

AN ACT concerning regulation.

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

Section 5. The Nursing Home Care Act is amended by changing Sections 3-208 and 3-304.1 as follows:

(210 ILCS 45/3-208) (from Ch. 111 1/2, par. 4153-208)

Sec. 3-208. (a) Each licensee shall file annually, or more often as the Director shall by rule prescribe, an attested financial statement. The Director may order an audited financial statement of a particular facility by an auditor of the Director's choice, provided the cost of such audit is paid by the Department.

(b) No public funds shall be expended for the maintenance of any resident in a facility which has failed to file the financial statement required under this Section and no public funds shall be paid to or on behalf of a facility which has failed to file a statement.

(c) The Director of Public Health and the Director of Healthcare and Family Services shall promulgate under Sections 3-801 and 3-802, one set of regulations for the filing of these financial statements, and shall provide in these regulations for forms, required information, intervals and dates of filing and such other provisions as they may deem necessary.

(c-5) A facility which is owned by a chain organization as defined by the Centers for Medicare and Medicaid Services shall submit annually to the Department a copy of the Home Office Cost Statement required to be submitted by the home office of the chain to the United States Department of Health and Human Services. This Home Office Cost Statement contains proprietary, privileged, and confidential information that shall not be placed on the World Wide Web. Any request from the public received by any public agency to disclose this Home Office Cost Statement shall be subject to the provisions of the Freedom of Information Act.

(d) The Director of Public Health and the Director of Healthcare and Family Services shall seek the advice and comments of other State and federal agencies which require the submission of financial data from facilities licensed under this Act and shall incorporate the information requirements of these agencies so as to impose the least possible burden on licensees. No other State agency may require submission of financial data except as expressly authorized by law or as necessary to meet requirements of federal statutes or regulations. Information obtained under this Section shall be made available, upon request, by the Department to any other State agency or legislative commission to which such information is necessary for investigations or required for the purposes of State or federal law or regulation.

(Source: P.A. 95-331, eff. 8-21-07.)

(210 ILCS 45/3-304.1)

Sec. 3-304.1. Public computer access to information.

(a) The Department must make information regarding nursing homes in the State available to the public in electronic form on the World Wide Web, including all of the following information:

- (1) who regulates nursing homes;
 - (2) information in the possession of the Department that is listed in Sections 3-210 and 3-304;
 - (3) deficiencies and plans of correction;
 - (4) enforcement remedies;
 - (5) penalty letters;
 - (6) designation of penalty monies;
 - (7) the U.S. Department of Health and Human Services' Health Care Financing Administration special projects or federally required inspections;
 - (8) advisory standards;
 - (9) deficiency-free surveys;
 - (10) enforcement actions and enforcement summaries;
- ~~and~~
- (11) distressed facilities;~~;~~
 - (12) a link to the most recent facility cost report filed with the Department of Healthcare and Family Services;
 - (13) a link to the most recent Consumer Choice

Information Report filed with the Department on Aging;

(14) whether the facility is part of a chain; the facility shall be deemed part of a chain if it meets criteria established by the United States Department of Health and Human Services that identify it as owned by a chain organization;

(15) whether the facility is a for-profit or not-for-profit facility; and

(16) whether the facility is or is part of a continuing care retirement community.

(b) No fee or other charge may be imposed by the Department as a condition of accessing the information.

(c) The electronic public access provided through the World Wide Web shall be in addition to any other electronic or print distribution of the information.

(d) The information shall be made available as provided in this Section in the shortest practicable time after it is publicly available in any other form.

(Source: P.A. 96-1372, eff. 7-29-10.)