and the
15 Office of the Governor. The working group shall meet at least 2
16 times each year.

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