

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Assisted Living and Shared Housing Act is amended by changing Section 160 as follows:

(210 ILCS 9/160)

Sec. 160. Assisted Living and Shared Housing Regulatory Fund. There is created in the State treasury a special fund to be known as the Assisted Living and Shared Housing Regulatory Fund. All moneys received by the Department under this Act and the Board and Care Home ~~Registration~~ Act shall be deposited into the Fund. Subject to appropriation, moneys in the Fund shall be used for the administration of this Act and the Board and Care Home ~~Registration~~ Act. Interest earned on moneys in the Fund shall be deposited into the Fund.

(Source: P.A. 94-21, eff. 1-1-06.)

Section 10. The Hospital Licensing Act is amended by changing Section 6.09 as follows:

(210 ILCS 85/6.09) (from Ch. 111 1/2, par. 147.09)

Sec. 6.09. (a) In order to facilitate the orderly transition of aged and disabled patients from hospitals to

post-hospital care, whenever a patient who qualifies for the federal Medicare program is hospitalized, the patient shall be notified of discharge at least 24 hours prior to discharge from the hospital. With regard to pending discharges to a skilled nursing facility or if home health services are ordered, the hospital must inform its designated case coordination unit, as defined in 89 Ill. Adm. Code 240.260, of the pending discharge and must provide the patient with the case coordination unit's telephone number and other contact information.

(b) Every hospital shall develop procedures for a physician with medical staff privileges at the hospital or any appropriate medical staff member to provide the discharge notice prescribed in subsection (a) of this Section. The procedures must include prohibitions against discharging or referring a patient to any of the following if unlicensed, uncertified, or unregistered: (i) a board and care facility, as defined in the Board and Care Home ~~Registration~~ Act; (ii) an assisted living and shared housing establishment, as defined in the Assisted Living and Shared Housing Act; (iii) a facility licensed under the Nursing Home Care Act; (iv) a supportive living facility, as defined in Section 5-5.01a of the Illinois Public Aid Code; or (v) a free-standing hospice facility licensed under the Hospice Program Licensing Act if licensure, certification, or registration is required. The Department of Public Health shall annually provide hospitals with a list of licensed, certified, or registered board and care facilities,

assisted living and shared housing establishments, nursing homes, supportive living facilities, and hospice facilities. Reliance upon this list by a hospital shall satisfy compliance with this requirement. The procedure may also include a waiver for any case in which a discharge notice is not feasible due to a short length of stay in the hospital by the patient, or for any case in which the patient voluntarily desires to leave the hospital before the expiration of the 24 hour period.

(c) At least 24 hours prior to discharge from the hospital, the patient shall receive written information on the patient's right to appeal the discharge pursuant to the federal Medicare program, including the steps to follow to appeal the discharge and the appropriate telephone number to call in case the patient intends to appeal the discharge.

(Source: P.A. 94-335, eff. 7-26-05.)

Section 15. The Board and Care Home Registration Act is amended by changing Sections 1, 2a, 3, and 7 as follows:

(225 ILCS 7/1)

Sec. 1. Short title. This Act may be cited as the Board and Care Home ~~Registration~~ Act.

(Source: P.A. 89-387, eff. 8-20-95.)

(225 ILCS 7/2a)

Sec. 2a. Staff. The staff of the facility may provide room,

housekeeping, meals, protective oversight and other types of assistance to the residents, as permitted under the Assisted Living and Shared Housing Act.

(Source: P.A. 89-387, eff. 8-20-95.)

(225 ILCS 7/3)

Sec. 3. Licensure ~~Registration.~~

(a) Every board and care home located in this State shall be licensed by ~~register with~~ the Department. Registration shall be in the form prescribed by the Department as a shared housing or assisted living establishment under the Assisted Living and Shared Housing Act. ~~and shall include the following:~~

~~(1) The name, address, and telephone number of the facility.~~

~~(2) The name, address, and telephone number of the owner of the facility.~~

~~(3) The number of residents of the facility.~~

~~(4) A registration fee, as determined, by the Department.~~

(b) (Blank). ~~Every registration issued under this Act shall be valid for 2 years. Upon renewal, the facility must re-apply and meet the registration requirements under this Section.~~

(c) (Blank). ~~The Department shall promulgate rules to protect the rights and safety of the residents and to enforce the provisions of this Act.~~

(d) No public official, agent, or employee may place any

person in, or recommend that any person be placed in, or directly or indirectly cause any person to be placed in any board and care home that is not licensed as an assisted living or shared housing establishment ~~registered~~.

(e) No public official, agent, or employee may place the name of an unlicensed ~~unregistered~~ establishment that is required to be licensed ~~registered~~ under this Act on a list of programs.

(f) Failure of a board and care home to comply with the provisions of this Section is punishable by a fine of up to \$1,000.

(g) Failure of a board and care home to comply with the provisions of this Section within 90 days after the initial finding of noncompliance is punishable by a fine of \$1,000 on each day the provisions of this Section are not complied with.

(Source: P.A. 94-21, eff. 1-1-06.)

(225 ILCS 7/7)

Sec. 7. Assisted Living and Shared Housing Regulatory Fund. All licensure ~~registration~~ fees and fines collected pursuant to the provisions of this Act shall be deposited into the Assisted Living and Shared Housing Regulatory Fund. Subject to appropriation, moneys deposited into the Fund shall be used for the administration of this Act and the Assisted Living and Shared Housing Act.

(Source: P.A. 94-21, eff. 1-1-06.)

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