

SB4056



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB4056

Introduced 2/18/2026, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

210 ILCS 9/75

Amends the Assisted Living and Shared Housing Act. In provisions concerning terminally ill residents who receive or would qualify for hospice care, provides that establishments shall ensure that those residents receive care from a licensed health care professional available on-site 7 days per week, 24 hours per day to meet the medical, nursing, and mental and psychosocial care needs of the resident.

LRB104 20045 BAB 33496 b

A BILL FOR

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 Assisted Living and Shared Housing Act is
5 amended by changing Section 75 as follows:

6 (210 ILCS 9/75)

7 Sec. 75. Residency requirements.

8 (a) No individual shall be accepted for residency or
9 remain in residence if the establishment cannot provide or
10 secure appropriate services, if the individual requires a
11 level of service or type of service for which the
12 establishment is not licensed or which the establishment does
13 not provide, or if the establishment does not have the staff
14 appropriate in numbers and with appropriate skill to provide
15 such services.

16 (b) Only adults may be accepted for residency.

17 (c) A person shall not be accepted for residency if:

18 (1) the person poses a serious threat to himself or
19 herself or to others;

20 (2) the person is not able to communicate his or her
21 needs and no resident representative residing in the
22 establishment, and with a prior relationship to the
23 person, has been appointed to direct the provision of

1 services;

2 (3) the person requires total assistance with 2 or
3 more activities of daily living;

4 (4) the person requires the assistance of more than
5 one paid caregiver at any given time with an activity of
6 daily living;

7 (5) the person requires more than minimal assistance
8 in moving to a safe area in an emergency;

9 (6) the person has a severe mental illness, which for
10 the purposes of this Section means a condition that is
11 characterized by the presence of a major mental disorder
12 as classified in the Diagnostic and Statistical Manual of
13 Mental Disorders, Fourth Edition (DSM-IV) (American
14 Psychiatric Association, 1994), where the individual is a
15 person with a substantial disability due to mental illness
16 in the areas of self-maintenance, social functioning,
17 activities of community living and work skills, and the
18 disability specified is expected to be present for a
19 period of not less than one year, but does not mean
20 Alzheimer's disease and other forms of dementia based on
21 organic or physical disorders;

22 (7) the person requires intravenous therapy or
23 intravenous feedings unless self-administered or
24 administered by a qualified, licensed health care
25 professional;

26 (8) the person requires gastrostomy feedings unless

1 self-administered or administered by a licensed health
2 care professional;

3 (9) the person requires insertion, sterile irrigation,
4 and replacement of catheter, except for routine
5 maintenance of urinary catheters, unless the catheter care
6 is self-administered or administered by a licensed health
7 care professional or a nurse in compliance with education,
8 certification, and training in catheter care or infection
9 control by the Centers for Disease Control and Prevention
10 with oversight from an infection preventionist or
11 infection control committee;

12 (10) the person requires sterile wound care unless
13 care is self-administered or administered by a licensed
14 health care professional;

15 (11) (blank);

16 (12) the person is a diabetic requiring routine
17 insulin injections unless the injections are
18 self-administered or administered by a licensed health
19 care professional;

20 (13) the person requires treatment of stage 3 or stage
21 4 decubitus ulcers or exfoliative dermatitis;

22 (14) the person requires 5 or more skilled nursing
23 visits per week for conditions other than those listed in
24 items (13) and (15) of this subsection for a period of 3
25 consecutive weeks or more except when the course of
26 treatment is expected to extend beyond a 3-week period for

1 rehabilitative purposes and is certified as temporary by a
2 physician; or

3 (15) other reasons prescribed by the Department by
4 rule.

5 (d) A resident with a condition listed in items (1)
6 through (15) of subsection (c) shall have his or her residency
7 terminated.

8 (e) Residency shall be terminated when services available
9 to the resident in the establishment are no longer adequate to
10 meet the needs of the resident. The establishment shall notify
11 the resident and the resident's representative, if any, when
12 there is a significant change in the resident's condition that
13 affects the establishment's ability to meet the resident's
14 needs. The requirements of subsection (c) of Section 80 shall
15 then apply. This provision shall not be interpreted as
16 limiting the authority of the Department to require the
17 residency termination of individuals.

18 (f) Subsection (d) of this Section shall not apply to
19 terminally ill residents who receive or would qualify for
20 hospice care and such care is coordinated by a hospice program
21 licensed under the Hospice Program Licensing Act or other
22 licensed health care professional employed by a licensed home
23 health agency and the establishment and all parties agree to
24 the continued residency. Establishments shall ensure that
25 residents subject to this subsection receive care from a
26 licensed health care professional available on-site 7 days per

1 week, 24 hours per day to meet the medical, nursing, and mental
2 and psychosocial care needs of the resident.

3 (g) Items (3), (4), (5), and (9) of subsection (c) shall
4 not apply to a quadriplegic, paraplegic, or individual with
5 neuro-muscular diseases, such as muscular dystrophy and
6 multiple sclerosis, or other chronic diseases and conditions
7 as defined by rule if the individual is able to communicate his
8 or her needs and does not require assistance with complex
9 medical problems, and the establishment is able to accommodate
10 the individual's needs. The Department shall prescribe rules
11 pursuant to this Section that address special safety and
12 service needs of these individuals.

13 (h) For the purposes of items (7) through (10) of
14 subsection (c), a licensed health care professional may not be
15 employed by the owner or operator of the establishment, its
16 parent entity, or any other entity with ownership common to
17 either the owner or operator of the establishment or parent
18 entity, including but not limited to an affiliate of the owner
19 or operator of the establishment. Nothing in this Section is
20 meant to limit a resident's right to choose his or her health
21 care provider.

22 (i) Subsection (h) is not applicable to residents admitted
23 to an assisted living establishment under a life care contract
24 as defined in the Life Care Facilities Act if the life care
25 facility has both an assisted living establishment and a
26 skilled nursing facility. A licensed health care professional

1 providing health-related or supportive services at a life care
2 assisted living or shared housing establishment must be
3 employed by an entity licensed by the Department under the
4 Nursing Home Care Act or the Home Health, Home Services, and
5 Home Nursing Agency Licensing Act.

6 (Source: P.A. 103-444, eff. 1-1-24; 103-844, eff. 7-1-25;
7 104-191, eff. 1-1-26.)