



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4180

Introduced 10/19/2021, by Rep. Jennifer Gong-Gershowitz

SYNOPSIS AS INTRODUCED:

210 ILCS 40/13 new

Amends the Life Care Facilities Act. Provides that a resident is entitled to be represented by at least one resident voting member on the board of directors or equivalent governing body of the resident's provider. Requires a provider with more than one facility to seat as a member on the provider's board of directors or equivalent governing body at least one resident from each of the provider's facilities in the State. Provides that a resident has the right to self-organization. Prohibits reprisal by a provider in response to specified activities. Requires a provider's board of directors or equivalent governing body to (1) hold quarterly meetings to discuss specified subjects and (2) consult and discuss with a facility's residents or the representatives of a facility's residents any proposed action that might significantly affect the well-being of the facility's residents or the financial stability of the facility before taking the proposed action. Requires the Department of Public Health to ensure that providers comply with the provisions by instituting a penalty for noncompliance. Effective immediately.

LRB102 18980 CPF 27708 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 Life Care Facilities Act is amended by
5 adding Section 13 as follows:

6 (210 ILCS 40/13 new)

7 Sec. 13. Resident rights; board of directors.

8 (a) A resident is entitled to be represented by at least
9 one resident voting member on the board of directors or
10 equivalent governing body of the resident's provider. A
11 provider with more than one facility must seat as a voting
12 member on the provider's board of directors or equivalent
13 governing body at least one resident from each of the
14 provider's facilities in this State. A resident voting member
15 shall be elected by a resident's association or similar body,
16 without input from the provider's board of directors or
17 equivalent governing body.

18 (b) A resident has the right to self-organization.
19 Reprisal by a provider is not permitted in response to
20 activities including, but not limited to, participation in a
21 resident's association or organization or complaint to the
22 Department of the provider's violation of this Section or any
23 other State law.

1 (c) A provider's board of directors or equivalent
2 governing body must hold quarterly meetings for open
3 discussion of subjects including, but not limited to, income,
4 expenditure, and financial trends and issues as they apply to
5 the continuing care retirement community and proposed changes
6 in policies, programs, and services.

7 (d) A provider's board of directors or equivalent
8 governing body shall consult and discuss with a facility's
9 residents or the representatives of a facility's residents any
10 proposed action that might significantly affect the well-being
11 of the facility's residents or the financial stability of the
12 facility before taking the proposed action.

13 (e) The Department shall ensure that providers comply with
14 the provisions of this Section by instituting a penalty for
15 noncompliance with this Section.

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